

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PHYLLIS MAY	*	BEVERAGE HEARING BOARD
ALBERT AND JAMES ARTHUR	*	FOR
KUJAWSKI ON BEHALF OF	*	HOWARD COUNTY, MARYLAND
GAETANO'S LLC T/A GALLEANO'S	*	
ITALIAN RESTAURANT & WINE BAR	*	
FOR A NEW CLASS B BEER AND	*	Case No.: 19-47
WINE 7-DAY ON-SALE LICENSE	*	

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the "Liquor Board"), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the "Hearing Board").

On November 12, 2019, the Hearing Board heard the application of Phyllis May Albert and James Arthur Kujawski ("Applicants") on behalf of Gaetano's LLC t/a Galleano's Italian Restaurant & Wine Bar ("Galleano's Italian Restaurant") for a new Class B Beer and Wine, 7-day on-sale license for a 4,700-square foot restaurant with a 1,200-square foot outdoor patio located at 8110 Maple Lawn Blvd., Suite 125, Fulton, MD 20759.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas Meachum, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference.

SUMMARY OF TESTIMONY

James Kujawski, managing member and 90% interest owner in Gaetano's, was sworn and testified that he will oversee kitchen staff, those in charge of the bar area, servers and managers and will be at the restaurant four to five times per week. Mr. Kujawski stated that he has previous experience at other restaurants including as owner/managing partner in Yellowfin Restaurant in Annapolis since 2001, previous partner in Osteria177 and currently as the owner of a pizzeria, Bon Journo, in northern Baltimore for the last 7 years. Mr. Kujawski testified that he has had no violations of the liquor laws.

Mr. Kujawski testified that the outdoor patio will be fully enclosed with a 4-foot metal fence and the access to get onto the patio will be through the restaurant. He stated that table service will be provided on the patio and the patio area will be supervised by employees when in use.

Mr. Kujawski testified that this will be a classic Italian restaurant with 25-35 employees and that all employees that serve alcohol will have in-house alcohol compliance training and be TIPS certified. He stated that he has read and understands the Liquor Board Rules and Regulations and will abide by them. He stated that he disclosed to his employer of his interest in Gaetano's and his application for a liquor license.

Mr. Kujawski testified that this restaurant will be a good addition to the neighborhood and he will participate in recycling as this is a social obligation that is important to him. He stated that he plans to hire high school kids from the immediate area to work at the restaurant.

Phyllis Albert, proposed resident agent and 10% interest owner, was sworn and

testified that she has lived in Howard County for 34 years and is an authorized person for the LLC. She stated that she is retired, a registered voter and is TAMS certified.

Ms. Albert testified that she is also a resident agent at Carraba's Italian Grill and Hunan Legend and there have been no liquor violations at these restaurants. Ms. Albert testified that she was previously a resident agent at the Mandarin House and Tiber River Tavern and that there were two violations at the Tiber River Tavern on the same evening in 2004, however, the violations occurred after 2 a.m. and she was not present. Ms. Albert testified that the employees responsible for the violations were suspended, but not terminated, and she had a meeting with the parties involved to give them new written internal guidelines that needed to be followed in the future.

Ms. Albert testified that she plans to visit the restaurant 3-4 times per month to check that they are in compliance. Ms. Albert stated that she is familiar with the Board's Rules and Regulations and will abide by them.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Phyllis May Albert and James Arthur Kujawski, on behalf of Gaetano's LLC t/a Galleano's Italian Restaurant & Wine Bar, have applied for a new Class B Beer and Wine, 7-day on-sale license for a 4,700-square foot restaurant with a 1,200-square foot outdoor patio located at 8110 Maple Lawn Blvd., Suite 125, Fulton, MD 20759.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Phyllis May Albert has been a Howard County resident for more than two years, is a registered voter, and has a 10% financial interest in the business.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Phyllis May Albert and James Arthur Kujawski, on behalf of Gaetano's LLC t/a Galleano's Italian Restaurant & Wine Bar, have applied for a new Class B Beer and Wine, 7-day on-sale license for a 4,700-square foot restaurant with a 1,200-square foot outdoor patio located at 8110 Maple Lawn Blvd., Suite 125, Fulton, MD 20759.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Phyllis May Albert meets the requirements of Rules 1.10(S), 1.10(T), and 2.06, of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of this application would not

unduly disturb the peace and safety of the neighborhood.

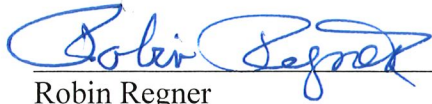
ORDER

For the foregoing reasons, it is this 10th day of December, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Phyllis May Albert and James Arthur Kujawski, on behalf of Gaetano's LLC t/a Galleano's Italian Restaurant & Wine Bar, for a new Class B Beer and Wine, 7-day on-sale license for a 4,700-square foot restaurant with a 1,200-square foot outdoor patio located at 8110 Maple Lawn Blvd., Suite 125, Fulton, MD 20759, be and the same is hereby **GRANTED**, subject to the following conditions:

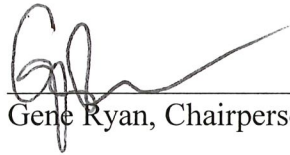
- (a) That the Applicants comply with all State and County laws and regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by March 10, 2020, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator

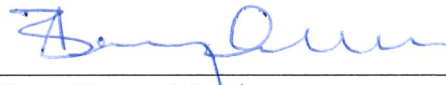


Gene Ryan, Chairperson

(Not Present)

Mary Bird, Vice Chairperson

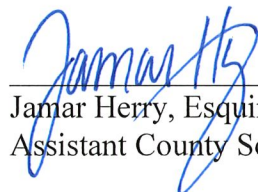
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR



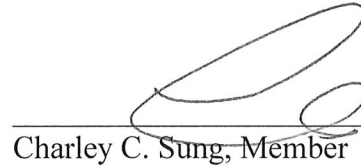
Harry Evans, Member

(Not Present)

Heather Gaetano, Member



Jamar Herry, Esquire
Assistant County Solicitor



Charley C. Sung, Member