

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF BRADFORD	*	
KELLER ELY, JOSE MARIO	*	BEVERAGE HEARING BOARD
LIBERATORE AND DANTE	*	
FERNANDO LIBERATORE OF LIB'S	*	FOR
GRILL DUE, INC., T/A LIB'S GRILL,	*	
FOR AN EXTENSION OF PREMISES	*	HOWARD COUNTY, MARYLAND
AND CHANGE OF RESIDENT AGENT	*	
ON A CLASS B, BEER, WINE, AND	*	CASE NO.: 19-25
LIQUOR 7-DAY, ON-SALE LICENSE	*	

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**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 May 28, 2019, the Hearing Board heard the application of Bradford Keller Ely, Jose Mario Liberatore and Dante Fernando Liberatore ("Applicants") on behalf of Lib's Grill Due, Inc., t/a Lib's Grill, ("Lib's Grill") for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 5,945 square foot restaurant with a 350 square foot outdoor patio to a 5,945 square foot restaurant with a 2,169 square foot outdoor patio, located at 8191 Maple Lawn Blvd., Maple Lawn, MD 20795.

The hearing was properly advertised and the premises posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Joseph Snee, Jr., 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

Bradford Keller Ely, proposed resident agent licensee, was sworn and testified before the Board. Mr. Ely testified that he will be replacing his son, Cameron Keller Ely, as the resident agent and that his son has transferred his 10% interest in the restaurant to him. Mr. Ely further testified that he has lived in Howard County for approximately twenty years and is a registered voter. He testified that he plans on making weekly visits to the site and will keep records of those visits as well as records of all alcoholic beverage purchases and wholesaler invoices and all other records required.

Mr. Ely stated that he understands the rules and regulations regarding alcohol sales and is alcohol awareness certified. He testified that there are approximately thirty-five employees at Lib's Grill, fifteen of which are TIPS trained. He testified that he will assure that all employees are trained thoroughly, reminded constantly about alcohol regulations and overseen at all times. Mr. Ely referred to exhibit numbers 3 and 4 which encompass the training the employees are provided.

Jose Liberatore, President of Lib's Grill, was sworn and testified as follows:

Mr. Liberatore testified that all employees are trained in every aspect of the business, including alcohol sales, and are quizzed weekly. He testified that there have been no alcohol violations since the restaurant opened in 2017.

Mr. Liberatore testified that the restaurant currently seats approximately 232 patrons inside and 22 on the outside 350 square foot patio. The expansion will increase the outside seating area to 2,169 square feet which will seat 80. Mr. Liberatore testified that a minimum of 4 servers will be dedicated to the proposed expanded patio area. He further testified that the patio is visible from inside the restaurant.

The following exhibits were entered into the record:

*Applicant's Exhibits:*

1. *Timeline of Lib's Grill Liquor Licensing*
2. *Background check for Bradford Ely*
3. *Bradford K. Ely TIPS certification card*
4. *Lib's Grill Employee Handbook*
5. *Liberatore's Ristorante and Catering Rules for all Front of House Employees*
6. *Floorplan*
7. *Large version of the Floorplan*

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 Bradford Keller Ely, Jose Mario Liberatore and Dante Fernando Liberatore on behalf of Lib's Grill Due, Inc., t/a Lib's Grill have applied for a change of resident agent and an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 5,945 square foot restaurant with a 350 square foot outdoor patio to a 5,945 square foot restaurant with a 2,169 square foot outdoor patio, located at 8191 Maple Lawn Blvd., Maple Lawn, MD 20795.
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 Bradford Keller Ely has been a Howard County

resident for more than two years, is a registered voter, and 10% shareholder of Lib's Grill.

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 the application will not unduly disturb the peace and safety of the residents of the neighborhood.

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Bradford Keller Ely, Jose Mario Liberatore and Dante Fernando Liberatore on behalf of Lib's Grill Due, Inc., t/a Lib's Grill have applied for a change of resident agent and an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 5,945 square foot restaurant with a 350 square foot outdoor patio to a 5,945 square foot restaurant with a 2,169 square foot outdoor patio, located at 8191 Maple Lawn Blvd., Maple Lawn, MD 20795.

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 Bradford Keller Ely 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 will not unduly disturb the peace and safety of the neighborhood.

**ORDER**

For the foregoing reasons, it is this 25<sup>th</sup> day of June, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Bradford Keller Ely, Jose Mario Liberatore and Dante Fernando Liberatore on behalf of Lib's Grill Due, Inc., t/a Lib's Grill for a change of resident agent and an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 5,945 square foot restaurant with a 350 square foot outdoor patio to a 5,945 square foot restaurant with a 2,169 square foot outdoor patio, located at 8191 Maple Lawn Blvd., Maple Lawn, MD 20795, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County law and regulations; and
- (a) That the Applicants satisfy any requirements necessary to obtain the license by August 25, 2019, unless that deadline is extended by the Board upon good cause shown; and
- (b) 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

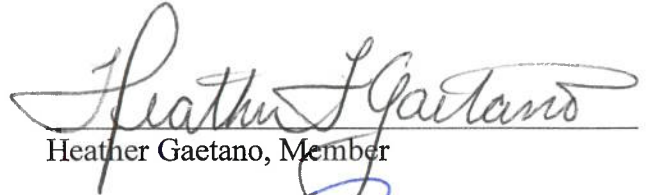


Mary Bird, Vice-Chairperson

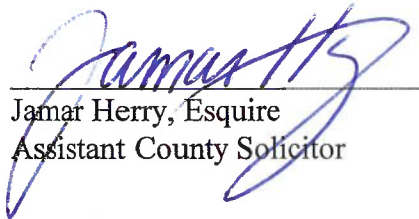
REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR



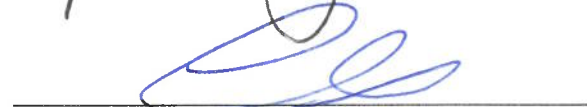
Harry Evans, Member



Heather Gaetano, Member



Jamar Herry, Esquire  
Assistant County Solicitor



Charley C. Sung, Member