

Brandon Board of Liquor Control Commissioners Meeting
April 27, 2015
7:00 p.m.

The Brandon Board of Liquor Control Commissioners will meet Monday, April 27, 2015 immediately following the Select Board Meeting to begin at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items noted on this agenda. Agendas shall be posted on the community bulletin board located in the front window of the Town Office at 49 Center Street, on the community bulletin board located between Dave's Grocery and the Forest Dale Post Office and the bulletin board at Lake Sunapee Bank. The Select Board reserves the right to add additional items, if necessary, at the beginning of the meeting.

- 1) Call to Order
 - a) Agenda Adoption

- 2) Consent Agenda
 - a) Minutes – Board of Liquor Control Commissioners Meeting – April 13, 2015

 - b) Approve Liquor Licenses:
 - PCH LLC dba Brandon Champlain Beverage

- 3) Adjournment

Brandon Board of Liquor Control Commissioners
April 13, 2015

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

In Attendance: Dave Atherton, Doug Bailey, Seth Hopkins, Devon Fuller

Also in Attendance: Arlen Bloodworth, Richard Baker, Anna Scheck, Jeff Stewart, Wayne Rausenberger, Daryl Burlett

1. Call to order

The meeting was called to order at 9:10PM by Chair – Doug Bailey.

a. Agenda Adoption - Motion by Devon Fuller/Dave Atherton to adopt the agenda as presented. **The motion passed unanimously – 3 to zero.**

2. Consent Agenda

a) Minutes of Board of Liquor Control Commissioners Meeting – March 23, 2015

Motion by Devon Fuller/Dave Atherton to approve the minutes of the March 23, 2015 meeting. **The motion passed unanimously – 3 to zero.**

b) Approval of Liquor Licenses:

. Junction Store & Deli, Inc.

Motion by Devon Fuller/Dave Atherton to approve the liquor license for Junction Store & Deli, Inc. **The motion passed unanimously – 3 to zero.**

. Old Mill Inn LLC dba The Inn at Neshobe River

Motion by Devon Fuller/Dave Atherton to approve the liquor license for Old Mill Inn LLC dba The Inn at Neshobe River. **The motion passed – Seth Hopkins recused from voting.**

c. Approve Outside Consumption Permits

. Old Mill Inn LLC dba The Inn at Neshobe River

Motion by Devon Fuller/Dave Atherton to approve an outside consumption permit for Old Mill Inn LLC dba The Inn at Neshobe River. **The motion passed – Seth Hopkins recused from voting.**

3. Adjournment

Motion by Devon Fuller/Seth Hopkins to adjourn the Board of Liquor Control Commissioners' meeting at 9:12PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

2015

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION
LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

PC# LLC

Print Full Name of Person, Partnership, Corporation, Club or LLC
Brandon Champlain Beverage.

Doing Business As - Trade Name
34 Conant Square

Street and street number of premises covered by this application
Brandon VT 05733

Town or City & Zip Code
Brandon VT 802-982-2556

Telephone Number
595 Darset Street Suite 10 South Burlington VT 05403

Mailing Address (if different from above)

Email address annmic1020@aol.com

Please circle appropriate categories

FIRST CLASS SECOND CLASS TOBACCO

Restaurant

Hotel

Club

Commercial Kitchen (a Liquor Control Commercial Caterer's License is needed with this license)

FEES:

FIRST CLASS LICENSE - \$115.00 to DLC and \$115.00 to Town/City

SECOND CLASS LICENSE - \$70.00 to DLC and \$70.00 to Town/City

TOBACCO LICENSE - (there is no fee for tobacco if applying for second class)

If applying for Tobacco only license please use the Tobacco Only form. Fee for this license is \$100.00 payable to DLC

TO THE CONTROL COMMISSIONERS OF THE TOWN/CITY OF Brandon, VERMONT
Application is hereby made for a license to sell malt and vinous beverages under and in accordance with Title 7, Vermont Statutes Annotated, as amended, and certify that all statements, information and answers to questions herein contained are true; and in consideration of such license being granted do promise and agree to comply with all local and state laws; and to comply with all regulations made and promulgated by the Liquor Control Board. Upon hearing, the Liquor Control Board may, in its discretion, suspend or revoke such license whenever it may determine that the law or any regulations of the Liquor Control Board have been violated, or that any statement, information or answers herein contained are false.

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING.

If this premise was previously licensed, please indicate name Terri Weeden

I/we are applying as: (please circle one)

INDIVIDUAL LIMITED LIABILITY COMPANY CORPORATION

Please fill in name and address of individual, partners, directors or members.
LEGAL NAME STREET/CITY/STATE

See attached

Are all of the above citizens of the UNITED STATES? Yes No
(Note: Resident Alien is not considered a U.S. Citizen)

If naturalized citizen, please complete the following:

Name Court where naturalized (City/State/Zip) Date

CORPORATE INFORMATION:

If you have checked the box marked CORPORATION, please fill out this information for stockholders (attach sheet if necessary).

LEGAL NAME _____ STREET/CITY/STATE _____

Date of incorporation _____ Is corporate charter now valid? _____

Corporate Federal Identification Number _____

Have you registered your corporation and/or trade name with the Town/City Clerk? _____ and/or Secretary of

State? _____ (as required by VSA Title 11 § 1621, 1623 & 1625).

ALL APPLICANTS

HAVE ANY OF THE APPLICANTS EVER BEEN CONVICTED OR PLED GUILTY TO ANY CRIMINAL OR MOTOR VEHICLE OFFENSE IN ANY COURT OF LAW (INCLUDING TRAFFIC TICKETS) AT ANY TIME?

_____ YES _____ NO

If yes, please complete the following information: (attached sheet if necessary)

Name	Court/Traffic Bureau	Offense	Date
NO			

Do any of the applicants hold any elective or appointive state, county, city, village/town office in Vermont? (See VSA, T.7, Ch. 9, §223) YES NO If yes, please complete the following information:

Name	Office	Jurisdiction
NO		

Please give name, title and date attended of manager, director, partner or individual who has attended a Liquor Control Licensee Education Seminar, as required by Education Regulation No. 3:

NAME: Paul L Handy
 TITLE: owner
 DATE: 4/2015

(If you have not attended an Education Seminar prior to making application, please visit www.liquorcontrol.vermont.gov and click on Seminar Schedule for a list of Seminars in your area)

FOR ALL APPLICANTS: DESCRIPTION /LOCATION OF PREMISES (Section 4)

Description of the premises to be licensed: _____

Does applicant own the premises described? NO If not owned, does applicant lease the premises? YES
If leased, name and address of lessor who holds title to property: Double Boley Realty Inc.

Are you making this application for the benefit of any other party? NO

FIRST CLASS APPLICANTS ONLY: No first class license may be issued without the following information.

HEALTH LICENSE #: Food _____ Lodging _____ (if licensed as a Hotel)

VERMONT TAX DEPARTMENT: Meals & Rooms Certificate/Business Account # _____

Business is devoted primarily to: (Circle one)
FOOD (restaurant) HOTEL CLUB COMMERCIAL CATERING BAR

If you are considering Outside Consumption service on decks, porches, cabanas, etc. you must complete an Outside Consumption Permit. This form can be found on our website at www.liquorcontrol.vermont.gov and then click on licensing and then forms.

ALL APPLICANTS MUST COMPLETE AND SIGN BELOW

The applicant(s) understands and agrees that the Liquor Control Board may obtain criminal history record information from State and Federal repositories prior to acting on this application.

I/We hereby certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, §3113).

In accordance with 21 VSA, §1378 (b) I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

If applicant is applying as an individual: I hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to

child support or an in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, §795).

Dated at _____ in the County of Chittenden and State of Vermont
this 7 day of April, 2015

Corporations/Clubs: Signature of Authorized Agent Individuals/Partners: (All partners must sign)

[Signature]

(Title)

[Signature]
[Signature]
[Signature]

TOWN/CITY APPROVAL/DISAPPROVAL

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the applications and transmit both copies to the Liquor Control Board for suitable action thereon, before any license may be granted. For the information of the Liquor Control Board, all applications shall carry the signature of each individual commissioner registering either approval or disapproval. Lease or title must be recorded in town or city before issuance of license.

_____, Vermont, _____
Town/City Date

APPROVED

DISAPPROVED

Approved/Disapproved by Board of Control Commissioners of the City or Town (circle one) of _____

Total Membership _____ members present

Attest, _____
City or Town Clerk

TOWN OR CITY CLERK SHALL MAIL ONE APPLICATION DIRECTLY TO THE DEPARTMENT OF LIQUOR CONTROL, 13 Green Mountain Drive, Montpelier, VT 05602. If application is disapproved, local control commissioners shall notify the applicant by letter.

No formal action taken by any agency or authority of any town board of selectmen or city board of aldermen on a first or second class application shall be considered binding except as taken or made at an open public meeting. VSA Title 1 §312.

SECTION 5111 AND 5121 OF THE INTERNAL REVENUE CODE OF 1954 REQUIRE EVERY RETAIL DEALER IN ALCOHOLIC BEVERAGES TO FILE A FORM ANNUALLY AND PAY A SPECIAL TAX IN CONNECTION WITH SUCH SALES ACTIVITY. FOR FURTHER INFORMATION, CONTACT:

THE BUREAU OF ALCOHOL, TOBACCO & FIREARMS (TTB) (513) 684-2979
DEPARTMENT OF THE TREASURY
550 MAIN STREET, CINCINNATI, OH 45202

NOTICE: All new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Liquor Control Board. Please note that this process can take anywhere from 2 weeks to 6 weeks to complete once Liquor Control receives the application.

CERTIFICATE of ACHIEVEMENT

This is to certify that

paul handy

has completed the course

Store Training -- 2nd Class Certification

April 8, 2015



DEPARTMENT OF LIQUOR CONTROL

IKX6ju40Tt

INFO FOR LIQUOR BOARD

Sue Gage

From: Sue Gage <sgage@townofbrandon.com>
Sent: Tuesday, April 07, 2015 11:08 AM
To: sgage@townofbrandon.com
Subject: FW: message from the Director

Please see email below sent from the Director to all Town Clerks

From: Goggins, Bill
Sent: Tuesday, April 07, 2015 10:43 AM
To: Pecor, Laurie
Subject: Clubs movong Liquor Licenses

To All Town Clerks,

In a review of past practices it has been found that neither the State or the Local Control Commissioners have the Statutory or Regulatory authority to permit a Club holding a first class or first and third class license to "move" their license from their permanent fixed location to that of another location for any given period of time. I realize that historically this has been viewed as legal but we can find no evidence giving us that authority. Please advise Clubs within your jurisdiction that apply to have their license moved for a day that this is not permissible. The Club could apply for a Festival Permit which your jurisdiction would have to approve prior to being submitted to the State for final approval. If a permit is granted the Club could keep its doors open during the time the permit is in effect.

I apologize for this coming to you out of the blue and if you have any questions please do not hesitate to ask.

William J. Goggins, Chief
Education, Licensing & Enforcement Divisions
Vermont Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT. 05602

E-Mail: bill.goggins@state.vt.us
Telephone: 1-800-832-2339 (instate)
1-802-828-2339 (all)
Fax: 1-802-828-1031

This message is intended to be viewed only by the person to whom it is addressed. If you have received this message in error, please notify me and then delete.

Laurie Pecor
Executive Office Manager
Education, Licensing & Enforcement
Vermont Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
laurie.pecor@state.vt.us
802-828-2339
802-828-1031 – fax