

Milton Liquor Board Meeting
December 1, 2014 at 6:00 PM
Municipal Building Community Room

Use of cell phones is prohibited during the meeting. Please shut them off or silence them.

AGENDA

I. Call to Order

II. Business

A) Request for First Class Liquor License
(Scott Levy, North Country Saloon, LLC)
Brian Palaia, Town Manager

Minutes of November 3, 2014
(To approve with or without corrections)

III. Adjournment

Posted on the official bulletin board in the lobby of the Municipal Building to the Town Website emailed to the Burlington Free Press, Milton Independent, Lake Champlain Access Television, Fox 44 News, WPTZ, WCAX, and posted in two other places within the Town of Milton and filed with the Town Clerk.

Signed: 

Brian M. Palaia, Town Manager

Memorandum

To: Selectboard
From: Meghan Grant
Date: 12/1/2014
Re: Request for First Class Liquor License

The Liquor License for North Country Saloon, LLC is ready to be processed. Brett Van Noordt and Amanda Pitts were contacted for comments regarding this application and there were no comments or concerns.

Staff recommends approval of this application. I would like to request that this item be submitted to the Local Liquor Board for their December 1st, 2014 agenda.

\$115. Paid 11.20.14 ZRD

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

North Country Saloon LLC

Print Full Name of Person, Partnership, Corporation, Club or LLC

North Country Saloon

Doing Business As - Trade Name

216 Route 7 South

Street and street number of premises covered by this application

Milton

Town or City & Zip Code

704 746 2555

Telephone Number

1127 North Ave 27-169 Burlington VT 05408

Mailing Address (if different from above)

Email address NorthCountrySaloon@gmail.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 Milton, 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 Roadside Tavern

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

INDIVIDUAL LIMITED LIABILITY COMPANY CORPORATION
PARTNERSHIP

Please fill in name and address of individual, partners, directors or members.

LEGAL NAME Scott Levy STREET/CITY/STATE 1127 North Ave 27-169 Burlington VT 05408

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
Scott Low	Burlington	Speeding	

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

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: Scott Low
TITLE: CEO
DATE: 11/3/2014

(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: 216 Rome 7 South, Milton VT

Does applicant own the premises described? _____ If not owned, does applicant lease the premises?
If leased, name and address of lessor who holds title to property: Sales Reposeyphim Essex Junction

Are you making this application for the benefit of any other party? _____

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 am 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 _____ and State of _____
this _____ day of _____, 20_____

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

(Title)

CEO



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.

DEPARTMENT OF LIQUOR CONTROL
OUTSIDE CONSUMPTION PERMIT

Fee \$20.00

Name of Licensed Premise (Corporation/Partnership/Individual, d/b/a)

North Country Saloon LLC

d/b/a North Country Saloon

Address 216 Rte 7 South Town/City Milton

License Number _____

Email or Fax # NorthCountrySaloon@gmail.com

Outside consumption would be in the area described below: (describe fully, including size, physical barriers, etc.)

Fenced in area to left of front door approx

20x20 in size

Please remember that this outside consumption permit is an extension of your license to serve alcohol beverages, and that the same rules apply in this area as do in the regularly licensed premise area.

Outside Consumption time period (hours) from 11am to 2am

Permanent Use (Permanent use will be considered year round use)

Occasional Use **

Day(s) Requested _____

Hours Requested _____

****IF YOU ARE A VERMONT MANUFACTURER OF MALT OR SPIRITOUS LIQUORS YOU WILL NEED A SPECIAL EVENT PERMIT NOT THE OCCASIONAL USE OUTSIDE CONSUMPTION PERMIT**

Signature of Licensee

Scott Lopez

OUTSIDE CONSUMPTION PERMITS MUST FIRST BE APPROVED BY YOUR TOWN/CITY CLERK

APPROVED BY LOCAL CONTROL COMMISSIONERS

Town/City Clerk Signature _____

Date _____

1 Milton Liquor Board Meeting Minutes
2 November 3, 2014 at 6:00 p.m. at Fire House Training Room
3

4 Liquor Board Members Present: Darren Adams, Chairperson; John Gifford, Vice-Chairperson;
5 Brenda Steady; and Stuart King
6

7 Liquor Board Members Absent: John Bartlett, Clerk
8

9 Staff Members Present: Brian Palaia, Town Manager; Ann Janda, Management Fellow; and
10 Roger Hunt, Public Works Director
11

12 Others: Julie Griffis and Elisabeth Finstad of Blue Jay Creative Common
13

14 I. **Call to Order-** Chair Adams called the meeting to order at 6:00 p.m.
15

16 II. **Business:**

17 A. **Request for First Class Liquor License**

18 Palaia stated that the Town recommends that an application for a First Class Liquor
19 License for Milton Lucky Buffet LLC be approved.
20

21 Gifford motioned to approve the First Class Liquor License for Milton Lucky Buffet LLC as
22 presented, second by Steady. **Approved Unanimously**
23

24 B. **Request to Enable Town Clerk to Authorize Art Gallery Malt and/or Vinous Serving
25 Permit and to Authorize of Serving, Catering, and Special Events**

26 Palaia stated that the Town received a Request to serve Malt, Vinous and/or Spirituous
27 Liquors from Blue Jay Creative Common and are asking for a motion for the Town Clerk
28 to sign off on these types of permits because they don't require Liquor Board approval.
29

30 King motioned to approve the Request to Serve Malt, Vinous and/or Spirituous Liquors
31 on November 6 at Art Gallery and to authorize the Town Clerk to sign off on these types
32 of permits in the future because they do not require Liquor Board approval, second by
33 Gifford. **Approved Unanimously**
34

35 III. **Minutes of August 4, 2014** – Gifford moved to accept the minutes as presented from the
36 August 4, 2014 Liquor Board meeting, second by Steady. **Approved Unanimously.**
37

38 IV. **Adjournment** – Gifford moved to adjourn at 6:05 p.m., second by King. **Approved**
39 **Unanimously**
40

41 **Respectfully Submitted,**

42 _____ **Date:** _____
43 John Bartlett, Clerk
44

45 **File with Milton Town Clerk's Office on this** _____ **day of** _____ **2014**
46

47 **ATTEST:** _____ **Milton Assistant Town Clerk**