

Milton Liquor Board Meeting

February 2, 2015 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 Second Class Liquor License

(Todd Picht, 3A Enterprise LLC d.b.a. The Dam Store)

Paul Bohne, Interim Town Manager

Minutes of December 1, 2014

(To approve with or without corrections)

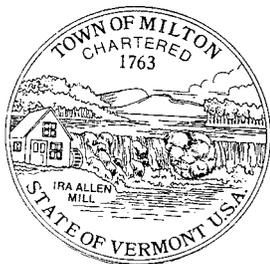
III. Adjournment

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



TOWN OF MILTON, VERMONT 05468-3205

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
43 BOMBARDIER ROAD • 802-893-1186 • FAX: 893-1005

MEMORANDUM

TO: Brian Palaia, Town Manager

FROM: Meghan Grant, Planning Assistant

RE: Liquor Board Application

DATE: January 27, 2015

The Liquor and Tobacco License for 3A Enterprise LLC d.b.a The Dam Store 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 February 2, 2015 agenda.

20 15

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION

LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

3A Enterprise LLC
 Print Full Name of Person, Partnership, Corporation, Club or LLC
The Dam Store
 Doing Business As - Trade Name
89 Rte 7 North
 Street and street number of premises covered by this application
Milton, VT 05468
 Town or City & Zip Code
(908) 619-5900
 Telephone Number
Same
 Mailing Address (if different from above)
 Email address picht@youthdream.org

RECEIVED
 JUN 22 2015
 Town Manager's Office
 Milton, VT

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 R.F. Damon Realty Inc (DBA The Dam Store)

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

INDIVIDUAL LIMITED LIABILITY COMPANY
 PARTNERSHIP CORPORATION

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

LEGAL NAME STREET/CITY/STATE
Todd J. Picht 29 Mackey St Milton VT 05468

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
Terri S. Pecht	NSSP	39:498 speeding	2/5/94
	Phillipsburg	39:4-95 speeding	6/15/90

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: Terri S. Pecht
TITLE: Owner
DATE: January 13, 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: Gas Station Convenience Store with Deli

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: Joe Handy 75 Swinroski Dr

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 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)

Owner
(Title)

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.

1 Milton Liquor Board Meeting Minutes
2 December 1, 2014 at 6:00 p.m.
3 Municipal Building Community Room
4

5 Liquor Board Members Present: Darren Adams, Chairperson; John Gifford, Vice-Chairperson;
6 John Bartlett, Clerk; Brenda Steady; and Stuart King
7

8 Liquor Board Members Absent:
9

10 Staff Members Present: Brian Palaia, Town Manager; Ann Janda, Management Fellow; Meghan
11 Bellavance, Library Director; and Roger Hunt, Public Works Director
12

13 Others:
14

- 15 I. **Call to Order-** Chair Adams called the meeting to order at 6:00 p.m.
16
17 II. **Business:**
18 A. **Request for First Class Liquor License**
19 Palaia stated that Town staff recommends that an application for a First Class Liquor
20 License for North Country Saloon, LLC be approved. Palaia noted that this will be at the
21 location of the Route 7 Southern Hourglass project.
22
23 Gifford motioned to approve the First Class Liquor License for North Country Saloon, LLC
24 as presented, second by Bartlett. **Approved Unanimously**
25
26 III. **Minutes of November 3, 2014** – Gifford moved to accept the minutes as presented from the
27 November 3, 2014 Liquor Board meeting, second by Steady. **Approved Unanimously.**
28
29 IV. **Adjournment** – Adams moved to adjourn at 6:05 p.m., second by Bartlett. **Approved**
30 **Unanimously**
31

32 Respectfully Submitted,

33 _____ Date: _____
34 John Bartlett, Clerk
35

36 File with Milton Town Clerk's Office on this _____ day of _____ 2014
37

38 ATTEST: _____ Milton Assistant Town Clerk