



## **Vermont Board of Liquor & Lottery**

### **November Minutes**

Record of the Meeting of the Vermont Board of Liquor & Lottery held on November 9, 2022 via web and phone.

**Members Present:** Martin Manahan, Chair, Thom Lauzon, Megan Cicio, Ed Flannagan, Sam Guy

**Others Present:** Wendy Knight, Commissioner; Andrew Collier, Deputy Commissioner; Wesley Lawrence, Board Counsel; Jacob Humbert, Department Counsel; Skyler Genest, Sr. Director of Licensee Operation; Brandon King, Executive Officer of Compliance & Enforcement; Katie Fleury, Program Technician I; Tonia Pryce, Purchasing Manager; Rich Morey, Director of Retail Operations; Sgt. Melanie Gaiotti, Liquor Investigator Supervisor; Katrina Ducharme, Liquor Investigator; David Hamlin, Program Technician II; Violette Marring, DLL Customer Service Rep; Skip Whitman, Marketing Manager; Jennifer Fisher, Training Specialist; Jamie Green, Program Technician II; Kobey Shwayder, Vermont Vermouth; Shaun Tomasi, Jekyll & Hyde Inc.; Danielle Tomasi, Jekyll & Hyde Inc.; Brianna Thompson Witness, Jekyll & Hyde Inc.; Courtney Mckirryher, Witness, Jekyll & Hyde Inc. ; Daisey Darling-Salls, RB's Deli LLC

**Meeting Start:** 9:00 am.

### **Additions/Deletions to the Agenda:**

None

### **Board Actions on Consent Agenda Items:**

- Approve minutes from October 12, 2022 Board Meeting – Moved and approved. motion Thom Lauzon and Ed Flanagan unanimous
- Approve licenses issued October 1, 2022 – October 31, 2022 – Moved and approved.

### **Public Comment:**

None

### **Licensing:**

None Scheduled

**Enforcement:**

- Docket Number 2022-010: Jekyll & Hyde Inc. d/b/a Tomasi's
  - Inv. Katrina Ducharme issued an administrative ticket general regulation 17 violation – intoxicated patrons - licensee denied and requested board hearing
  - Exhibit 1: Notice of hearing accepted by board
  - Witness Called – Katrina Ducharme Zone 3 Investigator
  - Exhibit 3 – Photo from investigation a group of individuals taken on early morning of July 3<sup>rd</sup> outside Tomasi's – accepted by board
  - Exhibit 4 – photo of female in green & khaki romper – accepted by board
  - Warning issued for regulation 36 issued as well as written ticket for regulation 17
  - Exhibit 2 – ticket issued by Katrina on July 6<sup>th</sup> 2022 – accepted by board.
  - Shaun and Danielle will be contacted with decisions
  - Wesley suggested proposed articles of fact by licensee and state but was denied by licensee.
  
- Docket Number 2022-009: RB's Deli, LLC d/b/a RB's Delicates
  - Daisy Darling-Salls sworn in for testimony.
  - August 11<sup>th</sup> 2022 tobacco compliance check was failed by clerk
  - General reg. 13 failed ticket in question in amount for \$260 not contesting ticket rather asking for a discussion with the board
  - Admit Exhibits
  - Daisy has a list of policies that employees sign stating if they sell to a minor, they must pay any fines. Asking for more repercussions to the clerk for selling to a minor. Has owns RB's Delicates for 8 years and has two other violations
  - Suggested to talk to investigator, email commissioner, and possibly talk to legislator.
  - Thom Lauzon proposed an of a 50% reduction. Motioned by Thom Lauzon second by Ed Flanagan

**Commissioner Update:**

- Great supplier/broker open house last week
- Andrew and Wendy have been in communication with BGS for new warehouse/office complex
- Fall raffle has 26 different brands in it
- Sci games 3.5 weeks into the conversion has been going well
- Licensing portal is going well; TechM was here for about 6 weeks
- Retail network Alburgh Store opening

**Other Business:**

- Regulation Rewrite
- Quarterly listing meeting for liquor suppliers
- Enforcement hearings – possibly a sub committee previously suggested a hearing officer



- Kobey Shwayder – Licensing compliance question Vermont vermouth teaming up with Saxton River Distillery to create a fourth class. Issue one statute must be employed by the fourth-class license holder second issue potential compliance issue of which company is liable if product is being sold. Two suggestions 1 of splitting between the two and being equally liable or whoever's product is sold. Department is okay with separate areas for the two.

**Meeting Adjourned:** 11:28

EXEC SESSION 11:28

**Next Meeting:** December 14, 2022