



Vermont Board of Liquor & Lottery

March 8, Minutes

Record of the Meeting of the Vermont Board of Liquor & Lottery held on March 8, 2023 via web and phone.

Members Present: Martin Manahan, Chair, Thom Lauzon, Megan Cicio, Ed Flanagan

Others Present: Andrew Collier, Deputy Commissioner; Wesley Lawrence; Jacob Humbert; Skyler Genest, Sr. Director of Licensee Operation; Katie Fleury, Program Technician; Melissa Heath, Executive Assistant; Tonia Pryce, Purchasing Manager; Michael Welch, Liquor Investigator Supervisor; Jennifer Czachor, Liquor Investigator; Jennifer Norton-Magnan, Liquor Investigator; Brandon King, Liquor Control Lt.; Kim Prior, ADS DLL Manager; Rich Morey, Director of Retail Operations; Tom Massey, Owner of Einstein's Tap House; Bailey Laflamme, ; Melanie Gaiotti, Liquor Investigator Supervisor; Matthew Gonyo, Liquor Investigator; Devon Libby, Einstein's Tap House Bouncer ; Aubrey Keough Einstein's Tap House Bartender; Rogen Carlson, Einstein's Tap House General Manager;

Meeting Start: 9:00 am.

Additions/Deletions to the Agenda:

None

Board Actions on Consent Agenda Items:

- Approve minutes from February 8th, 2023 Board Meeting – Moved and approved. Motion, Thom Lauzon and Megan Cicio, unanimous
- Approve licenses issued February 1, 2023 – February 28, 20223– Moved and approved. Motion, Thom Lauzon Seconded Megan Cicio

Public Comment:

- None

Licensing:

- None

Enforcement:

- Docket Number 2023-001: Einstein's Tap House LLC d/b/a Einstein's Tap House:
 - It is particularly alleged that on May 7th, 2022, at approximately 0040 hours, DLL Inv. Matthew Gonyo conducted an inspection of Einstein's Tap House located at 165 Church

Street in Burlington. During his inspection, Inv. Gonyo immediately noted an individual to be displaying signs of intoxication without being removed from the premises or being moved to a nonpublic area under the direct supervision of Licensee personnel, in violation of General Regulation 17. An Administrative Notice of Agency Action (#20220112) was issued to the licensee assessing a \$510.00 monetary penalty. The licensee denied that administrative ticket and has, therefore, requested a hearing before the Board of Liquor and Lottery

- Inv. Matthew Gonyo called in as witness for DLL and was sworn in.
- Inv. Matthew Gonyo explained his familiarity with Einstein's Tap House and Einstein's Tap House staffing.
- Around 12:40am May 7th, 2022 routine inspection of establishment was conducted by Inv. Matthew Gonyo. Matthew witnessed a male who was showing signs of intoxication, Matthew pointed out the male to an on-duty manager. A ticket for general regulation 16 was issued to establishment electronically after the intoxicated male was escorted off premise.
- Inv. Matthew Gonyo was questioned by Einstein's Tap House's Attorney.
- Objected witness statements – Board does not accept exhibits.
- Accepted Exhibits
- Called Witness Devon Libby, Devon Libby Is Sworn in, Devon explains their job as bouncer and is questioned.
- Called in witness Aubrey Keough and is sworn in. Aubrey was questioned.
- Called in witness Rogen Carlson and is sworn. Rogen was questioned.
- Exhibit 1 accepted by board. Exhibit 1, Video is played.
- Exhibit 2 is shown, a still photograph. Exhibit 2 is accepted by board.
- Exhibit 3 is shown, a still photograph. Exhibit 3 is accepted by board.
- Exhibit 4 is accepted by board. Exhibit 4, video is played.
- Exhibit 5 is shown, a still photograph. Exhibit 5 is accepted by board.
- Exhibit 6 is shown, a still photograph. Exhibit 6 is accepted by board.
- Exhibit 7 is accepted by board. Exhibit 7, video is played.
- Exhibit 8, questioned by Jacob Humbert about obstructed view of time stamp. Exhibit 8 is accepted by board. Exhibit 8, video is played.
- Exhibit 9 questioned by Jacob Humbert about where video is from and sequence of events. Exhibit 9 is accepted by board. Exhibit 9 video is played.
- Mr. Carlson is questioned about exhibits by Einstein's attorney.
- Mr. Carlson questioned by DLL attorney and by board.
- Called back witness Inv. Matthew Gonyo to view exhibit 7.
- Closing Statement by Einstein's Tap House as well as DLL.

Commissioner Comments:

- Sports betting is in Ways and Means and headed to Appropriations and then to the Senate. Approval expected. Cross over on 3/17
- Omnibus Bill – to-go cocktails and definition change for cider to hard cider.
- LCAR 3/23
- Brandon King going to FBI Academy
- 2% average weekly sale lottery
- 270k fast play winner in Newbury
- 2% sale liquor
- Sci Games updating kiosks.



Other Business:

- Declaratory Ruling Request - Mr. Sean Lawson - Transfers of licensed malt, vinous, and ready-to-drink spirits products between Vermont Wholesale Dealers

Meeting Adjourned: 10:52

Executive session: 10:53

Executive session ends: 11:10

Next Meeting: April 12, 2023