



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

[phone] 802-828-2339
[fax] 802-828-1031

Michael J. Hogan, Commissioner

April 15, 2013

Durneys Café Bistro & Bar LLC
135 East Mountain Road
Killington VT 05751

Dear Licensee:

The Department of Liquor Control is in receipt of a letter from the Vermont Department of Taxes notifying us that you are in compliance with all tax issues therefore, the hearing that was scheduled before the Liquor Control Board for violation of General Regulation #10 on April 17, 2013 has been dismissed.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Goggins", written in a cursive style.

William J. Goggins, Director
Education, Licensing & Enforcement Division

cc: Jacob Humbert, Asst. Attorney General
Town of Killington
Liquor Control Board Members
Liquor Control Board Counsel





State of Vermont
Department of Taxes
133 State Street
Montpelier, VT 05633-1401

Agency of Administration

April 15, 2013

Sargent Martin Prevost
Department of Liquor Control
13 Green Mt. Dr.
Montpelier, VT 05620

Re: Certificate of Good Standing for **Durneys Café Bistro & Bar LLC**
FEIN: 45-3731285

This is to certify that **Durneys Café Bistro & Bar LLC** is **NOW** in good standing with respect to any and all taxes payable to the Commissioner of Taxes based on the data available as of the date of this letter.

Please feel free to call me at (802) 828-6851 if you have any questions concerning this matter.

Sincerely,

Linda Ainsworth
Tax Compliance Unit Supervisor

LA/pjh

Cc: Durneys Care Bistro & Bar LLC; 133 E Mountain Rd.; Killington, VT 05751





State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

Michaél J. Hogan, Commissioner

[phone] 802-828-2339
[fax] 802-828-1031

Notice of Hearing

RE: HEARING TO CONSIDER THE SUSPENSION OR REVOCATION OF THE FIRST AND THIRD CLASS LICENSES GRANTED TO **DURNEYS CAFÉ BISTRO & BAR, LLC**, 133 EAST MOUNTAIN ROAD, KILLINGTON, VERMONT SAID LICENSES BEING GRANTED TO SELL ALCOHOLIC LIQUOR FOR ON-PREMISE CONSUMPTION.

Please take notice that pursuant to the authority vested in the Vermont Liquor Control Board by Title 7, Section 236, Vermont Statutes Annotated, a hearing will be held before the Liquor Control Board at the Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont on Wednesday, April 17, 2013 at 9:30 a.m.

The hearing will be held as a formal hearing and will be held to consider the suspension or revocation of the first and/or third class licenses granted to **Durneys Café Bistro & Bar, LLC**, said licenses being granted to sell alcoholic liquor for on-premise consumption, for alleged violation of General Regulation Number 10, which is set forth and specified below.

General Regulation No. 10: No first or third class liquor license shall be issued to a person who is not first licensed with the Vermont Department of Taxes to collect the Vermont Rooms and Meals tax. Suspension of first or third class liquor licenses may result by action of the Liquor Control Board, after notice and hearing, upon certification to the Board by the Vermont Department of Taxes that the licensee has failed to collect the Vermont Rooms and Meals tax, has failed to pay over to the Vermont Department of Taxes the Vermont Rooms and Meals tax collected, or is not licensed with the Vermont Department of Taxes to collect the Vermont Rooms and Meals tax

It is alleged that the licensee is not in good standing with respect to any and all taxes payable to the Commissioner of Taxes in violation of General Regulation Number 10.

The Liquor Control Board shall determine whether or not such alleged violations did occur as specified herein.

Pursuant to Title 3, Vermont Statutes Annotated, Section 809(d), the said **Durneys Café Bistro & Bar LLC** shall have an opportunity by itself or through its attorney to appear at said hearing to present evidence and argument on all issues involved in this case and bring before the Liquor Control Board all pertinent facts that the said licensee believes will have a bearing on the issues involved in this case.

All correspondence and documents pertaining to this matter should be sent to the Vermont Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont, 05602, to my attention.

Dated at Montpelier, Vermont, this 28th day of March, 2013.

Vermont Department of Liquor Control

William J. Goggins
Education, Licensing & Enforcement Division



Liquor Control Board
Stephanie M. O'Brien, Chair, John P. Cassarino, Thomas Gallagher, Julian Sbardella, Melissa Mazza, Members

7010 2780 0000 1875 1030

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

Durneys 4-1-13

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

7721-001-1RST
 Durneys Cafe, Bistro and Bar
 dba same
 Killington

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

☐ Agent
☒ Addressee

B. Received by (Printed Name)

John Durneys

C. Date of Delivery

D. Is delivery address different from item 1?
 If YES, enter delivery address below

☐ Yes
☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7010 2780 0000 1875 1030

4-1-13 LP

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



13VL00122

State of Vermont
Department of Taxes
133 State Street
Montpelier, VT 05633-1401

Agency of Administration

March 11, 2013

Sargent Martin Prevost
Department of Liquor Control
13 Green Mt. Dr.
Montpelier, VT 05620

Re: Certificate of NOT in Good Standing for **Durneys Café Bistro & Bar LLC**
FEIN: 45-3731285

This is to certify that **Durneys Café Bistro & Bar LLC** is NOT in good standing with respect to any and all taxes payable to the Commissioner of Taxes based on the data available as of the date of this letter.

Please feel free to call me at (802) 828-6851 if you have any questions concerning this matter.

Sincerely,

Linda Ainsworth
Tax Compliance Unit Supervisor

LA/pjh

Cc: Durneys Care Bistro & Bar LLC; 133 E Mountain Rd.; Killington, VT 05751



RUN DATE: 04/04/2013 @ 07:40

VT Dept. of Liquor Control

BUS DATE: 04/04/2013 LIST TRACKING INFORMATION ENF501 PAGE 1
BY LICENSEE DATES FROM FIRST THRU LAST DESCENDING DATE

Corporation ID: 7721..... Durneys Cafe, Bistro and Bar LLC



Licensee ID...: 7721-001..... Durneys Cafe, Bistro and Bar LLC

Tracking Date.: 04/01/2013 Code: yc - Yellow History Card Entered on 04/01/2013 by LP
Notice of hearing sent for violation of general regulation 10 (Taxes)

Tracking Date.: 02/25/2013 Code: yc - Yellow History Card Entered on 02/25/2013 by RW
Warning ticket #416 was issued on 02/21/2013 for violation GR.#17 Furnishing/
allowing intoxicated patron on the license4d premise.

Tracking Date.: 12/01/2011 Code: yc - Yellow History Card Entered on 12/01/2011 by LP
New first and third class restaurant license issued on 12/01/2011. Formerly
known as Double D's

*** END OF REPORT ***

	DLC ENFORCEMENT DIVISION ADMINISTRATIVE NOTICE OF AGENCY ACTION Notice No. 00416		

License Number	
7721-101011-11/3 RSH	
Corporation Name	DBA
Durney Cafe Bar LLC	Durneys Cafe
Physical Mailing Address	
33 East Mountain Road Rutland	

City	State	Zip Code	Business Phone
Killington	VT	05751	

Licensee did then and there commit the following acts in violation of V.S.A. Title 7 Provision, or Liquor Board Regulation: <u>General Reg # 17</u>	Written Warning
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Furnishing/allowing Intoxicated Patron on the Licensed Premise Visibly Intoxicated Female
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WHICH CONSTITUTES A VIOLATION OF:

General Regulation # <u>17</u>	TITLE 7 Provision: <u>7 VSA</u>
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<input checked="" type="checkbox"/> Written Warning- No Fines or Penalties copy of warning placed in licensee file	<input type="checkbox"/> See Attached Waiver Fine
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<input type="checkbox"/> Administrative Referral	<input type="checkbox"/> Hearing
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PENALTIES If you plead DENIED and the state proves the violation, you will forfeit the waiver amount and be subject to an administrative referral.	If you plead ADMITTED or NO CONTEST , you may pay the waiver amount instead of appearing in court.
	WAIVER AMOUNT → \$

Delivered To: Last	First	MI	Date of Birth
Miller	Janci	A	03-11-79

Signature:	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	Title:
<i>Janci Miller</i>		Manager

The undersigned complains that the Licensee did violate the above identified V.S.A. Title 7 provision, or Liquor Control Board Regulation on this 21 day of Feb 2013 at Rutland county.

Investigator Name:	Investigator Signature:
Tom Curran	<i>Tom Curran</i>
Investigator #:	Date Served:
2010	12-21-13
Time:	
2:00	
<input checked="" type="checkbox"/> Hand	<input type="checkbox"/> USMail

*Important info about this administrative notice of agency action on reverse side
 WHITE: Enforcement; YELLOW: Investigator; PINK: Licensee; Goldenrod: Return with Fine

ENFORCEMENT



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05620-4501
liquorcontrol.vermont.gov

[phone] 802-828-2345
[fax] 802-828-2803

Michael J. Hogan, Commissioner

February 25, 2012

Durneys Café, Bistro & Bar LLC
135 East Mountain Road
Killington, VT 05751

License # 7721-001

RE: notice of liquor licensee enforcement violation # 416

Dear Town Clerk:

Administrative notice # 416 has been issued on 02/21/2012 by a Department of Liquor Control Investigator to the above named licensee for a **written warning in General Regulation # 17**. The licensee does not contest this violation.

The purpose of this letter is to inform you that this Administrative Notice of Agency Action has been issued and will remain on licensee's record.

Please feel free to contact me if you have any questions.

Sincerely,



A handwritten signature in blue ink that reads "Renee J. Warren".

Renee J. Warren Administrative Secretary
Department of Liquor Control
Education, Licensing & Enforcement Division



Liquor Control Board:

Stephanie M. O'Brien, Chair; John P. Cassarino, Thomas Gallagher, Julian Sbardella, Melissa Mazza, Members

	DLC ENFORCEMENT DIVISION ADMINISTRATIVE NOTICE OF AGENCY ACTION Notice No. 00405	
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License Number 71721110101111RSH1011/013111	
Corporation Name Durney's Cafe, Bistro/Bar Inc	DBA Durney's Cafe/State Side
Physical Mailing Address 133 East Mountain Road	County

City Killington	State VT	Zip Code 05751	Business Phone
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Licensee did then and there commit the following acts in violation of V.S.A. Title 7 Provision, or Liquor Board Regulation: <u>Gen Reg # 36</u> <u>Unlawful Conduct</u> <u>Excessive Noise</u> <u>Multiple Complaints</u>
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WHICH CONSTITUTES A VIOLATION OF:

General Regulation # <u>36</u>	TITLE 7 Provision: <u>7 VSA</u>
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<input checked="" type="checkbox"/> Written Warning- No Fines or Penalties copy of warning placed in licensee file	<input type="checkbox"/> See Attached Waiver Fine
---	---

<input type="checkbox"/> Administrative Referral	<input type="checkbox"/> Hearing
--	----------------------------------

PENALTIES	If you plead DENIED and the state proves the violation, you will forfeit the waiver amount and be subject to an administrative referral.	If you plead ADMITTED or NO CONTEST , you may pay the waiver amount instead of appearing in court.
	WAIVER → \$ AMOUNT	

Delivered To: Last <u>Sutcliffe</u>	First <u>Mike</u>	MI <u>J</u>	Date of Birth <u>3/7/60</u>
Signature <u>[Signature]</u>		<input checked="" type="checkbox"/> M <input type="checkbox"/> F	Title: <u>Manager</u>

The undersigned complains that the Licensee did violate the above identified V.S.A. Title 7 provision, or Liquor Control Board Regulation on this ____ day of ____ 20__ at ____ county.

Investigator Name: <u>Tom Curran</u>	Investigator Signature: <u>[Signature]</u>
Investigator #: <u>2010</u>	Date Served: <u>01-21-12</u>
Time: <u>2:30</u>	<input checked="" type="checkbox"/> Hand <input type="checkbox"/> US Mail

*Important info about this administrative notice of agency action on reverse side
 WHITE: Enforcement; YELLOW: Investigator; PINK: Licensee; Goldenrod: Return with Fine

ENFORCEMENT



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

[phone] 802-828-2339
[fax] 802-828-1031

Michael J. Hogan, Commissioner

January 27, 2012

Durneys Café, Bistro & Bar LLC
133 East Mountain Road
Killington, VT 05751

License # 7721-001

RE: notice of liquor licensee enforcement violation

Dear Town Clerk:

Administrative notice #405 has been issued on 01/21/2012 by a Department of Liquor Control Investigator to the above named licensee for a written warning in Advertising Regulation. The licensee does not contest this violation.

The purpose of this letter is to inform you that this Administrative Notice of Agency Action has been issued and will remain on licensee's record.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Renee Warren".

Renee" Warren Administrative Secretary
Department of Liquor Control
Education, Licensing & Enforcement Division



Liquor Control Board:
Stephanie M. O'Brien, Chair; John P. Cassarino, Member; Walter E. Freed, Member