

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**WATROBA'S LIQUORS, INC. DBA WATROBA'S LIQUORS**  
**81 SUNDERLAND ROAD**  
**AMHERST, MA 01002**  
**LICENSE#: 002400049**  
**HEARD: 5/31/2011**

Watroba's Liquor, Inc. dba Watroba's Liquors (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 31, 2011, regarding an alleged violation of M.G.L. c.138, §34C (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Caroline Wilichoski's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Caroline Wilichoski's Report dated May 2, 2011;
3. Two (2) Bottles of Rubinoff Vodka;
4. A case of (30) Busch Beer;
5. A case of (30) Busch Beer;
6. MA RMV Printout (1); and
7. MA RMV Printout (2).

There is one (1) tape of this hearing.

**FACTS**

1. On April 28, 2011, Investigators Capurso, Doyle and Caroline Wilichoski were conducting an Enhanced Liquor Enforcement Operation in Amherst.
2. Investigators were conducting an investigation into the business operation Watroba's Liquor, Inc. dba Watroba's Liquors.
3. The investigators attention was drawn to a vehicle that pulled into the parking lot to the left side of the establishment.
4. A youthful looking male exited the vehicle and entered the above establishment.
5. The male exited the establishment within ten (10) minutes and placed alcoholic beverages into the trunk of the vehicle.
6. The male then walked off towards a convenience store in the same strip mall area.
7. The driver of the vehicle was also youthful looking and was checked for proof of age.

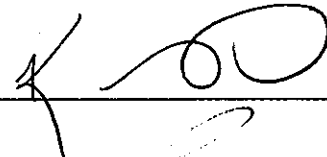
8. The driver identified, age nineteen (19), admitted being under the age of twenty-one (21). He was advised of the violation of transporting alcoholic beverages.
9. The male that purchased the alcoholic beverages observed the investigators speaking with his friend and walked back into the convenience store.
10. The driver called his friend via cell phone and told him the investigators wanted to speak with him.
11. The male patron admitted purchasing the alcoholic beverages using a friend's Massachusetts driver's license.
12. The male patron then said that got nervous and flushed the identification down the toilet in the store.
13. Two (2) thirty (30) can packs of Busch Light and two (2) bottles of Rubinoff Vodka were purchased.
14. All alcoholic beverages were confiscated and tagged as evidence.
15. The owner of this establishment admitted that he sold alcoholic beverages to the male and that he used as Massachusetts drivers license.
16. The owner said he was focused on the fact that the license said he was over twenty-one (21) and the male patron's height.
17. The owner attempted to view the videotape in the presence of the investigators, but was unable to get access.

#### CONCLUSION

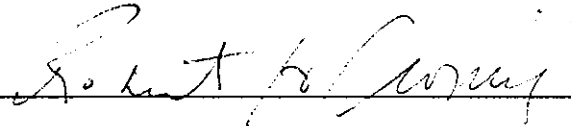
Based on the evidence, the Commission finds the licensee violated M. G. L. c. 138, §34C (1 count). Therefore, the Commission **suspends the licensee's license for a period of four (4) days of which four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman



Robert H. Cronin, Commissioner



Dated: July 15, 2011

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Caroline Wilichoski, Investigator  
File