

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

KENNY LIQUORS INC. DBA UNION BIG MART
545 UNION AVENUE
FRAMINGHAM, MA 01702
LICENSE#: 042800159
HEARD: 2/7/2012

Kenny Liquors Inc. dba Union Big Mart (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 7, 2012, regarding an alleged violation of M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jan Kujawski's Compliance Check Field Report.

The following documents and physical items are in evidence:

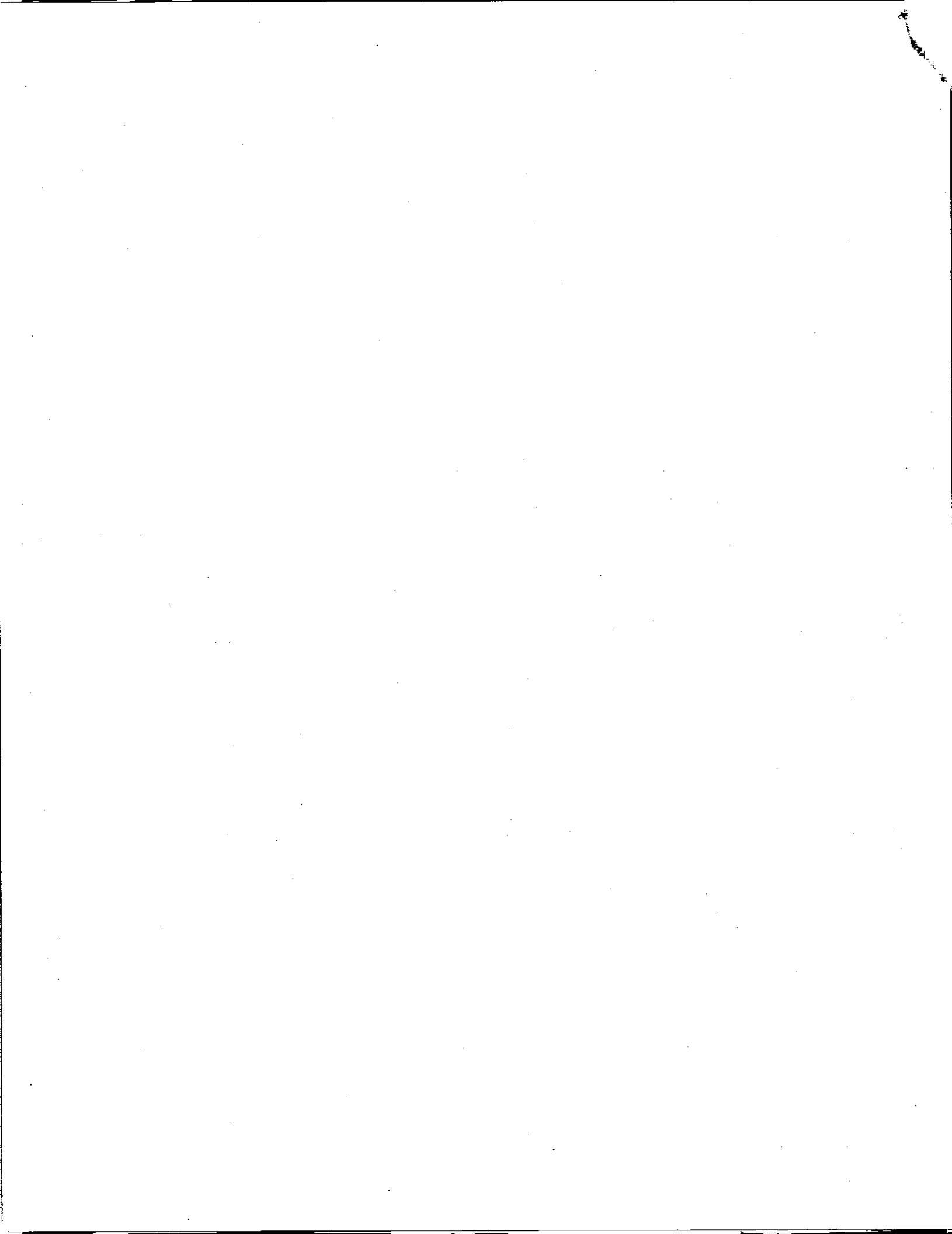
1. Investigator Kujawski's Compliance Check Field Report dated September 7, 2011;
2. Licensee's Stipulation of Facts;
3. Photo of Underage Operative; and
4. One (1) forty ounce (40 oz.) bottle of Budweiser Light Beer.

There is one (1) audio recording of this hearing.

FACTS

1. On September 7, 2011, at approximately 7:06 p.m., Investigators Keefe and Kujawski conducted an investigation of the licensed premises, Kenny Liquors Inc. dba Union Big Mart.
2. An underage operative working with the Investigators, purchased an alcoholic beverage, a bottle of Bud Light beer, for two dollars and eighty cents (\$2.80). The underage operative was not asked for identification.

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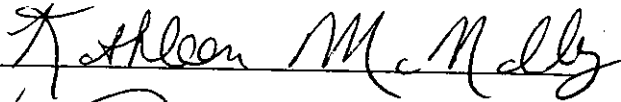


CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. The Commission **suspends the license for three (3) days of which three (3) 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

Kathleen McNally, Commissioner



Kim S. Gainsboro, Chairman



Dated: February 8, 2012

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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Arthur M. Pearlman, Esq. via facsimile
✓ Administration
File

