

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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

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

**MEMORANDUM AND ORDER ON LICENSEE'S**  
**REQUEST FOR RECONSIDERATION**

**COLUMBIANS, INC. OF GARDNER DBA KNIGHTS OF COLUMBUS**  
**110 SOUTH MAIN ST.**  
**GARDNER, MA 01440**  
**LICENSE#: 043600030**  
**VIOLATION DATE: 06/05/2014**  
**HEARD: 07/07/2015**

Columbians, Inc. of Gardner dba Knights of Columbus (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 17, 2015, regarding an alleged violation of:

- 1) 204 CMR 2.05 (1) Permitting an illegality on the licensed premises to wit: M.G.L. c. 140, §177A (6) - No person keeping or offering for operation, or allowing to be kept or offered for operation, any automatic amusement device licensed under this section shall permit the same to be used for the purpose of gambling (1 count).
- 2) M.G.L. c. 138, §15A Change of Officers and Directors in the corporation without authorization.

By decision dated April 10, 2015, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the licensee attends. The April 14, 2015 decision specifically provided as follows:

Good cause for the Commission to consider issuing a further written order revising the order of indefinite suspensions will include, but not be limited to, the Licensee files with both the Commission and the local licensing authorities the appropriate application for approval of the current officers and directors of the club and that appropriate application if granted by the local licensing authorities and approved by the Commission.

By letter dated June 24, 2015, the Licensee requested a hearing to reconsider the indefinite suspension. The Licensee attended a hearing before the Commission on July 15, 2015, and argued that good cause exists to reconsider the indefinite suspension.

Before the hearing, the Licensee submitted an application to change its officers and directors, including information evidencing that all officers and directors of the corporation are current and registered with the

Secretary of State's Office. That application was approved by the local licensing authorities and subsequently approved by the Commission on June 17, 2015.

There is one (1) audio recording of this hearing. The Commission took administrative notice of the Commission records regarding this Licensee.

### CONCLUSION

The documents the Licensee provided convinced the Commission that the Licensee has fully complied with the prior order. Counsel for the Licensee stated that all documents have been filed with both the local licensing authorities and the Commission as ordered.

Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Columbians, Inc. of Gardner dba Knights of Columbus **effective forthwith**.

The indefinite suspension is reconsidered and reversed to a suspension of time served from April 14, 2015 to July 20, 2015.

**In addition the Licensee must not possess in or on the licensed premises any automatic amusement devices or video poker machines.**

The Licensee may apply to the Massachusetts State Lottery Commission to have a Keno game on the premises.

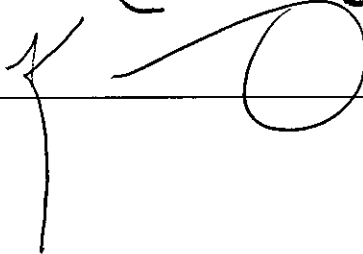
The Licensee must file its annual report pursuant to M.G.L. c. 138, §1, with both the Commission and the Local licensing authorities.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



Kim S. Gainsboro, Chairman



Dated: July 20, 2015

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  
Administration  
File