



**Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150**

Jean M. Lorizio, Esq.
Chairman

DECISION

**SIEGAL & SONS INVESTMENTS LTD. D/B/ MARTY'S FINE WINES
1 BUXTON STREET
MILLVILLE, MA 01529
LICENSE#: 88991-PK-0718
VIOLATION DATE: 8/28/2019
HEARD: 2/25/2020**

Siegal & Sons Investments Ltd. d/b/a Marty's Fine Wines (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, February 25, 2020, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's Report.

The following documents are in evidence:

1. Investigator Gould's Compliance Check Field Report;
 2. Licensee Stipulation of Fact;
 3. Copy of License Transfer Application Summary Review Approval, 2/21/2017.
-
- A. Licensee's Employee Manual;
 - B. Employee Manual Acknowledgments;
 - C. Employees' eTips Certifications.

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

FACTS

1. On Wednesday, August 28, 2019, at approximately 4:43 p.m., Investigators Kujawski and Gould ("Investigators") conducted an investigation of the business operation of Siegal & Sons Investments Ltd. d/b/a Marty's Fine Wines.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 25-ounce container of Bud Light beer, for two dollars and four cents (\$2.04). The underage operative was not asked for identification.



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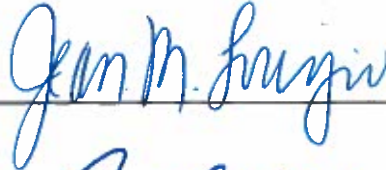
3. Erin Laberge, Human Resources Manager, and Jason Schweiger, District Manager, for the Licensee appeared at the Commission hearing and testified as to the extensive steps the Licensee has taken over the years to prevent such incidents, and what they've done since the incident of August 28, 2019.
4. All employees have been retrained and each employee has been required to review and acknowledge the Licensee's Employee Manual.
5. The Licensee has conducted one on one reviews of their ID Science scanning software with each employee and continues to conduct internal audits to ensure that all employees are checking identification prior to making a sale.
6. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: February 26, 2020

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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Brian Gould, Investigator
Jan Kujawski, Investigator
Administration, File