

Jean M. Lorizio, Esq.  
Chairman

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
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NOTICE OF SUSPENSION

May 8, 2017

**STEEPLE CITY LIQUOR, INC. D/B/A STEEPLE CITY LIQUOR  
80 MAIN STREET  
NORTH ADAMS, MA 01247  
LICENSE#: 082000104  
VIOLATION DATE: 09/29/2016  
HEARD: 05/02/2017**

After a hearing on May 2, 2017, the Commission finds Steeple City Liquor, Inc. d/b/a Steeple City Liquor violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count).

**The Commission suspends the license for a period of four (4) days of which two (2) days will be served, and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**The suspension shall commence on Wednesday, June 21, 2017 and terminate on Thursday, June 22, 2017.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, June 21, 2017 at 9:00 A.M. It will be returned to the licensee on Friday, June 23, 2017.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

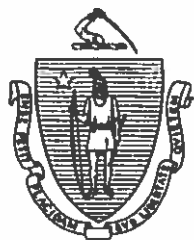
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

A handwritten signature in cursive script, reading "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco, Investigator  
J. Kujawski & D. Keefe, Investigators  
Stephen V. Miller, Esq. via email  
David Burns, Esq. via email  
Administration, File



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## **DECISION**

**STEEPLE CITY LIQUOR, INC. D/B/A STEEPLE CITY LIQUOR**  
**80 MAIN STREET**  
**NORTH ADAMS, MA 01247**  
**LICENSE#: 082000104**  
**VIOLATION DATE: 09/29/2016**  
**HEARD: 05/02/2017**

Steeple City Liquor, Inc. d/b/a Steeple City Liquor (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 2, 2017, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Di Cicco's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Di Cicco's Investigative Report;
3. Expired Massachusetts Driver's License;
4. RMV Printout of Underage #1.

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

The Commission took Administrative Notice of the Licensee's record.

## **FINDINGS OF FACT**

1. On Thursday, September 29, 2016, Investigators Keefe, Kujawski, and Teehan ("Investigators") conducted an investigation of the business operation of Steeple City Liquor, Inc. d/b/a Steeple City Liquor to determine the manner in which its business was being conducted.
2. At approximately 6:20 p.m., while conducting enforcement operations, Investigators observed two youthful appearing male individuals in a Mazda 4-door sedan park in the parking lot in front of the licensed premises. Investigators observed one of the individuals enter the store. Moments later, Investigators observed the youthful appearing male exit the premises holding a brown paper bag, and re-enter the parked Mazda sedan.

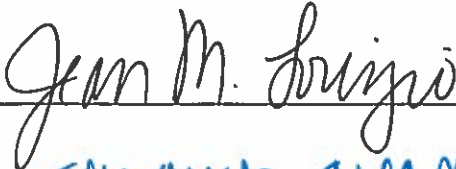
3. Investigators approached the vehicle with the two youthful appearing males and asked to see identification.
4. Underage #1, actual date of birth 11/06/1996 (age 19), was in possession of a bottle of Smirnoff Cherry vodka. Underage #1 presented Investigators with an expired Massachusetts driver's license in another person's name. Investigators informed the individual that the identification he presented did not show a reasonable resemblance to him. Underage #1 then produced his true Massachusetts driver's license.
5. The other youthful appearing individual, Underage #2 actual date of birth 12/07/1997 (age 18) had remained in the vehicle and he did not enter the licensed premises.
6. Underage #1 stated that he was not asked for any identification at the time he purchased the alcoholic beverage.
7. Investigators escorted Underage #1 into the premises and identified the underage to the clerk on duty. The clerk admitted that she did sell the vodka to the underage male, and she had not asked the him for identification.
8. Investigators then spoke with the general manager, Thomas Muldowney and another employee. They informed both men of the violation and that a report would be filed with the Chief Investigator for review.

#### 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. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of four (4) days of which two (2) days will be served, and two (2) 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


Jean M. Lorizio, Chairman



Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: May 8, 2017

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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