

*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

**NOTICE OF SUSPENSION**

June 23, 2021

**IGOLF CENTERS INC. D/B/A IGOLF  
296 OLD OAK STREET  
PEMBROKE, MA 02359  
LICENSE#: 00064-GP-0960  
VIOLATION DATE: 4/1/2021  
HEARD: 6/09/2021**

After a hearing on June 9, 2021, the Commission finds IGolf Centers Inc. d/b/a IGOLF violated:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: Mass. Exec. COVID- 19 Order No. 55 (Nov. 2, 2020) – Patron or employee failing to wear a mask or cloth face covering over their mouth and nose when in a public location;
- 4) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Mass. Exec. COVID-19 Order No. 63 (Feb. 4, 2021);
- 5) 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Mass. Exec. COVID-19 Order No. 66 (Mar. 18, 2021) – Failure to comply with applicable sector-specific COVID-19 workplace safety rules.

Therefore, the Commission **SUSPENDS** the license of IGolf Centers Inc. d/b/a IGOLF for a period of seven (7) days. **No Offer In Compromise will be considered for the seven (7) days to be served.**

**The suspension shall commence on Monday, August 9, 2021 and terminate on Sunday, August 15, 2021.** The license will be delivered to the Local Licensing Board or its designee on Monday, August 15, 2021 at 9:00 A.M. It will be returned to the Licensee on August 16, 2021.

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.

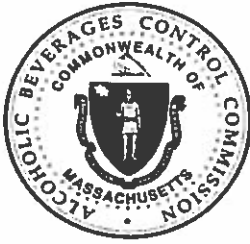
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**



Jean M. Lorizio  
Chairman

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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Jamie Binienda, Investigator  
Jack Carey, Investigator  
Michael Flanagan, Dept. of Labor Standards  
Administration, File



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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*Chairman*

**DECISION**

**IGOLF CENTERS INC. D/B/A IGOLF  
296 OLD OAK STREET  
PEMBROKE, MA 02359  
LICENSE#: 00064-GP-0960  
VIOLATION DATE: 4/1/2021  
HEARD: 6/09/2021**

IGolf Centers Inc. d/b/a IGOLF (the "Licensee") holds an alcoholic beverages license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Wednesday, June 9, 2021, regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: Mass. Exec. COVID- 19 Order No. 55 (Nov. 2, 2020) – Patron or employee failing to wear a mask or cloth face covering over their mouth and nose when in a public location;
- 4) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Mass. Exec. COVID-19 Order No. 63 (Feb. 4, 2021);
- 5) 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Mass. Exec. COVID-19 Order No. 66 (Mar. 18, 2021) – Failure to comply with applicable sector-specific COVID-19 workplace safety rules.

Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Binienda's report.

The following documents are in evidence:

1. Investigator Binienda's Report;
2. ABCC Form 43 New License Approval, 8/29/2014;
3. Massachusetts Executive COVID-19 Order No. 37, 6/6/2020;
4. Massachusetts Executive COVID-19 Order No. 40, 6/19/2020;
5. Massachusetts Executive COVID-19 Order No. 55, 11/2/2020;
6. Massachusetts Executive COVID-19 Order No. 63, 2/4/2021 and Appendix, 3/18/2021;
7. Massachusetts Executive COVID-19 Order No. 66, 3/18/2021;
8. Massachusetts Sector Specific Workplace Safety Standards for Restaurants to Address COVID-19, 3/18/2021;
9. ABCC Enforcement Memorandum, 5/17/2021;
10. Sector Specific Workplace Safety Standards for Arcades and Other Indoor and Outdoor Game and Recreation Businesses to Address Covid-19, 2/25/2021;
11. Licensee's Stipulation of Facts.

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

#### FINDINGS OF FACT

1. On Thursday, April 1, 2021, at approximately 7:45 p.m., Investigators Carey and Binienda ("Investigators") conducted an investigation of IGolf Centers Inc. d/b/a IGOLF to determine the manner in which its business was being conducted, to ensure compliance with Massachusetts Governor Charles Baker's Executive COVID-19 Orders, and to investigate a complaint filed with this Commission.
2. Investigators entered the licensed premises and observed two female bartenders standing behind the bar. One bartender had a facial covering pulled down below her chin. The other bartender did not have any facial covering.
3. Investigators observed a male individual, later identified as David Laine, the Licensee, dressed in IGolf apparel standing the front lobby without any facial covering.
4. Investigators walked through the establishment and observed the bar area with patrons seated at the bar and consuming alcoholic beverages with no indication of food service. The bar did not have any barrier between the bartenders and the patrons. Patrons were not 6-feet distant from the bartender.
5. Investigators observed that most of the patrons wore no facial covering and were consuming alcoholic beverages while walking around the establishment.
6. Investigators observed patrons standing and/or playing the golf simulators or cornhole game. These patrons were in possession of alcoholic beverages, wore no facial covering, and did not maintain 6-feet of social distancing.
7. Investigators approached the hostess stand and asked an employee for a food menu. The employee stated that they don't have any food. He directed Investigators to the owner, David Laine.

8. Investigators asked to speak with Mr. Laine outside on the front walkway. Investigators informed Mr. Laine of their observations and reviewed the COVID guidelines and Sector Specific Safety Standards with him.
9. Investigators advised Mr. Laine that a violation report would be submitted to the Chief Investigator for further review.
10. The Licensee has held a license under M.G.L. c. 138, § 12 since 2014, with no prior violations.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of Sector Specific Workplace Safety Standards for Restaurants to Address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of Sector Specific Workplace Safety Standards for Restaurants to Address COVID-19;
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Therefore, the Commission **SUSPENDS** the license of IGolf Centers Inc. d/b/a IGOLF for a period of seven (7) days. **No Offer In Compromise will be considered for the seven (7) days to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

*Jean M. Lorizio*

Deborah A. Baglio, Commissioner

*Deborah A. Baglio*

Crystal Matthews, Commissioner

*Crystal Matthews*

Dated: June 23, 2021

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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