



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**JBDC LLC D/B/A PLAYERS SPORTS BAR AND GRILLE
86 VFW DRIVE
ROCKLAND, MA 02370
LICENSE #: 00019-RS-1034
VIOLATION DATE: 12/19/2024
HEARD: 3/11/2025**

JBDC LLC d/b/a Players Sports Bar and Grille (“Licensee” or “Players Sports Bar”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a hearing on Tuesday, March 11, 2025, regarding alleged violations of:

- 1) 204 CMR 4.03(B) No licensee or employee or agent of a license shall; deliver more than two drinks to one person at a time. (1 Count)
- 2) M.G.L. Ch.138 § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count).

Prior to the commencement of the hearing, the Licensee stipulated to the facts in Investigator Quinn’s report re: a violation of M.G.L. c. 138, § 69.

The following documents are in evidence:

1. Investigative Report of N. Smith;
2. ABCC Form 43, Transfer of License Approval, 10/23/2012;
3. Floorplan;
4. Licensee’s Partial Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, December 19, 2024, at approximately 9:50 p.m., Investigators Terasconi and Smith (“Investigators”) inspected the business operation of JBDC LLC d/b/a Players Sports Bar and Grille (“Licensee” or “Players Sports Bar”). (Testimony, Exhibit 1)
2. Investigators positioned themselves in the back of the establishment in order to have a good view of the bar. Id.

3. At approximately 10:00 p.m., Investigators observed a single male individual ("UM") approach the bar and order a bucket of beer from a female bartender. The bartender did not appear to question the UM about to whom the alcoholic beverages were going and served him a bucket of 12 bottles of beer. The UM took the bucket to a group in the back of the premises, in a separate area for playing darts. Id.
4. At approximately 11:40 p.m., Investigators moved to two seats at the bar. Id.
5. At approximately 11:45 p.m., Investigators observed an unidentified female individual ("UF1") approach the bar with an unsteady gait, in clear view of the bartenders. Her hair appeared to be disheveled. Her eyes were glassy and her cheeks flushed. UF1 stood up on a barstool, placed her hand against her forehead to hood her eyes and began peering around the bar with her eyes half closed, swaying while standing on the bar stool. Id.
6. At approximately 11:46 p.m., while in the direct line of sight of the bartenders, UF1 dropped her passport and what appeared to be a debit card on the ground. UF1 was observed to be very unsteady on her feet and with slow uncoordinated movements, she struggled to pick up her items off the ground. Id.
7. At approximately 11:49 p.m., UF1 ordered two shots of what appeared be alcoholic beverages. Investigators then observed the bartender mixing what appeared to be alcoholic beverages in a cocktail shaker, pouring the contents into shot glasses and serving the beverages to UF1 and another patron. UF1 consumed the shot and was observed swaying backwards in her barstool before chugging a White Claw alcoholic beverage. At approximately 11:50 p.m., UF1 began slapping her hand on the bar loudly and whipping her hair around. She continuously leaned over and yelled within inches of another patron's face. UF1 was in the direct line of sight of the bartenders. Id.
8. At approximately 11:52 p.m., UF1 got up and began running towards the bathroom with a staggering gait with another patron. UF1 kicked the other patron in the back side and stumbled backwards, almost falling over. UF1 then hugged another patron, leaning heavily on them causing them to almost fall off their barstool. Investigator Terasconi went into the bathroom and heard UF1 make a statement about her impaired condition. UF1 then began kissing the mirror. Id.
9. Based on UF1's physical condition, behavior, movements and statements, Investigators formed the opinion that UF1 appeared visibly intoxicated. Id.
10. At approximately 11:58 p.m., in the bartenders' direct line of sight, UF1 stumbled up to the bar and appeared to struggle to sit in the barstool. UF1 appeared to order an alcoholic beverage and a male bartender appeared to shake his head no. Id.
11. At approximately 12:05 a.m., UF1 was served a White Claw and a Sun Cruiser by the male bartender. Id.
12. Investigators identified themselves and spoke with Jacquelyn Berardi, Licensee and manager on duty, about their observations and the intoxicated female. Ms. Berardi indicated she knew the individual and would arrange for her to get a safe ride home.

Investigators advised her that a violation report would be filed with the Chief Investigator for further review. Id.

13. Ms. Berardi appeared at the Commission hearing and testified she has since conducted re-training with all employees and UF1 has been informed that she is no longer allowed in the licensed premises. (Testimony)
14. The bartender who served the bucket of beer also appeared at the Commission and testified the patron who was served the bucket is a regular patron who comes in each week with a group of friends to play darts. She knew the patron by name and that he was part of a group of 6 that night. The bucket of beer was for the patron and his 5 friends. Id.
15. The Licensee has held a license under M.G.L. c. 138, § 12 since 2012 with no prior violations. (Exhibit 2)

DISCUSSION

Licenses to sell alcoholic beverages are a special privilege subject to public regulation and control, Connolly v. Alcoholic Beverages Control Comm'n, 334 Mass. 613, 619 (1956), for which States have especially wide latitude pursuant to the Twenty-First Amendment to the United States Constitution. Opinion of the Justices, 368 Mass. 857, 861 (1975). The procedure for the issuance of licenses and required conduct of licensees who sell alcoholic beverages is set out in Massachusetts General Laws, Chapter 138.

Chapter 138 gives the Commission the authority to grant, revoke and suspend licenses. Chapter 138 was “enacted … to serve the public need and … to protect the common good.” M.G.L. c. 138, § 23. “[T]he purpose of discipline is not retribution, but the protection of the public.” Arthurs v. Bd. of Registration in Medicine, 383 Mass. 299, 317 (1981). The Commission is given “comprehensive powers of supervision over licensees.” Connolly, 334 Mass. at 617.

The law is well-settled that the responsibility of the licensee is to exercise sufficiently close supervision so that there is compliance with the law on the premises. A vendor who sells alcohol is “bound at his own peril to keep within the condition of his license.” Commonwealth v. Gould, 158 Mass. 499, 507 (1893); Burlington Package Liquors, Inc. v. Alcoholic Beverages Control Comm'n, 7 Mass. App. Ct. 186, 190 (1979). It is, thus, quite possible for a licensee to offend the regulatory scheme without scienter. Rico's of the Berkshires, Inc. v. Alcoholic Beverages Control Comm'n, 19 Mass. App. Ct. 1026, 1027 (1985).

The Licensee is charged with a violation of 204 CMR 4.03(B) No licensee or employee or agent of a license shall; deliver more than two drinks to one person at a time. The Licensee presented direct evidence through the testimony of the bartender who was aware she served 12 beers to a group of 6 patrons. Therefore, the Commission finds no violation of 204 CMR 4.03(B).

The Licensee is also charged with a violation of M.G.L. c. 138, § 69 – sale or delivery of an alcoholic beverage to an intoxicated person (1 count) to which is stipulated.

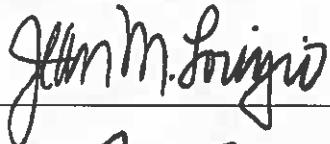
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch.138 § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). As a result, the Commission **SUSPENDS the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

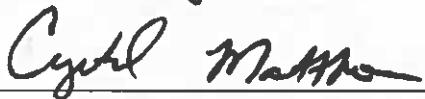
Based on the evidence, the Commission finds NO VIOLATION of 204 CMR 4.03(B) No licensee or employee or agent of a license shall; deliver more than two drinks to one person at a time. (1 Count) occurred.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

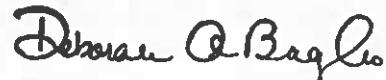
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: November 7, 2025

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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这份文件是重要的，应立即进行翻译。

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‘Đây là tài liệu quan trọng và cần được dịch ngay’

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2025-000011-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicole Smith, Investigator
Nicole Terasconi, Investigator
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Administration, File