

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

Deborah B. Goldberg
Treasurer and Receiver General

NOTICE OF SUSPENSION

Kim S. Gainsboro, Esq.
Chairman

January 19, 2016

1171 MAIN STREET LLC D/B/A McCAFFREY'S PUBLIC HOUSE
1171 MAIN STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600093
VIOLATION DATE: 03/19/2015
HEARD: 01/12/2016

After a hearing on January 12, 2016, the Commission finds 1171 Main Street LLC d/b/a McCaffrey's Public House violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 Counts).

Therefore the Commission **suspends the license for a period of seven (7) days of which two (2) days will be served, and five (5) 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, March 9, 2016 and terminate on Thursday, March 10, 2016. The license will be delivered to the Local Licensing Board or its designee on Wednesday, March 9, 2016 at 9:00 A.M. It will be returned to the licensee Friday, March 11, 2016.

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.

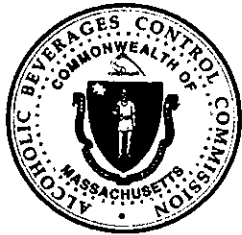
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Daniel D. Kelly, Esq. via facsimile 413-733-1245
Administration
File



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

Deborah B. Goldberg
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DECISION

Kim J. Gainsboro, Esq.
Chairman

1171 MAIN STREET LLC D/B/A McCAFFREY'S PUBLIC HOUSE
1171 MAIN STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600093
VIOLATION DATE: 03/19/2015
HEARD: 01/12/2016

1171 Main Street LLC d/b/a McCaffrey's Public House (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, January 12, 2016, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Kujawski's report.

The following documents are in evidence:

1. Investigator Kujawski's Investigative Report dated March 19, 2015;
2. Licensee's Stipulation of Facts; and
3. Photocopy of Fraudulent Connecticut Licenses.

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

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

FACTS

1. On Thursday, March 19, 2015, at approximately 10:30 p.m., Investigators Keefe and Kujawski ("Investigators") investigated the business operation of 1171 Main Street LLC d/b/a McCaffrey's Public House to determine the manner in which their business was being conducted.
2. Investigators entered the licensed premises and observed two youthful looking female individuals who were in possession of Corona Light beer.
3. Investigators identified themselves and asked to see proof of age.

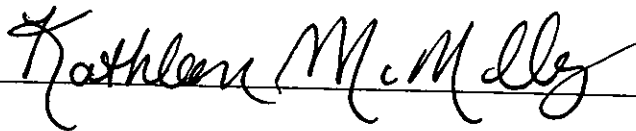
4. Each underage female presented Investigators with a fraudulent Connecticut driver's license in her own name and listing her age as 21 or older.
5. Underage #1 had an actual date of birth 04/02/1995 (age 19).
6. Underage #2 had an actual date of birth 12/30/1994 (age 20).
7. Investigators informed the manager on duty, Nicola Polineni of the violation and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

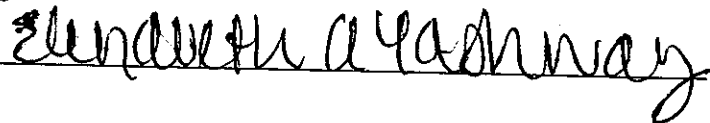
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 Counts). Therefore the Commission **suspends the license for a period of seven (7) days of which two (2) days will be served, and five (5) 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

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: January 19, 2016

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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