

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

Steven Grossman Treasurer and Receiver General Kim S. Gainsboro, Esq. Chairman

DECISION

GEORGE MAVREDAKIS DBA EAST COLUMBUS TAVERN 1011 E. COLUMBUS AVENUE SPRINGFIELD, MA 01103 LICENSE # 122600343 HEARD 12/27/2011

George Mavredakis dba East Columbus Tavern (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 27, 2011, regarding an alleged violation of M.G.L. c. 138 §23. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Dennis Keefe's Report.

The following documents and physical items are in evidence:

- 1. Investigative Report of Dennis Keefe dated July 7, 2011;
- 2. Licensee's Stipulation of Facts; and
- 3. Seven (7) Bottles of Alcohol.

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

FACTS

- 1. On Thursday, July 7, 2011, at approximately 7:50 p.m., Investigators Teehan and Keefe investigated the business operation of George Mavredakis dba East Columbus Tavern to determine the manner in which the business was being conducted.
- 2. Investigators identified themselves to a male employee, and asked to speak with the manager or owner.
- 3. The male employee, identified as Mr. Bruce Arnold, stated he was the manager on duty.
- 4. Mr. Arnold stated he was not the owner, nor the manager of record.
- 5. Investigators informed Mr. Arnold that they would conduct an inspection of the licensed premises, in response to an anonymous complaint to the Commission.
- 6. Investigators inspected the alcoholic beverages storage area located in a room which was adjacent to the kitchen, as well as to the bar area.
- Investigators observed and set aside seven (7) bottles of alcoholic beverages which had a sticky glue-like residue substance on the exterior of each bottle.
- 8. Investigators observed that the seven (7) bottles, based on their training and experience, indicated the alcoholic beverages had been purchased from a retail store.
- 9. Investigators listed the seven (7) bottles taken as evidence.
- 10. Investigators provided Mr. Arnold with a listing of the confiscated evidence.

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- 11. Mr. Arnold inquired of the investigators whether or not he could purchase alcoholic beverages at a package store, "if he was ever in a jam."
- 12. Investigators informed Mr. Arnold of the law.
- 13. Investigators notified Mr. Arnold of the violations.
- 14. Investigators informed Mr. Arnold a violation report would be filed with the Chief Investigator for review.
- 15. Administrative review of the files indicates licensee has had license since 2009, and has no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §23. Therefore the Commission suspends the license for 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 additional violations of Chapter 138 or Commission Regulations occur.

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Kathleen McNally, Commissioner

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman

Dated: January 3, 2012

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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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
Administration
File

NOTICE OF SUSPENSION

January 3, 2012

GEORGE MAVREDAKIS DBA EAST COLUMBUS TAVERN 1011 E. COLUMBUS AVENUE SPRINGFIELD, MA 01103 LICENSE # 122600343 HEARD 12/27/2011

After a hearing on December 27, 2011, the Commission finds George Mavredakis dba East Columbus Tavern in violation of M.G.L. c.138, §12.

The Commission suspends the licensee's license for a total of two (2) days to be served. The suspension shall commence on Wednesday, February 15, 2012 and terminate on Thursday, February 16, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, February 15, 2012 at 9:00 A.M. It will be returned to the licensee Saturday, February 17, 2012.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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

cc: Local Licensing Board

Frederick G. Mahony, Chief Investigator

Dennis Keefe, Investigator

Administration

File

