



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**GLENDAS ENTERPRISES LLC D/B/A GLENDAS PUB
948 MAIN STREET
WARREN, MA 01083
LICENSE#: 03020-RS-1330
VIOLATION DATE: 4/25/2023
HEARD: 9/19/2023**

Glenda's Enterprises LLC d/b/a Glenda's Pub ("Licensee") holds an alcohol 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 Tuesday, September 19, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Guarino and Fleming's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino and Fleming's Minimum Purchase Age Compliance Check Field Report, 4/25/2023;
2. Licensee's Accela Summary, Transfer of License Approved, 1/17/2017;
3. Licensee's Stipulation of Facts.
 - A. TIPS Certificate of Completion for Karen Berthiaume;
 - B. Licensee's Safety and Security Plan and Policy on the Sale and Service of Alcoholic Beverages.

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

FINDINGS OF FACT


1. On Tuesday, April 25, 2023, at approximately 7:10 p.m., Investigators Fleming and Guarino ("Investigators") conducted a compliance check at Glenda's Enterprises LLC d/b/a Glenda's.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a bottle of Bud Light beer, for three dollars and fifty cents (\$3.50). The underage operative was not asked for identification.

3. Robert Madigan, Glenda Morin and Karen Berthiaume, Managing Members of the Licensee entity and the only Licensee employees, appeared at the Commission hearing. Ms. Morin is also the Manager of Record.
4. The Commission was informed that Ms. Berthiaume has since been re-certified via TIPS training. In addition, the Licensee has instituted a policy wherein all patrons who appear to be under the age of 40 are required to produce identification.
5. The Licensee has held a license under M.G.L. c. 138, § 12 since 2017 with no prior violations.


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. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman 

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

Dated: November 7, 2023

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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2023-000106-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Caroline Guarino, Investigator
Sean Fleming, Investigator
Elizabeth A. Lashway, Esq.
Administration, File