



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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION OF
INDEFINITE SUSPENSION

POLISH AMERICAN CITIZENS CLUB, INC. OF WEBSTER, MA
37 HARRIS ST.
WEBSTER, MA 01570
LICENSE#: 134200010
VIOLATION DATE: 04/09/2013
HEARD: 11/05/2013

Polish American Citizens Club, Inc. of Webster, MA (the "Licensee") holds an all alcoholic beverages club-type license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 9, 2013, regarding an alleged violation of:

- 1) M.G.L. c.138 §15A Change of Officers and Directors in the non-profit corporation without authorization;
- 2) M.G.L. c. 138, §1 Failure to file annually with the Local Licensing Authority and the Commission a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

By decision dated July 30, 2013, the Commission found the licensee violated the above-captioned charges. The Commission **INDEFINITELY SUSPENDED** the license of Polish American Citizens Club, Inc. of Webster, MA **effective forthwith**, until further written order of the Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the licensee attends.

Good cause for the Commission to consider issuing a further written order revising the order of indefinite suspensions will include, but not be limited to, the Licensee filing with both the Commission and the local licensing authorities the appropriate annual reports pursuant to M.G.L. c. 138, section 1, for the years 2003 through 2012; and the Licensee filing the appropriate application for approval of the current officers and directors of the Polish Citizen's Club and that appropriate application is granted by the local licensing authorities and approved by the Commission.

The Licensee filed a written request to reconsider the indefinite suspension. The Licensee attended a hearing before the Commission on Tuesday, November 5, 2013, and argued that good cause exists to reconsider the indefinite suspension. The Licensee attended the hearing before the Commission and argued that good cause exists to reconsider the indefinite suspension. In support thereof, the licensee stated that it had submitted an application to change its officers and directors, and an application to change its manager, with supporting documentation demonstrating that the aforementioned violations no

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longer exist, and that all officers and directors of the corporation are current and registered with the Secretary of State's Office.

On November 3, 2013, the Commission approved these applications. The Commission Decision dated July 30, 2013, ordered that the Licensee must file annually with the local licensing authority and the Commission the appropriate annual reports pursuant to M.G.L. c. 138, §1 for the years 2003 through 2012.¹

At this hearing, the following documents were admitted in evidence:

1. Licensee's Application dated October 7, 2013, with Change of Officers/Directors;
2. Licensee's Annual Report for 2003;
3. Licensee's Annual Report for 2004;
4. Licensee's Annual Report for 2005;
5. Licensee's Annual Report for 2006;
6. Licensee's Annual Report for 2007;
7. Licensee's Annual Report for 2008;
8. Licensee's Annual Report for 2009;
9. Licensee's Annual Report for 2010;
10. Licensee's Annual Report for 2011;
11. Licensee's Annual Report for 2012; and
12. Licensee's Annual Report for 2013.

There is one (1) audio recording of this hearing. The Commission took administrative notice of the Commission records regarding this Licensee.

CONCLUSION

The documents the Licensee provided convinced the Commission that the Licensee has fully complied with the prior order. Counsel for the Licensee stated that all documents have been filed with both the local licensing authorities and the Commission as ordered.

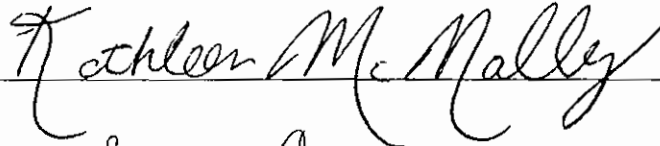
Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Polish American Citizens Club, Inc. of Webster, MA **effective forthwith**.

The indefinite suspension is reconsidered and reversed to a suspension of time served from July 30, 2013 to November 6, 2013.

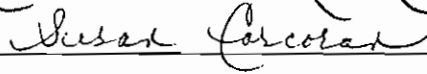
¹ The Licensee submitted the 2013 Annual Report at the hearing.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



DATE: November 6, 2013

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
Nicholas Velez, Investigator
Gary Bridgman, Esq. via facsimile 508-765-1238
Administration
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