



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

POLISH AMERICAN CITIZENS CLUB, INC. OF WEBSTER MA.
37 HARRIS ST.
WEBSTER, MA 01570
LICENSE#: 134200010
VIOLATION DATE: 01/31/2013
HEARD: 04/09/2013

Polish American Citizens Club, Inc. of Webster MA (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, April 9, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Ch. 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 Velez's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Velez's Violation Report dated January 31, 2013.

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

The Commission took Administrative Notice of the contents of the file for the license Polish American Citizens Club, Inc. of Webster MA, 37 Harris Street, Webster, Massachusetts, 01570.

FACTS

1. On Thursday, January 31, 2013, at approximately 9:45 p.m., Investigators Keefe and Velez investigated the business operation of Polish American Citizens Club, Inc. of Webster MA to determine the manner in which their business was being conducted.
2. Investigators' attention was drawn to a group of youthful looking individuals, sitting at a table near the bar, in possession of alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal drinking age.
4. Two females, later identified as Carolyn Betty and Hillary Mason, stated that they did not have identification on them as they had left it in their car.
5. Investigators accompanied the two females outside to the parking lot where they obtained their identification.
6. Carolyn Betty, actual date of birth [REDACTED] (age 20).
7. Hillary Mason, actual date of birth [REDACTED] (age 20).
8. Investigators observed Ms. Betty in possession of a bottle of Bud Light beer.

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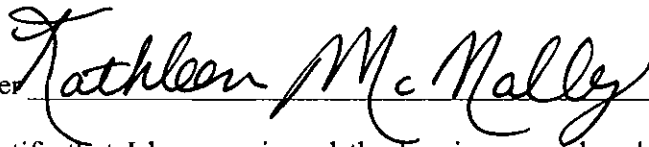
9. Investigators observed Ms. Mason in possession of an Absolut vodka and Sprite mixed drink.
10. Ms. Betty and Ms. Mason stated that the bartender on duty did not ask them for identification.
11. Investigator Keefe spoke to the bartender on duty, Mark Giangregorio, and identified the underage individuals to him.
12. Investigator Keefe asked to speak with the manager but Mr. Giangregorio stated that he was the only one present.
13. Investigator Keefe spoke by telephone to Cindy, a member of the club's board, and made her aware of the violation.
14. Investigators advised that a violation report would be filed with the Chief Investigator for further review.
15. The Commission records indicate, and the licensee admitted during the hearing, that this licensee has not filed the required annual filing of officers since 1964, as required by statute.

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: Ch. 138 §34c-Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 Counts). As the licensee has been in existence since 1957 and has not had a violation since 1977, the Commission issues the Licensee a **WARNING**. **Furthermore, the Commission refers the matter of Polish American Citizens Club, Inc. of Webster, MA to the Investigation and Enforcement Division for further investigation of potential violations of the Liquor Control Act.**

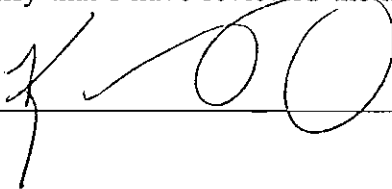
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Kim Gainsboro, Chairman



DATE: April 29, 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
 Dennis Keefe, Investigator
 Administration
 File