

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**LJC ROTARY LIQUORS INC. D/B/A ROTARY LIQUORS
52 PARK STREET
WEST SPRINGFIELD, MA 01089
LICENSE#: 00050-PK-1418
VIOLATION DATE: 5/3/2023
HEARD: 9/05/2023**

LJC Rotary Liquors Inc. d/b/a Rotary Liquors (“Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a remote hearing via Microsoft Teams on Tuesday, September 5, 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 Kujawski & Gould’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Kujawski & Gould’s Minimum Purchase Age Compliance Check Field Report, 5/3/2023;
2. ABCC Form 43 License Transfer Approved, 10/26/1995;
3. ABCC Decision, 1/10/2000;
4. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, May 3, 2023, at approximately 6:24 p.m., Investigators Gould and Kujawski (“Investigators”) conducted a compliance check at LJC Rotary Liquors Inc. d/b/a Rotary Liquors.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 24-ounce Twisted Tea malt beverage, for three dollars (\$3.00). The underage operative was not asked for identification.
3. Jennifer Demerski, President of the Licensee entity and Manager of Record, appeared at the Commission hearing. The Commission was informed the Licensee held an all staff

meeting after this incident and reviewed their policies and procedures already in place to prevent sales to people under the age of twenty-one. The Licensee continues to review said policies and procedures with employees.

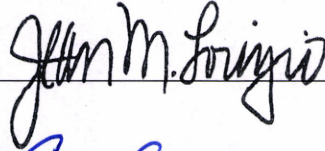
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 1995.

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. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

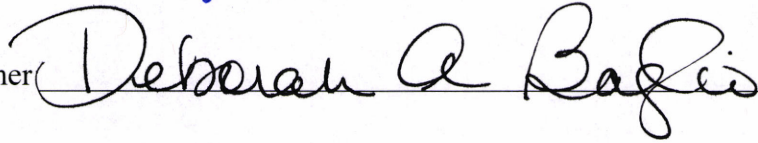
Jean M. Lorizio, Chairman _____



Crystal Matthews, Commissioner _____



Deborah A. Baglio, Commissioner _____



Dated: September 5, 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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2023-000143-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Jan Kujawski, Investigator
Brian Gould, Investigator
Mark J. Esposito, Esq.
Administration, File