



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**PATEL LIQUOR LLC D/B/A WESTFIELD LIQUORS
95 MAIN STREET
WESTFIELD, MA 01085
LICENSE#: 89119-PK-1440
VIOLATION DATE: 10/26/2023
HEARD: 3/05/2024**

Patel Liquor LLC d/b/a Westfield Liquors (the "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, March 5, 2024, regarding an alleged violation of M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Fleming's Report.

The following documents are in evidence:

1. Investigator Fleming's Report;
 2. Photograph of Identifications;
 3. Licensee's Stipulation of Facts;
 4. ABCC Application Summary Review, Transfer of License Approved, 8/10/2017.
- A. Photocopies of Fraudulent Massachusetts Drivers Licenses (22) Confiscated.

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

FINDINGS OF FACT

1. On Thursday, October 26, 2023, at approximately 8:20 p.m., Investigators Guarino and Fleming ("Investigators") began conducting surveillance of Patel Liquor LLC d/b/a Westfield Liquors ("Licensee") to determine the way its business was being conducted.
2. At approximately 8:56 p.m., Investigators observed a black sport utility vehicle enter the parking lot of Westfield Liquors. A youthful appearing male exited the vehicle, entered the licensed premises and shortly thereafter, exited the licensed premises in possession of alcoholic beverages. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

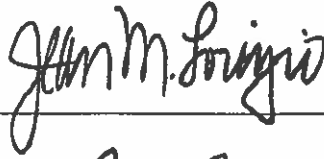
3. Underage #1, actual date of birth 9/17/2003 (age 20), was in possession of one 12-pack of Corona Extra beer, two nip bottles of Dr. McGillicuddy Root Beer liqueur, one nip bottle of Dr. McGillicuddy Apple Pie liqueur, one sleeve of nip bottles of Dr. McGillicuddy Root Beer liqueur, and one sleeve of nip bottles of Dr. McGillicuddy's Apple Pie Liqueur. He informed Investigators that he did not have his real identification with him and admitted he was born in 2003. Underage #1 provided to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase the alcoholic beverages.
4. Investigators entered the establishment with Underage #1 and he identified the clerk who sold him the alcoholic beverages. Investigators informed the clerk of the violation and that a report would be submitted to the Chief Investigator for further action.
5. At approximately 9:10 p.m., Investigators observed a red Ford motor vehicle enter the parking lot. A youthful appearing female exited the vehicle, entered the licensed premises and shortly thereafter, exited Westfield Liquors in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
6. Underage #2, actual date of birth 2/19/2004 (age 19), was in possession of one nip bottle of Dr. McGillicuddy Root Beer Liqueur, and one sleeve of nip bottles of Dr. McGillicuddy's Root Beer Liqueur. She stated she was nineteen years old and provided to Investigators a fraudulent New York driver's license bearing her name but a different birth date, which she used to purchase the alcoholic beverages.
7. Investigators entered the establishment with Underage #2 and she identified the clerk who sold her the alcoholic beverages. Investigators informed the clerk of the second violation and that a report would be submitted to the Chief Investigator for further action.
8. Michael Navarro, a Licensee employee, appeared at the Commission hearing and testified that he has worked at the licensed premises for approximately 5 to 6 years. He stated that upon his hire, he was informed of the policies and procedures in place at the licensed premises with regards to requesting identification from patrons. Mr. Navarro testified that just two days after this incident, the Licensee purchased an updated identification scanner and a new ID guidebook. Employees were retrained and instructed that if they have any doubt a customer is twenty-one years of age or older, to request a 2nd form of identification. If still unsure, patrons are instructed to refuse the sale. He stated that employees have been more attentive and have been going above and beyond.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017.

CONCLUSION

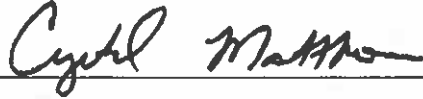
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). As a result, the Commission **suspends the license for a period of two (2) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

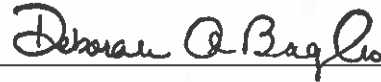
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: July 26, 2024

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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immediatamente.

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这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

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‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000255-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Sean Fleming, Investigator
Caroline Guarino, Investigator
Bradford B. Moir, Esq.
Administration, File