

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Meadow Package Store  
Meadow Package Store LLC, Backer  
Christopher J. Ocain, Permittee  
Permit No. LIP.13464  
Docket No. 2011-434

Case No. 2010-694  
June 9, 2011

**MEMORANDUM OF DECISION**

This matter involves a package store liquor permit issued to Meadow Package Store, 360 Main Street, New Hartford, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on June 2, 2011. Proper notice of the hearing was provided to the Respondent, however, the Respondent failed to appear at the hearing.

The allegations against the permit premises arose from a joint investigation conducted by the Department of Consumer Protection's Liquor Control Division and the Connecticut State Police. It is alleged that on or about June 18, 2010, the Respondent sold or delivered alcoholic liquor to a minor in violation of Section 30-86, Connecticut General Statutes.

The following facts are found based upon the evidence adduced at the hearing. On June 18, 2010, the Department of Consumer Protection's Liquor Control Division and the Connecticut State Police conducted underage drinking compliance checks in northwest Connecticut, utilizing a female undercover

operative whose date of birth is January 16, 1991. She was 19 years of age at the time and thus a minor. As identification, she carried her valid Connecticut driver's license with her correct date of birth. At approximately 4:48 p.m., Special Agent Colla entered Meadow Package Store and positioned himself in such a manner so as to have a full and unobstructed view of the sales counter and any transaction. The undercover minor entered shortly after Special Agent Colla. She obtained six 12 oz. cans of Bud Light beer from the cooler and approached the sales counter to purchase the beer. The permittee sold the beer to the undercover minor and did not ask the undercover operative for age identification at any time during the transaction. Special Agent Colla was approximately five feet away from the sales counter and observed the entire transaction of the sale of alcohol to the minor.

Therefore, based upon the substantial evidence presented, we hereby find the Respondent guilty of violating Section 30-86, Connecticut General Statutes, as alleged. The Liquor Control Act grants the Liquor Control Commission a liberal discretionary power to determine factual matters with regard to liquor permits and to suspend or revoke the permit after a hearing. Balog v. Liquor Control Commission, 150 Conn. 473, 191 A.2d 20 (1963).

The Respondent's liquor permit is suspended for a period of three (3) days and for an additional ten (10) days. In lieu of the additional 10-day suspension, however, we will accept payment of a fine of \$750 in accordance

with Sections 30-6-A8(i) and (k) of the Regulations of Connecticut State Agencies.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY:

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Elisa A. Nahas, Esq.  
Designated Presiding Officer

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Angelo J. Faenza, Commissioner

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Stephen R. Somma, Commissioner

Parties:

Christopher J. Ocain, Permittee, Meadow Package Store, 360 Main Street, Pine Meadow Box 65, New Hartford, CT 06061

Christopher J. Ocain, 22 Maillet Lane, New Hartford, CT 06057-4129

Non-Parties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106