



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION

BEVERLY FRANCO-AMERICAN CLUB, INC.
44 PARK ST
BEVERLY, MA 01915
LICENSE#: 010000022
VIOLATION DATE: From 1987 to Present
HEARD: 12/19/2016

Beverly Franco-American Club, Inc. (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, October 11, 2016, regarding alleged violations of:

- 1) M.G.L. c. 138, § 1 – Failure to file with the Commission annually 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;
- 2) M.G.L. c. 138 § 15A – Change of Officers and Directors in the non-profit corporation without authorization.

By decision dated October 12, 2016, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this 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 application for approval of the current officers and directors of the Licensee.

In addition the Licensee must file the appropriate annual reports pursuant to M.G.L. c. 138, §1 for the last ten (10) years from calendar year 2007 through calendar year 2016.

By letter dated December 9, 2016, the Licensee requested a hearing to reconsider the indefinite suspension. The Licensee's counsel along with the Manager of Record and members of the Board of Directors attended a hearing before the Commission on December 19, 2016, and argued that good cause exists to reconsider the indefinite suspension.

The following documents are in evidence:

- 1) Licensee's Application for Change of Manager and New Officers/Directors ; and
- 2) Licensee's Annual Reports from 2004 to 2017.

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

CONCLUSION

Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Beverly Franco-American Club, Inc. **effective forthwith.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Kim S. Gainsboro, Chariman



Dated: December 19, 2016

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.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board via email
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Scott Dullea, Esq. via facsimile 978-922-4055
Anthony Metaxas, Esq. via facsimile 978-922-6464
Administration, File