



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

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**NEW BROOKLINE VILLAGE INC. DBA VILLAGE LIQUOR AND CONVENIENCE**  
**294 WASHINGTON ST**  
**BROOKLINE, MA 02446**  
**LICENSE#: 014800145**  
**VIOLATION DATE: 02/12/2014**  
**HEARD: 05/27/2014**

New Brookline Village Inc. dba Village Liquor and Convenience (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 27, 2014, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Temple's Investigative Report dated February 12, 2014.

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

**FACTS**

1. On Wednesday, February 12, 2014 at approximately 6:58 p.m., Investigators Guarino-Wilichoski and Temple conducted an investigation of the business operation of New Brookline Village Inc. dba Village Liquor and Convenience.
2. An underage operative, working with investigators, purchased a container of Keystone Ice beer for two dollars and nineteen cents (\$2.19). The underage operative was not asked for identification.

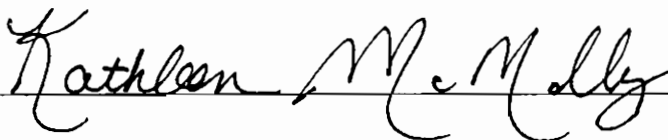
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### CONCLUSION

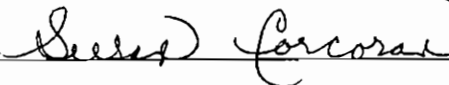
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



Dated: May 27, 2014

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  
Christopher Temple, Investigator  
Caroline Guarino-Wilichoski, Investigator  
Arthur Pearlman Esq. via fax 508-875-7843  
Administration  
File