

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

DECISION

SQUARE CORP. DBA HALLS CORNER STORE
8 CHESTNUT ST
DUXBURY, MA 02332
LICENSE#: 030000044
VIOLATION DATE: 07/03/2014
HEARD: 03/17/2015

Square Corp. dba Halls Corner Store (the "Licensee") holds an alcohol beverage license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 17, 2015, regarding the alleged violation c. 138, §22 Transporting of alcoholic beverages without a valid permit. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kenney's Report.

The following documents are in evidence:

1. Investigator Kenny's Investigative Report dated August 5, 2014; and
2. Licensee's Stipulation of Facts;

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Thursday, July 3, 2014, at approximately 2:55 p.m., Investigator Kenny, and Chief Investigator Mahony, investigated the business operation Square Corp. dba Halls Corner Store to determine the manner in which its business was being conducted.
2. Investigators observed a vehicle pull up in front of the store. A male individual exited the vehicle and began to deliver cases of beer to the licensed premises.
3. Investigators observed that a total of 10 cases of Bud Light beer, and 5 cases of Budweiser beer were being delivered.
4. Investigators approached the male individual, Gino Benotti, identified themselves, and asked if he had a transportation permit.
5. Mr. Benotti stated he did not have a transportation permit, and that he was delivering the alcohol from Cape Way Convenience in Middleboro.
6. Investigators noted that Mr. Benotti drove a Ford Escape and that this vehicle did not have a transportation permit from the Commission.
7. Investigators spoke to the owner, Jay Patel, who stated that he was unaware that a transportation permit was needed to make a delivery.

8. Investigators advised Mr. Patel of the violation and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated c. 138, §22 Transporting of alcoholic beverages without a valid permit. 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.**

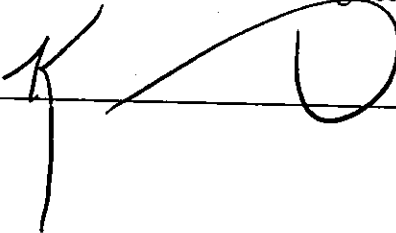
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman



Dated: April 10, 2015

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
Mark Kenny, Investigator
Phil Markella, Esq. via facsimile 781-934-0033
Administration
File