

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

MICHAEL CHARLES PRONDECKI DBA FRANKLIN GROCERY
LESTER & HIGH STREET
ERVING, MA 01344
LICENSE#: 037800007
VIOLATION DATE: 02/12/2014
HEARD: 05/27/2014

Michael Charles Prondecki dba Franklin Grocery (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 Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Bailey'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 6:05 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Michael Charles Prondecki dba Franklin Grocery.
2. An underage operative, working with investigators, purchased a sixteen ounce (16 oz.) bottle of Budweiser Light beer for one dollar and sixty-five cents (\$1.65). The underage operative was not asked for identification.

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CONCLUSION

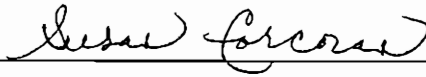
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the licensee has been in business for more than ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

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
 Brad Doyle, Investigator
 Rose Bailey, Investigator
 Administration
 File