



*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*239 Causeway Street*  
*Boston, Massachusetts 02114*  
*Tel. (617) 727-3040*  
*Fax: (617) 727-1510*

**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**INTERGAS SERVICES CENTER INC.**  
**607 MAIN ST.**  
**FALMOUTH, MA 02540**  
**LICENSE#: 89189-PK-0309**  
**VIOLATION DATE: 5/29/2018**  
**HEARING DATE: 7/24/2018**

Intergas Services Center Inc. (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, July 24, 2018, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.
  - A. Licensee's Documents: School of Bartending Certifications; Employees' Training Acknowledgements; TIPS Certificates; and Passport Photocopy.

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

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

**FACTS**

1. On Tuesday, May 29, 2018, at approximately 6:35 p.m., Investigator Binienda and Velez ("Investigators") investigated the business of Intergas Services Center Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for six dollars and ninety-nine cents (\$6.99). The underage operative was not asked for identification.

## 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: M.G.L. 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 two (2) days which 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



Elizabeth A. Lashway, Commissioner



Dated: July 25, 2018

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.

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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Nicholas Velez, Investigator  
Jamie Binienda, Investigator  
Richard J. Harb, Esq. via facsimile 774-330-3956  
Administration, File