

Re: **The Hillside Social Club, Inc.**
Premise: **4 Howland's Lane**
City/Town: **Kingston, MA 02364**
License #: **056800002**
Heard: **May 25, 2010**

DECISION

The Hillside Social Club, Inc. (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on May 25, 2010 regarding an alleged violation of M.G.L. c.138, §23 (52 counts) which occurred on October 23, 2009 according to Investigator Mark Kenny's Report.

The following documents are in evidence:

1. Investigator Mark Kenny's Report;
2. Box of Confiscated Bottles of Alcohol;
3. Box of Confiscated Bottles of Alcohol;
4. Box of Confiscated Bottles of Alcohol;
5. Receipt of Package Store Purchases from 09/21/09 and 09/29/09; and
6. Receipt of Package Store Purchases from 09/1/09, 09/04/09, 09/14/09, 09/17/09, 09/21/09, and 09/24/09.

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There is one (1) tape of this hearing.

Facts

1. On Friday, October 23, 2009 Investigators Mark Kenny, Jamie Binienda, Michael Teehan and Chief Investigator Frederick Mahoney investigated the business of Hillside Social Club.
2. The Investigators reported that they observed 22 bottles of alcohol with glue residue affixed to bottles indicating that the bottles were purchased at a package store.

3. The Investigators also reported that there were copies of receipts in the basement listing alcohol that was purchased from a package store.
4. The information was also listed in the business fund income ledgers for September 2009.
5. The Investigators took the ledgers and alcohol as evidence and Paul Mullaney, the manager on duty, was notified of the violation.

Conclusion

Based on the evidence, the Commission finds the licensee violated M.G.L. c.138, §23. The Commission **suspends the license for fifty-two (52) days of which twenty-six (26) days will be served and twenty-six (26) 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

Robert Cronin, Commissioner _____

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 15th day of October 2010.

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 days of receipt of this decision.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Brad Doyle, Investigator
Robert Kelley, Esq. (sent via facsimile 978-975-1658)
File