

November 19, 2010

Ulster's, Inc. dba O'Neill's
124-126 Washington Street
Salem, MA 01970
License #: 106400035
Heard: June 16, 2010

DECISION

This was an appeal from the action of the Licensing Board of the City of Salem ("the Board") for suspending the license of Ulster's, Inc. dba O'Neill's located at 124-125 Washington Street, Salem, MA, for a period of two (2) days with one (1) day held in abeyance for a five (5) month period. The Licensee timely appealed the Board's decision to the Alcoholic Beverages Control Commission (the "Commission") and a hearing was held on June 16, 2010.

There is one (1) tape of this hearing.

FACTS

Andre Ouellette of the Salem Police Department appeared at the hearing. He did not possess a Pre- Hearing Memorandum or Exhibits to enter on behalf of the City of Salem at the hearing.

CONCLUSION

The Commission remands this matter back to the Local Board and Requests the Local Board complete a Pre-Hearing Memorandum and provide exhibits for its representative to enter at a future ABCC hearing.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner _____

Kim S. Gainsboro, Chairman _____

Susan Corcoran, Commissioner _____

You have the right to appeal this decision to the Superior Court under the provisions of Chapter 30A of the Massachusetts General Laws within thirty days of receipt of this decision.

cc: Local Licensing Authority
Frederick Mahony, Chief Investigator
Andre R. Ouellette, Salem Police Department
File