

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

February 14, 2012

MIKE'S BAR CORPORATION DBA PARISE'S CAFÉ
97 WASHINGTON ST.
SOMERVILLE, MA 02143
LICENSE#: 113000073
HEARD 2/14/2012

After a hearing on February 14, 2012, the Commission Mike's Bar Corporation dba Parise's Café in violation of 204 CMR 2.05(1) (2 counts).

The Commission suspends the licensee's license for a total of three (3) days. The suspension shall commence on Wednesday, March 28, 2012 and terminate on Friday, March 30, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, March 28, 2012 at 9:00 A.M. It will be returned to the licensee Saturday, March 31, 2012.

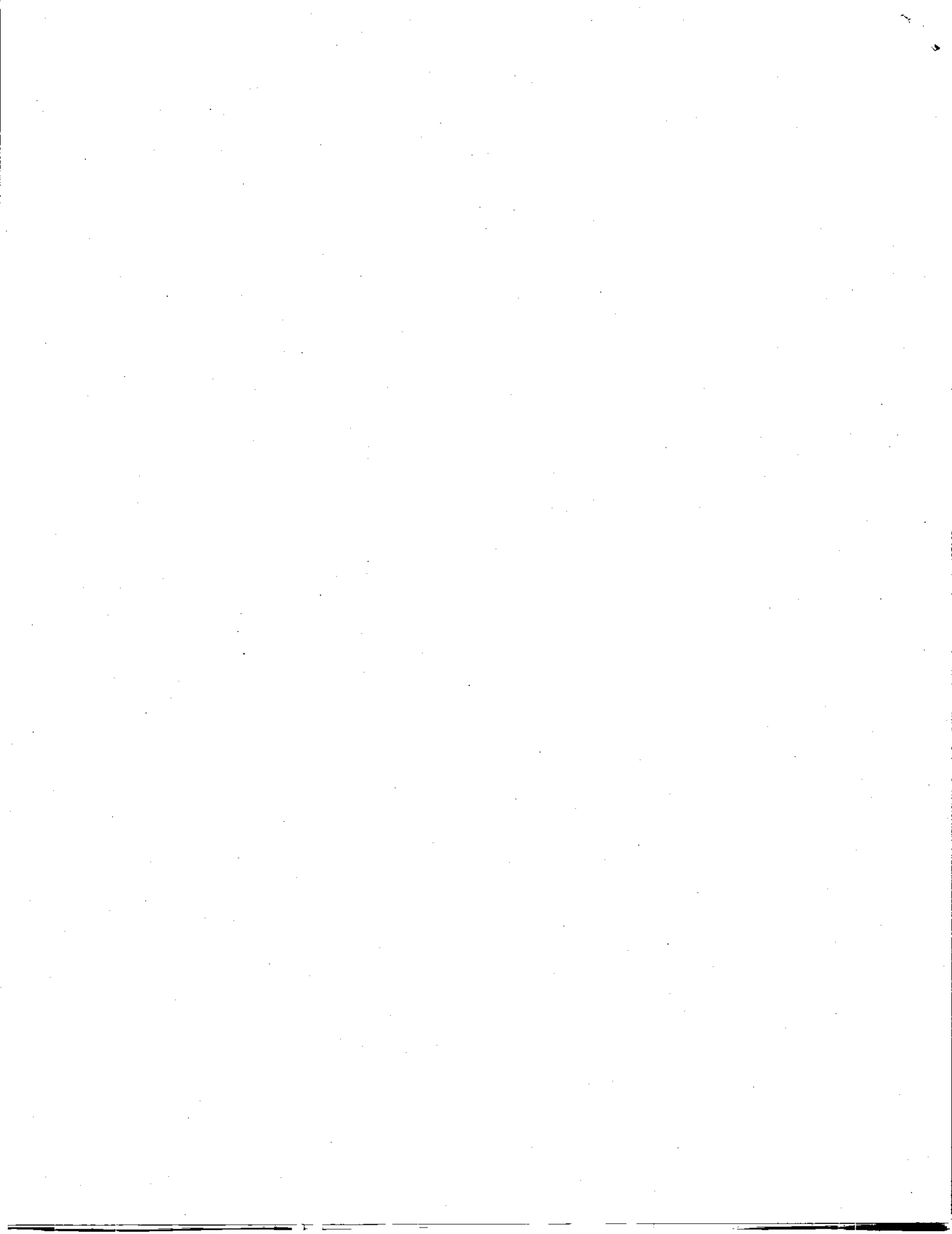
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

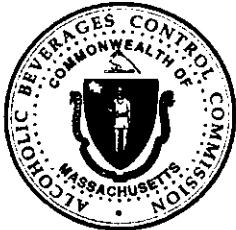
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Administration
File





The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

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DECISION

MIKE'S BAR CORPORATION DBA PARISE'S CAFÉ
97 WASHINGTON ST.
SOMERVILLE, MA 02143
LICENSE#: 113000073
HEARD 2/14/2012

Mike's Bar Corporation dba Parise's Café (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 Tuesday, February 14, 2012, regarding an alleged violation of 204 CMR 2.05(1) (2 counts). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Michael Teehan's Report.

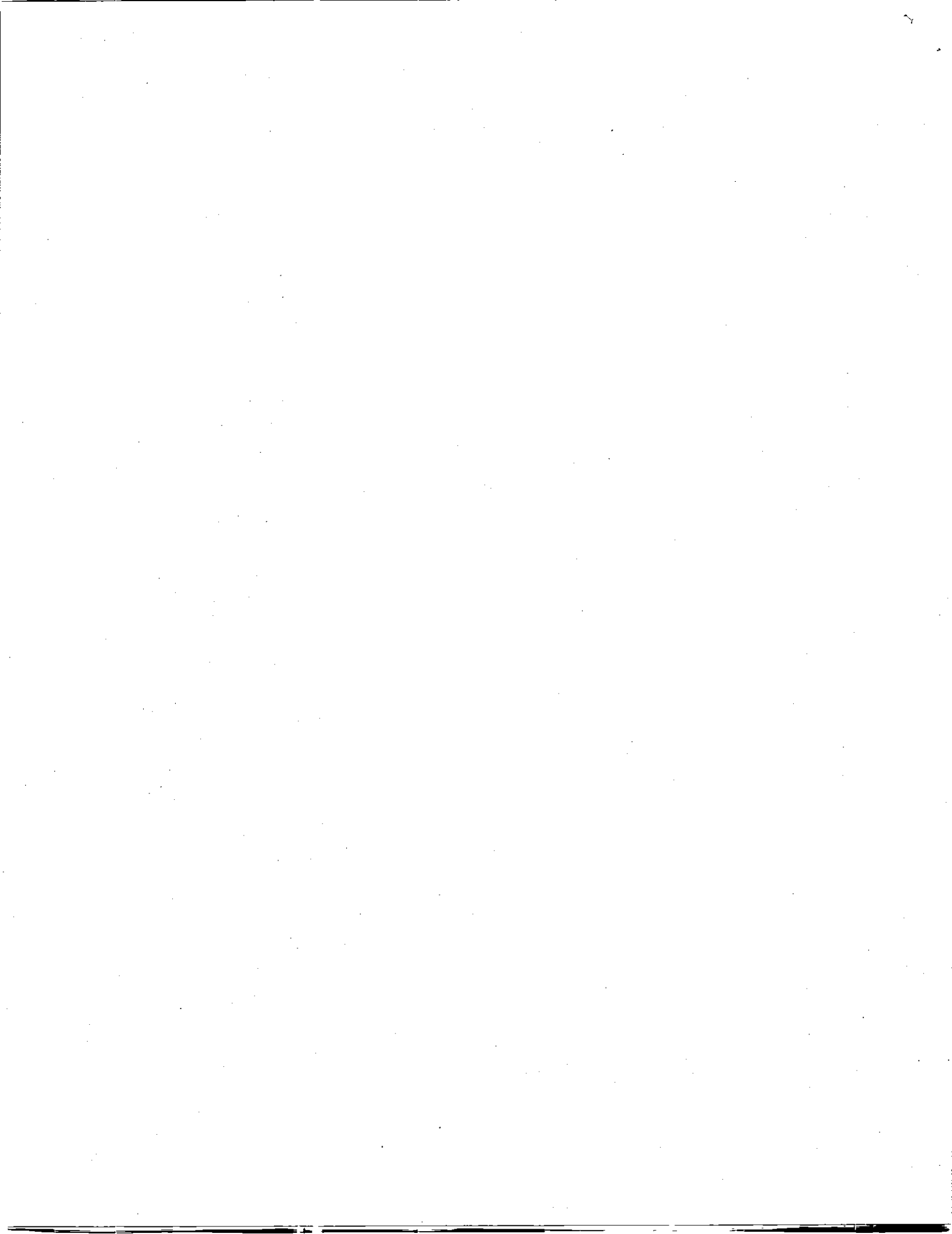
The following documents and physical items are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Teehan's Investigative Report dated September 23, 2011;
3. Gaming Daily Racing Programs;
4. Betting Chart;
5. Spreadsheet for Football Pool'
6. Betting Slips; and
7. Pictures of Horse Racing on Televisions.

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

FACTS

1. On Friday, September 23, 2011, at approximately 3:07: p. m., Investigators Keefe and Teehan, along with Massachusetts State Police Detectives Michael Tulipano and Michael Murphy, investigated the business operation of Mike's Bar Corporation dba Parise's Café.
2. The investigation was in response to a complaint filed with the ABCC Investigative Unit.
3. Investigator Keefe entered the premises at approximately 2:40 p.m. in an undercover capacity.
4. Investigator Keefe proceeded to the bar where he sat and ordered a beer.
5. Investigator Keefe observed different groups of men looking at what appeared to be horse racing books.
6. Investigator Keefe observed approximately five (5) televisions in the licensed premises.
7. Investigator Keefe observed that three (3) out of the five (5) televisions displayed horse races.



8. Investigator Keefe observed three (3) gentlemen playing cards at a table directly behind him.
9. The three (3) gentlemen were later identified as: Mr. Richard Ghiozzi of 1506 Huckleberry Court, Peabody with date of birth of March 26, 1956; Mr. Tino Novello of 9 Pinetree Drive, Saugus with date of birth September 2, 1941; and Mr. Francis Healy of 44 Bonner Avenue, Medford with date of birth September 5, 1951.
10. An anonymous complainant identified Mr. Ghiozzi and Mr. Novello as the individuals running a horse race betting operation at the licensed premises.
11. The anonymous complainant stated to Chief Inspector Mahony that he filed the complaint after an individual known to him had attempted suicide due to mounting gambling debts owed to Mr. Ghiozzi and Mr. Novello.
12. The anonymous complainant stated that Mr. Ghiozzi and Mr. Novello conduct this gambling operation at one of the tables in the bar on Wednesday, Thursday, Friday, and Saturday during race times.
13. Between the first and second horse races, Investigator Keefe observed a male individual, with United States Currency in his hand, walked directly to the table where Mr. Ghiozzi sat.
14. Investigator Keefe observed the unidentified male individual speak with Mr. Ghiozzi.
15. Investigator Keefe observed when the unidentified male individual walked away, he was no longer in possession of the United States Currency.
16. Investigator Keefe observed Mr. Ghiozzi had a piece of white paper in front of him.
17. Investigator Keefe observed patrons in the bar yelling at the television, rooting for horses while the horse races were ongoing.
18. After the third race, Investigator Keefe observed another male individual approach Mr. Ghiozzi, and state that he had won.
19. Mr. Ghiozzi asked the male individual, "What did you hit?"
20. The male individual stated the horse's odds to Mr. Ghiozzi.
21. Mr. Ghiozzi then handed the male individual United States Currency.
22. As the male individual started to walk away, Mr. Ghiozzi yelled out, "Wait, I owe you more", and Mr. Ghiozzi handed him additional United States Currency.
23. Investigator Keefe observed Mr. Ghiozzi then write on the piece of white paper in his possession.
24. Investigator Keefe contacted Chief Investigator Mahony and Investigator Teehan who were stationed outside the licensed premises.
25. Based on his training and experience, Investigator Keefe informed Chief Mahony that he had observed what appeared to be illegal gambling payoffs on the licensed premises.
26. Chief Investigator Mahony and Investigator Teehan observed a male individual enter the front door of the licensed premises.
27. Investigators observed the male individual exited shortly thereafter.
28. Investigators observed the male individual holding the door open and conversing with another individual, later identified as Mr. Ghiozzi.
29. Investigators observed the male individual hand a white envelope to Mr. Ghiozzi in a furtive manner.
30. Investigators observed Mr. Ghiozzi then shut the door, and the male individual left the area.
31. At approximately 3:20 p.m., Chief Investigator Mahony and Investigator Teehan, along with Detectives Tulipano and Murphy, entered the licensed premises and proceeded directly to the card table.
32. Investigators requested identification from the three gentlemen at the card table, Mr. Ghiozzi, Mr. Novello, and Mr. Healy.



33. Investigators observed a horse racing book on the table, and to the left of where Mr. Ghiozzi was sitting, a piece of white paper (8.5" x 11") that contained hand written notations.
34. Based on their training and experience, Investigators determined these notations appeared to be bets recorded, along with the odds of horse races.
35. Investigators also observed two male individuals sitting at a table looking over their horse racing book and a newspaper racing form.
36. Investigators observed the racing book and racing form contained markings indicative of gambling on horse races.
37. Investigators approached the two male individuals and requested their identification information.
38. The two male individuals were identified as: Ralph Polillio of 1857 Central St., Stoughton, date of birth August 25, 1946; and Michael Runge of 11 Aaron St., Melrose, date of birth May 12, 1962.
39. Investigators approached the bar and identified themselves to the bartender on duty, later identified as Mr. Rian Murray of 49 College Avenue, Somerville, date of birth July 1, 1981.
40. Investigators inspected the bar area where they observed a large yellow envelope next to the cash register.
41. Investigators observed the envelope contained a stack of papers (8.5" x 11") that contained printing indicating gambling lines for Sunday's pro football games, along with three (3) bets there were already submitted.
42. Of the three (3) bets in the envelope, there were two (2) five dollar (\$5.00) bets and a ten dollar (\$10.00) bet totaling twenty dollars (\$20.00) in United States Currency.
43. Each bet had the person's name on it along with circled numbers that reflected the team picked.
44. Mr. Murray stated the football bets were accepted by him or the bartender on duty.
45. Mr. Murray stated that he had submitted one (1) of the three (3) bets on behalf of himself.
46. Investigators asked Mr. Murray to identify the person(s) running the horse racing gambling operation on the licensed premises.
47. Mr. Murray stated he did not want to make any further statements without an attorney.
48. Investigators then terminated the interview.
49. Investigators informed Mr. Murray that a violation report would be submitted to the Commission for further action, and left without incident.
50. Investigator Keefe remained on the licensed premises for approximately thirty (30) minutes where he overheard patrons talking aloud and speculating as to the reasons investigators were at the bar.
51. Investigator Keefe overheard patrons stating they believed investigators were there because of the horse racing.
52. Investigator Keefe overheard Mr. Murray state that investigators were there also for the football pools and that Mr. Murray's name was on the papers for the [football] pools.
53. Investigator Keefe observed Mr. Murray acting in a very nervous manner.
54. Investigator Keefe observed Mr. Murray stated he wanted to contact a lawyer.
55. At approximately 4:06 p.m., Investigator Keefe left the premises.



CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05(1) (2 counts). Therefore, the Commission **suspends the licensee's license for five (5) days, of which three (3) days will be served, and two (2) 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

Kim S. Gainsboro, Chairman _____

Kathleen McNally, Commissioner _____

Dated: February 14, 2012

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
Michael Teehan, Investigator
Administration
File

