



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION

TEMPLETON FISH & GAME CLUB INC.
200 CLUB RD., P.O. BOX 99
TEMPLETON, MA 01438
LICENSE#: 126800012
VIOLATION DATE: 04/22/2016
HEARD: 01/10/2017

Templeton Fish & Game Club Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, November 22, 2016, regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 23K §37 (a) Operating or permitting to be operated a game or gaming device;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: M.G.L. c. 140 §177A (6) No person keeping or offering for operation, or allowing to be kept or offered for operation, any automatic amusement device licensed under this section shall permit the same to be used for the purpose of gambling;
- 3) M.G.L. c. 138, § 15A - Change of officers/directors in the non-profit corporation with authorization. (Since 1996)

By decision dated November 28, 2016, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the Licensee attends.

The Licensee has filed with both the Commission and the local licensing authorities the appropriate application for approval of the current officers and directors of the Licensee.

By letter dated December 22, 2016, the counsel for the Licensee requested a hearing to reconsider the indefinite suspension. The Licensee's counsel along with the Manager of Record and members of the Board of Directors attended a hearing before the Commission on January 10, 2017, and argued that good cause exists to reconsider the indefinite suspension.

The following documents are in evidence:

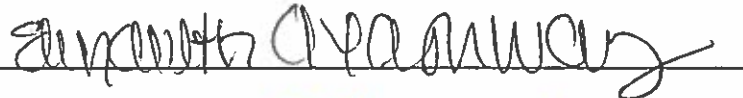
- 1) Letter from Atty. Mark Goldstein, Esq. dated December 22, 2016; and
- 2) Licensee's list of Officers and Directors.

There is one (1) audio recording of this hearing. The Commission took administrative notice of the Commission records regarding this Licensee.

CONCLUSION

Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Templeton Fish & Game Club Inc. **effective forthwith.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: January 10, 2017

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Mark Goldstein, Esq. via facsimile 978-632-1236
Maryanne Reynolds, Esq. via email
Administration, File