

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
Facsimile: 617-727-1510*

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

**NOTICE OF SUSPENSION**

April 12, 2017

**SAMOSET ROD & GUN CLUB INC.  
350 MATFIELD ST.  
WEST BRIDGEWATER, MA 02379  
LICENSE#: 136600002  
VIOLATION DATE: 10/07/2016  
HEARD: 04/11/2017**

After a hearing on April 11, 2017, the Commission finds Samoset Rod & Gun Club Inc. violated 204 CMR 2.05 (1): Permitting Gambling.

The Commission **suspends the license for five (5) days of which two (2) days will be served and three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. In addition, the Licensee must not possess in or on the licensed premises any automatic amusement devices or video poker machines.**

**The suspension shall commence on Wednesday, May 31, 2017 and terminate on Thursday, June 1, 2017.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, May 31, 2017 at 9:00 A.M. It will be returned to the Licensee Friday, June 2, 2017.

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, which must be signed by the Licensee and 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.

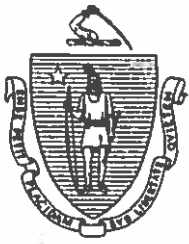
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

A handwritten signature in cursive script, appearing to read "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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



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*Chairman*

**DECISION**

**SAMOSET ROD & GUN CLUB INC.  
350 MATFIELD ST.  
WEST BRIDGEWATER, MA 02379  
LICENSE#: 136600002  
VIOLATION DATE: 10/07/2016  
HEARD: 04/11/2017**

Samoset Rod & Gun Club Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission" or "ABCC") held a hearing on Tuesday, April 11, 2017, regarding an alleged violation of 204 CMR 2.05 (1): Permitting Gambling. Prior to the commencement of the hearing, the Licensee stipulated to the violations alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee's Stipulation of Facts;
3. Handwritten Notes; and
4. Photograph of Amusement Devices.

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

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

**FINDINGS OF FACT**

1. On Friday, October 7, 2016, at approximately 3:30 p.m., Investigators Temple and Teehan ("Investigators") investigated Samoset Rod & Gun Club Inc. to determine the manner in which their business was being conducted.
2. Investigators entered the bar and identified themselves to the bartender on duty, Lisa Sassone. Ms. Sassone called the manager of record, Chester Hill, who arrived a short time later at the licensed premises.
3. While in the office, Investigators observed two sheets of paper in a binder. The papers consisted of a handwritten vote by the board which indicated the name, payout of \$50.00 in U.S. Currency and date.

4. Investigators interviewed Mr. Hill. Hill stated that the bar pays U.S. Currency to individuals who win on the electronic video devices. Once an individual has finished playing the machines, he informs the bartender on duty. The bartender resets the device and pays out the winnings in U. S. Currency from a cash box located behind the bar.
5. Mr. Hill further stated that the machines are supplied by Commonwealth Vending who splits the net revenue 50% for the bar and 50% for the vendor.
6. Investigators observed four automatic amusement devices in the bar area. Three of the devices were labeled as Double Up and one device was unnamed.
7. Investigators conducted an audit of the devices and observed the following characteristics which, based on their training and experience, indicated these electronic devices were being used as gambling devices:
  - Each device had marking which indicated, "for amusement only";
  - Each accepted U. S. Currency in bills ranging from \$1, \$5, \$10, \$20;
  - Each had the capability to select the number of points (the amount to bet);
  - Each registered the bet by displaying the number of points selected;
  - Each had the capability to double the bet using a double-up button;
  - Each had a "knock off" mechanism, a push button on the back of the machine or a Collect button on the front console, which when pressed reset the credits to zero.
8. Investigator Teehan placed a dollar bill into the video poker device and proceeded to register a bet. He then pressed a button on the back of the device (the knock-off switch) and observed the credits reset to zero.
9. Investigators informed Mr. Hill of the violation and that a report would be submitted to the Chief Investigator for review.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (1): Permitting Gambling. Therefore, the Commission **suspends the license for five (5) days of which two (2) days will be served and three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. In addition, the Licensee must not possess in or on the licensed premises any automatic amusement devices or video poker machines.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman Jean M. Lorizio  
Kathleen McNally, Commissioner Kathleen McNally  
Elizabeth A. Lashway, Commissioner Elizabeth A. Lashway

Dated: April 12, 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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