



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

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**BETTER THAN MIKE'S INC. DBA VINCENT'S COUNTRY STORE**  
**109 MAIN STREET**  
**WESTMINSTER, MA 01473**  
**LICENSE#: 144600023**  
**VIOLATION DATE: 05/16/2012**  
**HEARD: 8/27/2013**

Better Than Mike's Inc. dba Vincent's Country Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 27, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report dated April 3, 2013; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Wednesday, April 3, 2013, at approximately 7:27 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Better Than Mike's Inc. dba Vincent's Country Store.
2. An underage operative working with investigators purchased an alcoholic beverage, a 24 ounce can of Budweiser Light beer, for two dollars (\$2.00). The underage operative was not asked for identification.

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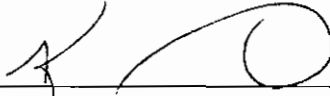
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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which 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.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman \_\_\_\_\_



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner \_\_\_\_\_



Dated: August 28, 2013

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  
          Brad Doyle, Investigator  
          Rose Bailey, Investigator  
          Administration  
          File