

*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3*  
*Chelsea, Massachusetts 02150-2358*

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

**DECISION**

**BETTER THAN MIKES INC. D/B/A VINCENT'S COUNTRY STORE**  
**109 MAIN STREET**  
**WESTMINSTER, MA 01473**  
**LICENSE#: 00023-PK-1446**  
**VIOLATION DATE: 6/27/2022**  
**HEARD: 10/25/2022**

Better Than Mikes Inc. d/b/a Vincent's Country Store ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, October 25, 2022, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Investigator Kujawski's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, New License Approval, 7/20/2012;
3. ABCC Decision, 8/28/2013;
4. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Monday, June 27, 2022, at approximately 5:02 p.m., Investigators Gould and Kujawski ("Investigators"), inspected the business operation of Better Than Mikes Inc. d/b/a Vincent's Country Store.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one Pabst Blue Ribbon beer for two dollars and fifty cents (\$2.50). The underage operative was not asked to produce identification.
3. Brian Vincent, Licensee and Manager of Record, appeared at the Commission hearing and testified he had an established policy wherein any patron who appears to be under 30 years of age is required to produce identification. He has since held a meeting with employees

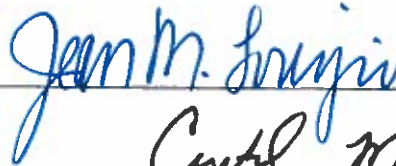
as well as posted signs for employees to reinforce the expectations and the law. In addition, he has done some research and is considering purchasing a scanner.

### 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: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: November 3, 2022

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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2022-000141-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Jan Kujawski, Investigator  
Brian Gould, Investigator  
Administration, File