



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

MICHAEL'S PASTA-IN-THE-PAN, INC. DBA MICHAEL'S PASTA-IN-THE-PAN II
2133 BOSTON RD.
WILBRAHAM, MA 01095
LICENSE#: 147200051
VIOLATION DATE: 02/26/2014
HEARD: 06/24/2014

Michael's Pasta-In-The-Pan, Inc. dba Michael's Pasta-In-The-Pan II (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, June 24, 2014, 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 Keefe's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Keefe's Investigative Report dated February 26, 2014.

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

FACTS

1. On Wednesday, February 26, 2014 at approximately 6:48 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Michael's Pasta-In-The-Pan, Inc. dba Michael's Pasta-In-The-Pan II.
2. An underage operative, working with investigators, purchased a bottle of Budweiser Light beer for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.

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 two (2) days of which two (2) days will be held in abeyance for a period of one (1) year 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: June 25, 2014

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
Investigator
Investigator
Administration
File