

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

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

December 12, 2012

**SALTY DOG SALOON DBA SALTY DOG SALOON**  
**1 KELLEY SQUARE**  
**WORCESTER, MA 01608**  
**LICENSE#: 150800491**  
**VIOLATION DATE: 09/20/2012**  
**HEARD: 12/11/2012**

After a hearing on December 11, 2012, the Commission finds Salty Dog Saloon dba Salty Dog Saloon in violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (4 Counts).

The Commission suspends the licensee's license for a total of twelve (12) days to be served. The suspension shall commence on Wednesday, January 30, 2013, and terminate on Sunday, February 10, 2013. The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 30, 2013 at 9:00 A.M. It will be returned to the licensee Monday, February 11, 2013.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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.

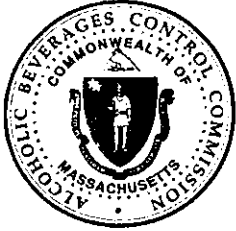
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro  
Chairman

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Dennis Keefe, Investigator  
Frank Caruso, Esq. via Facsimile 413-781-8553  
Administration  
File

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**DECISION**

**SALTY DOG SALOON DBA SALTY DOG SALOON**  
**1 KELLEY SQUARE**  
**WORCESTER, MA 01608**  
**LICENSE#: 150800491**  
**VIOLATION DATE: 09/20/2012**  
**HEARD: 12/11/2012**

Salty Dog Saloon dba Salty Dog Saloon (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, December 11, 2012, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: c. 138 §34c-Possession of an alcoholic beverage by a person under twenty-one (21) years of age (4 Counts). 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. Investigator Keefe's Investigative Report dated September 20, 2012;
2. Licensee's Stipulation of Facts; and
3. Photocopy of Four (4) False Driver's Licenses Used by Minors.

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

**FACTS**

1. On Thursday, September 20, 2012, at approximately 11:15 p. m., Investigators Kujawski and Keefe investigated the business operation Salty Dog Saloon dba Salty Dog Saloon to determine the manner in which their business was being conducted.
2. Investigators entered the premises and observed youthful looking individuals in possession of alcoholic beverages.
3. Investigators identified four (4) individuals as underage, in possession of alcoholic beverages, and in possession of fake out-of-state identification.
4. Underage male one was in possession of a Pabst Blue Ribbon beer and a fake Wisconsin driver's license. His date of birth was October 3, 1993, age eighteen (18) years.
5. Underage male two was in possession of a mini pitcher of Keystone beer, and a fake Connecticut driver's license. His date of birth was December 21, 1992, age nineteen (19) years.
6. Underage male three was in possession of mini pitcher of Rolling Rock beer and a fake Pennsylvania driver's license. His date of birth was March 25, 1993, age nineteen (19) years.
7. Underage female one was in possession of a Pabst Blue Ribbon beer, and fake Ohio driver's license. Her date of birth was January 26, 1993, age nineteen (19) years.

8. Investigators notified the owner of the violation, and stated 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 (2) Permitting an illegality on the licensed premises, to wit: c. 138 §34c-Possession of an alcoholic beverage by a person under twenty-one (21) years of age (4 Counts). Therefore, the Commission **suspends the license for seventeen (17) days of which seven (7) days will be served and ten (10) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**By decision dated June 29, 2011, the Commission had previously ordered a five (5) day suspension to be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the licensee violated the conditions of that five (5) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the seven (7) day suspension. The licensee will serve a total twelve (12) days.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



DATE: December 12, 2012

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  
Dennis Keefe, Investigator  
Frank Caruso, Esq. via Facsimile 413-781-8553  
Administration  
File