



*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 CHARLES PRONDECKI DBA FRANKLIN GROCERY**  
**LESTER & HIGH STREET**  
**ERVING, MA 01344**  
**LICENSE#: 037800007**  
**VIOLATION DATE: 02/12/2014**  
**HEARD: 05/27/2014**

Michael Charles Prondecki dba Franklin Grocery (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, May 27, 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 Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Bailey's Investigative Report dated February 12, 2014.

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

FACTS

1. On Wednesday, February 12, 2014 at approximately 6:05 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Michael Charles Prondecki dba Franklin Grocery.
2. An underage operative, working with investigators, purchased a sixteen ounce (16 oz.) bottle of Budweiser Light beer for one dollar and sixty-five cents (\$1.65). The underage operative was not asked for identification.

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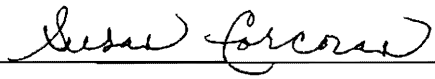
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CONCLUSION

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. As the licensee has been in business for more than ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner 

Susan Corcoran, Commissioner 

Dated: May 27, 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  
        Brad Doyle, Investigator  
        Rose Bailey, Investigator  
        Administration  
        File