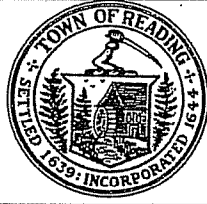


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**LEGAL NOTICE**



**TOWN OF READING**

**Alleged Violation – M.G.L.  
Chapter 138, §34 - Sale to  
Minor**

To the Inhabitants of the  
Town of Reading:

Please take notice that the Board of Selectmen as the Licensing Authority for the Town of Reading will hold a public hearing on Tuesday, September 20, 2011 at 7:45 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts to show cause why The Boland Group III d/b/a Fuddruckers, 50 Walkers Brook Drive, Reading, Restaurant License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To be Drunk on the Premises should not be modified, suspended or revoked for violating G.L. Chapter 138, §34 on September 9, 2011 to wit: the sale or delivery of alcoholic beverages to a person under 21 years of age.

All interested parties may appear in person, may submit their comments in writing, or may email comments to [town-manager@ci.reading.ma.us](mailto:town-manager@ci.reading.ma.us).

By order of  
Peter I. Hechenbleikner  
Town Manager



**Town of Reading**  
16 Lowell Street  
Reading, MA 01867-2685

FAX: (781) 942-9071  
Email: [townmanager@ci.reading.ma.us](mailto:townmanager@ci.reading.ma.us)  
Website: [www.readingma.gov](http://www.readingma.gov)

**TOWN MANAGER**  
(781) 942-9043

Delivered in Hand

September 13, 2011

James Boland  
Fuddruckers  
50 Walkers Brook Drive  
Reading, MA 01867

**NOTICE OF HEARING**  
Alleged Violation - M.G.L. Chapter 138, §34 – Sale to Minor

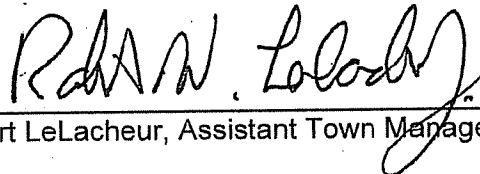
Dear Mr. Boland:

You are hereby notified that a public hearing will be held by the Board of Selectmen as the Licensing Authority for the Town of Reading, on Tuesday, September 20, 2011 at 7:45 p.m. in the Selectmen's Meeting Room, Town Hall, 16 Lowell Street, Reading, MA, to show cause why your Restaurant License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages should not be modified, suspended or revoked for violating G.L. Chapter 138, §34 on September 9, 2011 to wit: the sale or delivery of alcoholic beverages to a person under 21 years of age.

This public hearing will be held pursuant to the provisions of G.L. c.138, §64. After the hearing, the Board of Selectmen may vote to suspend or revoke your license if it finds that there is satisfactory proof that a violation has occurred. You may appear on your own behalf and/or with your legal counsel and present witnesses.

For your information and review, copies of police report(s) concerning the alleged incident are enclosed herewith.

Sincerely,



Robert LeLacheur, Assistant Town Manager

Encl.

cc: Town Counsel  
Chief James Cormier  
Alcoholic Beverages Control Commission  
Attorney Chris Latham

DD.RINC6  
v5.5n

READING POLICE DEPARTMENT  
=====

09/09/11 20:35  
PAGE: 1

INVESTIGATIVE ACTION REPORT

CASE#: D084862  
org.case#:

rpt date: 09/09/11 20:21 reported: FRIDAY 09/09/11 18:00  
from date: to  
ucr: 957 DET SPECIAL ASSIGNMENT

location: COMPLIANCE CHECKS  
follow up by: NONE NEEDED case status: CLEARED NORMAL  
officer: rpt status: COMPLETE  
Change Status: review officer: 53 SGT DET SEGALLA  
comp/vict notify: N sup review officer:  
cir/involve type:

Solvability Factors CIR:

---

complaint: ALCOHOL COMPLIANCE CHECKS

---

reporting officer: 72 SRO. SANTASKY assignment: C car: 72  
second officer: 36 DET. SAUNDERS sup/back-up:

---

\*\*\* NAMES \*\*\*

type	mast#	name/add	phone	dob	ss#
INVOLVED	109988	MICHAEL			
INVOLVED	124038	FUDDRUCKERS, 50 WALKERS BROOK			

---

\*\*\* PROPERTY \*\*\*

prop.type	make	mod/style	color	ser#/vin#
EVIDENCE	rpt'd: 09/09/11	class: 22		
NONNEGOTIABLE I RECEIPT				
id/desc:	RESTAURANT RECEIPT	value:	\$0	ncic:
reg #:	109988	- MICHAEL		
control #:	bin #:			analy #:

---

\*\*\* NARRATIVE \*\*\*

On Friday September 9, 2011, I along with Detective Saunders and School Resource Officer Santasky conducted alcohol compliance checks of restaurants in Reading. Our main objective that evening was to make sure that the restaurants were not selling alcoholic beverages to minors under the age of 21 years old and were checking for valid forms of identification.

INVESTIGATIVE ACTION REPORT

CASE#: D084862  
org.case#:

\*\*\* NARRATIVE \*\*\*

At or around 6:00pm we started our operation. We used Michael  
dob [redacted] as our underage operative to conduct the  
compliance checks. Iapicca did so voluntarily. Before beginning, we  
conducted a brief training for Iapicca in which he was photographed  
and administered a portable breath test to check his sobriety in  
which he registered a BAC of 0.0. We explained to [redacted] what we  
expected of him and he was given \$40 cash from the department to use.  
Iapicca was checked before leaving the police station to make sure he  
did not have any identification or money. His wallet and cell phone  
were left at the station during the operation.

During the operation the following 11 restaurants were checked:

- 1) Mandarin Restaurant 296 Salem St
- 2) The Venetian Moon 680 Main St
- 3) Grumpy Doyle's 580 Main St
- 4) Caf ' Capri 355 Main St
- 5) Sam's Bistro 107 Main St
- 6) Fuddruckers 50 Walkers Brook Dr
- 7) Bertucci's Italian Restaurant 45 Walkers Brook Dr
- 8) Longhorn Steakhouse 39 Walkers Brook Dr
- 9) Chili's Grill & Bar 70 Walkers Brook Dr
- 10) Romano's Macaroni Grill 48 Walkers Brook Dr
- 11) Oye's Restaurant 26 Walkers Brook Dr

Michael was instructed to attempt to purchase one Bud Light bottle of  
beer if available at each restaurant. If served, he was instructed to  
pay, promptly leave the establishment, and report immediately to us  
in the parking lot. Further, he was instructed not to consume any  
alcoholic beverage under any circumstance.

During the operation, Michael entered Fuddruckers located at 50  
Walkers Brook Drive inside the Jordan's Furniture complex. Michael  
went into the restaurant and to a cashier, later identified as  
Angelica Cambos. He ordered a Bud Light and was told that they were  
out. He then ordered a Coors Light bottle and was not asked to  
produce an ID. The beer was \$3.21 with tax. See sales slip as  
evidence included with this report. Michael stated that Angelica gave  
him an order card and he went to a table and another restaurant  
server identified as Clara Sanches brought the beer to him. She asked  
Michael for his ID and he stated that he did not have one. She then  
placed the beer down in front of him and walked away. Michael then  
got up and left the restaurant and reported what happened to  
Detective Saunders and SRO Santasky who were waiting outside in the  
parking lot.

Detective Saunders and SRO Santasky then went into Fuddruckers and  
identified themselves and what had transpired to the restaurant

INVESTIGATIVE ACTION REPORT

CASE#: D084862  
org.case#:

\*\*\* NARRATIVE \*\*\*

manager Riccardo Zanin dob. . . . . They showed him the receipt for the transaction and he did not deny what had happened. He was informed of the violation and that the matter would be forwarded to the town liquor licensing authority.

At the end of the operation picture was taken again and he was administered another breath test which showed his BAC to be 0.0. He also gave us the remaining money back from the initial \$40 which was \$36.79. Pictures of along with his RMV and BOP are included with this report.

Violations: MGL (c)138 - (s)34 Sale or Delivery of an alcoholic beverage to a person under the age of 21 years of age.

Solvability Factors -  
Eliminated by Investigation:  
Developed by Investigation:  
Remaining for Investigation:

Additional Evidence/Tech Work -  
Photographs [ ] Composite [ ] Fingerprints [ ] Other [ ]

Performed by:

gen status:

*Dul Ab #54*  
Investigating Officer's Signature  
9/9/11

*Sgt D. M. #53*  
Reviewing Officer's Signature Date  
9/13/11

# CONSTABLE'S RETURN OF SERVICE

Middlesex County, s.s.

Reading, MA

13 September 2011

I, this day served the below named documents in hand to Andrew Seavey, Manager for Fuddruckers at 50 Walkers Brook Drive, Reading, Massachusetts 01867.

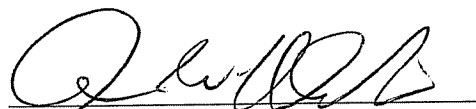
Notice of Hearing – Original and A True and Attested Copy  
Alleged Violation MGL Chapter 138, s34 - Sale to Minor  
Reading Police Department Investigative Action Report dated 09/09/2011

Date of Service: 13 September 2011 at 6:30 pm

A copy of this notice was delivered to Latham, Latham & Lamond, 643 Main St.  
Reading, Mass. 01867

FEES:

Service: \$20.00  
Travel: incl.  
Total: \$20.00



Alan W. Ulrich  
Constable & Disinterested Person  
55 Hancock St.  
Reading, MA 01867  
Tel: (781) 944-0885  
Cell: (781) 775-1824

2011 SEP 15 PM 12:46