



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

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

**DECISION**

**O'GEARY'S PACKAGE STORE INC.  
60 COMMERCIAL STREET  
ADAMS, MA 01220  
LICENSE#: 00024-PK-0010  
VIOLATION DATE: 9/05/2019  
HEARD: 12/09/2019**

O'Geary's Package Store Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Monday, December 9, 2019, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Compliance Check Field Report;
2. Licensee Stipulation of Fact.

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

**FACTS**

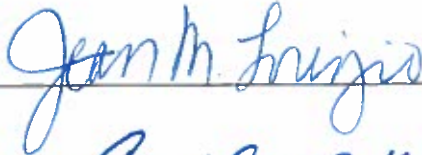
1. On Thursday, September 5, 2019, at approximately 5:11 p.m., Investigators Smith and Velez ("Investigators") conducted an investigation of the business operation of O'Geary's Package Store Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a nip bottle of Fireball Cinnamon Whisky, for one dollar (\$1.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2000 with no prior violations. The Licensee assented to the Commission's taking administrative notice of the Licensee's file.

## 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 (21) years of age. The Commission issues a **WARNING**.

## **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: December 9, 2019

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Nick Velez, Investigator  
Nicole Smith, Investigator  
Jack Carey, Investigator  
Administration, File