



**Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358**

Jean M. Lorizio, Esq.
Chairman

DECISION

**BILAL CORP D/B/A WILLOW PACKAGE STORE
700 YARMOUTH ROAD
BARNSTABLE, MA 02601
LICENSE#: 00128-PK-0070
VIOLATION DATE: 6/03/2023
HEARD: 11/28/2023**

Bilal Corp d/b/a Willow Package Store ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, November 28, 2023, regarding alleged violations of:

- 1) M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count) on 6/3/2023; and
- 2) M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count) on 8/25/2023.

Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in both Investigators' Reports.

The following documents are in evidence:

1. Investigator Terasconi's Report re: 6/3/2023;
 2. Photocopy of Fraudulent Massachusetts Driver's License;
 3. Investigator Gould's Report re: 8/25/2023;
 4. Photocopy of Expired Imposter Massachusetts Driver's License;
 5. ABCC Form 43, Transfer of License Approval, 6/30/2014;
 6. Licensee's Stipulation of Facts.
- A. Invoice for Identification Scanner;
B. Photo of Fraudulent Driver's Licenses Confiscated by the Licensee.

Prior to the commencement of the hearing, Chief Investigator Mahony proposed the two violation hearings be combined. Attorney Souza had no objection.

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

FINDINGS OF FACT

1. On Saturday, June 3, 2023, at approximately 2:38 p.m., Investigators Binienda and Terasconi ("Investigators"), inspected the business operation of Bilal Corp d/b/a Willow Package Store to determine the way its business was being conducted.
2. Investigators observed a youthful appearing male individual enter the licensed premises and then shortly thereafter, exit in possession of alcoholic beverages.
3. Investigators approached the youthful appearing male, identified themselves, and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
4. Underage #1, actual date of birth 10/10/2004 (age 18), was in possession of one 30-pack of Coors Lite beer, and five sleeves of Dr. McGillicuddy's nips. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he used to purchase the alcoholic beverages.
5. At approximately 2:43 p.m., Investigators entered the establishment and spoke with the clerk on duty, informed him of the violation and that a report would be submitted to the Chief Investigator for further review.
6. On Friday, August 25, 2023, at approximately 2:38 p.m., Investigators Binienda and Gould ("Investigators"), conducted surveillance of the business operation of Bilal Corp d/b/a Willow Package Store to determine the way its business was being conducted.
7. At approximately 8:15 p.m. while outside the licensed premises, Investigators observed a youthful appearing male individual enter the package store. Minutes later the same individual exited the store in possession of alcoholic beverages.
8. Investigators approached the youthful appearing male, identified themselves, and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #1, actual date of birth 2/28/2003 (age 20), provided Investigators with an expired Massachusetts driver's license bearing his brother's name. He then produced his true Massachusetts driver's license. Investigators confiscated one 25-ounce Twisted Tea and one 4-pack of Loyal Lemonade.
10. At approximately 10:10 p.m., Investigators entered the licensed premises and spoke to the clerk, informed him of the violation and that a report would be submitted to the Chief Investigator for further review.
11. Shakeel Farooq, president of Bilal Corporation, appeared at the Commission hearing. The Commission was informed of steps taken to prevent future sales to underage individuals, including the purchase of an identification scanner.
12. The Licensee has held a license under M.G.L. c. 138, § 15 since 2014 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count) on June 3, 2023, and on August 25, 2023.

For the violation which occurred on June 3, 2023, the Commission issues a **WARNING**.

For the violation which occurred on August 25, 2023, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Deborah A. Baglio, Commissioner



Dated: June 27, 2024

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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2023-000240-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicole Terasconi, Investigator
Brian Gould, Investigator
Jamie Binienda, Investigator
Nicholas Velez, Investigator
Thomas H. Souza, Esq.
Administration, File