

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BOSWELL ENTERPRISES INC. D/B/A CENTRAL PACKAGE STORE
55 SOUTH MAPLE STREET
BROOKFIELD, MA 01506
LICENSE#: 00005-PK-0146
VIOLATION DATE: 4/19/2023
HEARD: 9/19/2023**

Boswell Enterprises Inc. d/b/a Central 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, September 19, 2023, 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 years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Guarino and Fleming’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino and Fleming’s Minimum Purchase Age Compliance Check Field Report, 4/19/2023;
2. ABCC Form 43, Transfer of License Approval, 6/4/2015;
3. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 19, 2023, at approximately 6:01 p.m., Investigators Fleming and Guarino (“Investigators”) conducted a compliance check at Boswell Enterprises Inc. d/b/a Central Package Store.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 16-ounce bottle of Bud Light beer, for two dollars (\$2.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2015 with no prior violations.

4. Jason Boswell, Licensee, appeared at the Commission hearing and testified that he has since trained his employees and educated himself to prevent such incidents in the future.

CONCLUSION

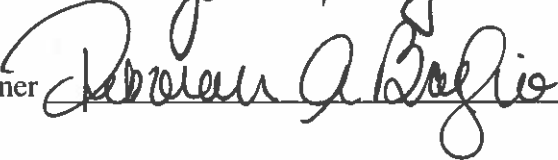
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

I/we, the undersigned, hereby certify that I/we have reviewed the hearing record.

Jean M. Lorizio, Chairman 

Deborah A. Baglio, Commissioner 

Dated: November 7, 2023

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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2023-000098-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Caroline Guarino, Investigator
Sean Fleming, Investigator
Administration, File