



*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**

**Select Wine Imports, LLC**  
**27 Dale Street**  
**Brookline, MA 02467**  
**License #: WI-327**  
**Heard: 03/29/2011**

Select Wine Imports, LLC (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 29, 2011, regarding an alleged violation of M.G.L. c.138, §2. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jamie Binienda's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Jamie Binienda's Report.

There is one (1) tape of this hearing.

**FACTS**

1. Select Wine Imports, LLC is a Massachusetts wholesale licensee pursuant to M.G.L. c.138, §18.
2. Investigator Binienda received a complaint alleging that the licensee had purchased alcoholic beverages from an unlicensed supplier.
3. On November 20, 2010, Investigator Binienda spoke via telephone with the owner, Mr. Ostrovsky, the owner of Select Wine Imports, LLC.
4. He asked Mr. Ostrovsky to fax over any invoices that his company had with Iberia Wines and Spirits, located in East Hartford, Connecticut.
5. Mr. Ostrovsky faxed over two (2) invoices both dated February 3, 2010.
6. Iberia Wine and Spirits does not hold a certificate pursuant to M.G.L. c.138, §18B. (Ex 2)
7. On January 6, 2011, Investigator Binienda left Mr. Ostrovsky a voicemail to call him back in order to inform him of the violation and that a report would be filed with the Commission.
8. Administrative review of the file indicates that the licensee has held the license for seven (7) years with no prior violations.

**CONCLUSION**

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §2. The Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Susan Corcoran, Commissioner

*Susan Corcoran*

Robert H. Cronin, Commissioner

*Robert H Cronin*

Dated: September 8, 2011

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  
Jamie Binienda, Investigator  
File