

*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**

**OCPS, INC DBA OLD COLONY PKG STORE**  
**328-30 MAIN ST.**  
**EASTHAMPTON, MA 01027**  
**LICENSE#: 036600028**  
**VIOLATION DATE: 02/10/2014**  
**HEARD: 06/10/2014**

OCPS, Inc. dba Old Colony Pkg. Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 10, 2014, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 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 violation alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
  2. Investigator Kujawski's Investigative Report dated February 10, 2014.
- A. Letter from Easthampton Chief of Police indicating the licensee's exemplary compliance and cooperation over the years.

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

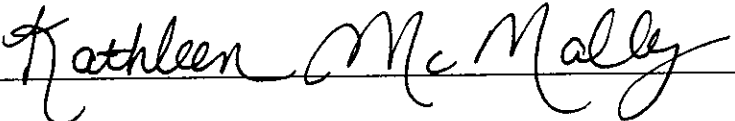
**FACTS**


1. On Monday, February 10, 2014 at approximately 5:43 p.m., Investigators Keefe and Kujawski conducted an investigation of the business operation of OCPS, Inc. dba Old Colony Pkg. Store.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a twenty four ounce (24 oz.) can of Budweiser Light beer for two dollars and thirty five cents (\$2.35). The underage operative was not asked for identification.

### 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: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the licensee has been in business for more than forty (40) years and has had no previous violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner 

Susan Corcoran, Commissioner 

Dated: June 16, 2014

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  
Dennis Keefe, Investigator  
Jan Kujawski, Investigator  
Administration  
File