



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BELLEX INC. D/B/A JOE SENT ME
847-49 MAIN ST.
WALTHAM, MA 02451
LICENSE#: 00019-RS-1320
VIOLATION DATE: 11/14/2019
HEARD: 3/03/2020**

Bellex Inc. d/b/a Joe Sent Me (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, March 3, 2020, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's Report.

The following documents are in evidence:

1. Investigator Gould's Investigative Report;
2. Licensee Stipulation of Facts;
3. Copy of Fraudulent driver's license;
4. Copy of License Transfer Approval, 9/20/1995.

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

FINDINGS OF FACT

1. On Thursday, November 14, 2019, at approximately 10:15 p.m., Investigators Teehan and Kujawski ("Investigators") conducted an investigation of the business operation of Bellex Inc. d/b/a Joe Sent Me to determine the manner in which its business was being conducted.
2. Investigators observed a table full of youthful appearing individuals, in possession of alcoholic beverages, inside the bar. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 11/22/1998 (age 20), was in possession of a Bud Light beer. He stated to Investigators that he was not asked for any identification when he purchased the beer. He presented to Investigators a fraudulent Massachusetts driver's license in his name but with a different birth date.

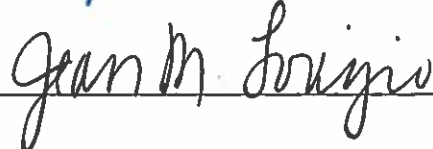
4. The remaining individuals provided identification and were confirmed to be above the age of 21.
5. Investigators identified the underage patron to the bartender, and to the owner, David Giangregorio.
6. Investigators informed Mr. Giangregorio of the violation and that a report would be filed with the Chief Investigator for further action.
7. The Licensee has held a license under M.G.L. c. 138, § 12 since 1995 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

Jean M. Lorizio, Chairman 

Dated: March 13, 2020

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
Brian Gould, Investigator
Michael Teehan, Investigator
Administration, File
