



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

DECISION

Kim J. Gainsboro, Esq.
Chairman

CLMP, INC.
DBA CITY PACKAGE STORE
131 MEADOW STREET
WESTFIELD, MA 01085
LICENSE#: 144000051
HEARD: 05/03/2011

CLMP, Inc. dba City Package Store (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, May 03, 2011, regarding an alleged violation of M.G.L. c. 138 §18 (2 counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Caroline Guarino's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Caroline Guarino's Report;
3. Westfield Police Department Reports; and
4. Images Associated with Police Report.

There is one (1) tape of this hearing.

FACTS

1. On April 4, 2011, Sgt. Steven Dickinson and Officers LaValley and Carboneau of the Westfield Police Department and agents for the local licensing board conducted an investigation into the business operation of the above licensee.
2. Another licensee, the St. Joseph's Club Inc., through the bar manager, Mary Carrascoe, stated they purchased alcoholic beverages at this package store and had an account on file.
3. The officers spoke with the owners Lance and Corey Phillips.
4. The owners admitted they had an account with the St. Joseph's Club.
5. The owners showed the officers the account in their computer system.
6. The owners were unable to download this account.
7. The officers took a photo of the screen as evidence.
8. This establishment uses orange price stickers.
9. These stickers resemble the same orange price stickers that the St. Josephs Club had on their bottles when the officers conducted an investigation at that establishment.
10. Sgt. Dickinson will represent the Westfield Police Department and present evidence at a hearing before the ABCC.

DISCUSSION

The licensee admitted that he bought package store alcohol and was very cooperative in the investigation in that he downloaded the evidence for the police. In June of 2010, he obtained a new license and stated that he has tried to educate his employees, and himself, as to what is the "proper" protocol when one owns a package store.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §18. The Commission **suspends the license for fifteen (15) days of which fifteen (15) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner *Susan Corcoran*

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Robert H. Cronin, Commissioner *Robert H. Cronin*

Dated: August 16, 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
Caroline Guarino, Investigator
Administration
File