

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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

October 31, 2019

**CENTRAL GRILL & CAFÉ INC.
315 MAIN STREET
WOBURN, MA 01801
LICENSE#: 04331-RS-1498
VIOLATION DATE: 6/06/2019
HEARING DATE: 10/29/2019**

After a hearing on October 29, 2019, the Commission finds Central Grill & Café Inc. violated M.G.L. Ch. 138 § 23- Sale of Alcoholic Beverages other than those purchased from a licensee under § 18 or § 19 or from a holder of a special permit under § 22A (3 Counts).

The Commission **suspends the license for a period of four (4) days of which (2) days will be served and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

The suspension shall commence on Monday, December 16, 2019 and terminate on Tuesday, December 17, 2019. The license will be delivered to the Local Licensing Board or its designee on Monday, December 16, 2019 at 9:00 A.M. It will be returned to the Licensee on December 18, 2019.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

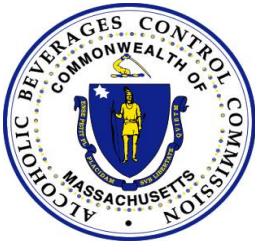
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。

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



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Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
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DECISION

**CENTRAL GRILL & CAFÉ INC.
315 MAIN STREET
WOBURN, MA 01801
LICENSE#: 04331-RS-1498
VIOLATION DATE: 6/06/2019
HEARING DATE: 10/29/2019**

Central Grill & Café Inc. (the “Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the “Commission”) held a hearing on Tuesday, October 29, 2019, regarding an alleged violation of M.G.L. Ch. 138 § 23- Sale of Alcoholic Beverages other than those purchased from a licensee under § 18 or § 19 or from a holder of a special permit under § 22A (3 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Hooton’s Report.

The following documents are in evidence:

1. Investigator Hooton’s Report;
 2. Licensee’s Stipulation of Facts;
 3. Receipt for Alcohol Purchases from Package Store;
 4. Copy of New License Approval, 8/27/2018;
 5. Copy of License Approval, 7/11/2013.
- A. Receipts dated 9/24/19; 10/4/19; 10/21/19; and 10/25/19 for Alcohol Purchases from Distributors.

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

FINDINGS OF FACT

1. On Thursday, June 6, 2019, at approximately 1:00 p.m., Investigators Guarino Wilichoski and Hooton (“Investigators”) investigated the business operation of Central Grill & Café Inc. to determine the manner in which its business was being conducted.

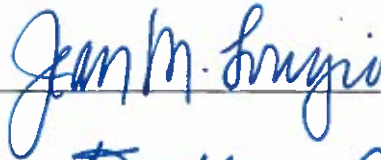
2. Investigators entered the licensed premises and identified themselves to the owner, DaSilva Momisrebe, and asked to see some invoices from wholesalers for liquor purchases. Momisrebe could not produce any wholesalers' invoices.
3. Investigators then asked Momisrebe if he purchased his alcohol from a § 15 retail package store. Momisrebe admitted that he does go to a liquor store to purchase his alcohol. He then gave Investigators three receipts, dated 4/20/19; 5/31/19; and 6/4/19 from Dion's Liquor Store, which is located at 485 Main Street, Woburn. The receipts for these alcohol purchases totaled \$281.01.
4. Investigators informed Mr. Momisrebe of the violation and that a report would be filed with the Chief Investigator for further action.
5. Mr. Momisrebe appeared at the Commission hearing and testified that since the date of the inspection, he has been purchasing all alcoholic beverages from a distributor.
6. The Licensee has held a license under M.G.L. c. 138, § 12 since 2013 with no prior violations.

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. c. 138, § 23- Sale of alcoholic beverages other than those purchased under §18 or §19 or from a holder of a special permit under § 22A (3 Counts). Therefore, the Commission **suspends the license for a period of four (4) days of which (2) days will be served and two (2) 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

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: October 31, 2019

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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