

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

HAYWARD & CATEN, INC. DBA TOWNSEND PACKAGE STORE
TOWNSEND, MA 01469
LICENSE#: 128600009
HEARD: 08/30/2011

Hayward & Caten, Inc. dba Townsend Package Store (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws Chapter 138, §15. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on Tuesday, August 30, 2011, regarding an alleged violation of M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Paul Capurso's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report of Investigator Paul Capurso.

There is one (1) tape of this hearing.

FACTS

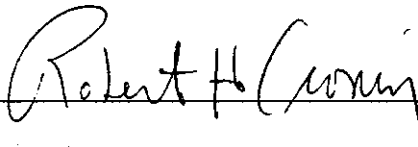
1. On, August 1, 2011 at approximately 8:12 p.m., Commission Investigators investigated the business operation Hayward & Caten, Inc. dba Townsend Package Store.
2. An underage operative, working with the investigators, purchased a can of Budweiser for two dollars and twenty-five cents (\$2.25). The underage operative was not asked for identification.
3. Administrative review of the file indicates this is the first violation for the licensee in thirty-one (31) years of ownership.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. The Commission issues a **WARNING**.

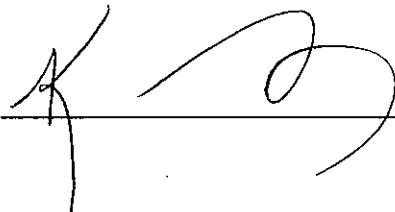
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: August 30, 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
Paul Capurso, Investigator
Rose Bailey, Investigator
Administration
File