S T A T E  O F  N E W  Y O R K

10810

I N  A S S E M B L Y

August 24, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Brennan) -- read once and referred to the Committee on Judiciary

AN ACT in relation to directing the commissioner of empire state development to acquire the premises known as 589 Prospect Avenue in the borough of Brooklyn and providing for compensation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings and intent. The legislature hereby finds, determines and declares that it is a matter of state concern and in the interest of the people of the state to protect and provide a full service supermarket in the Windsor Terrace section of the borough of Brooklyn. The loss of the only such supermarket in the community has severely impacted the lives of many senior citizens and others in the community without cars who have no place they can walk to buy fresh produce, meats and other staples. Therefore, the legislature finds and declares that the proposed conversion of the property designated as lot 43 in tax block 1116, also known as 589 Prospect Avenue, in the borough of Brooklyn, for use other than a full service supermarket would seriously impact the health of these residents due to the limitation on what food would be available to them without diverting part of their grocery money for transportation to other communities.

S 2. The commissioner of empire state development shall acquire, by purchase or condemnation, from the current owner, pursuant to the eminent domain procedure law, the premises known as 589 Prospect Avenue. Furthermore, such commissioner is hereby directed to issue a request for proposals for a full-service supermarket to be operated at this site through a long-term lease between the operator of the supermarket and empire state development. Proceedings for such acquisition shall commence immediately upon the effective date of this act.

S 3. Just compensation for such purchase or condemnation shall be paid to the current owner of the property in a manner consistent with the eminent domain procedure law and other applicable laws.

S 4. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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