

# STATE OF NEW YORK

5636

2017-2018 Regular Sessions

## IN SENATE

April 21, 2017

Introduced by Sen. AKSHAR -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to licenses to sell liquors at retail for consumption on certain premises

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 7 of section 64-a of the alcoholic beverage  
2 control law is amended by adding three new paragraphs (c-4), (c-5), and  
3 (c-6) to read as follows:

4 (c-4) Notwithstanding the provisions of subparagraph (i) of paragraph  
5 (a) of this subdivision, the authority may issue a retail license for  
6 on-premises consumption for a premises which shall be within two hundred  
7 feet of a building occupied exclusively as a school, church, synagogue  
8 or other place of worship, provided such premises constitutes a premises  
9 for the sale of food or beverages at retail for consumption on the prem-  
10 ises located wholly within the boundaries of the city of Binghamton,  
11 county of Broome, bounded and described as follows:

12 ALL THAT TRACT OR PARCEL OF LAND situate in the City of Binghamton,  
13 County of Broome, State of New York, more particularly bounded and  
14 described as follows:

15 BEGINNING at the intersection of the east line of Front Street and the  
16 south line of Main Street; thence easterly along the south line of Main  
17 Street making an interior angle of 100° 54' with the east line of Front  
18 Street a distance of 35.36 feet to a point in the center line of a  
19 former ten-foot right of way; thence southerly making an interior angle  
20 of 79° 15' with the last course a distance of 107 feet to a point in the  
21 north line of an alley; thence westerly along the north line of said  
22 alley and making an interior angle of 90° 07' with the last course a  
23 distance of 35 feet to a point in the east line of Front Street; thence  
24 northerly along said east line of Front Street and making an interior

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

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1 angle of 89° 44' with the last course a distance of 100.46 feet to the  
2 point of beginning. Hereby intending to describe the premises commonly  
3 known as 11 Main Street.

4 (c-5) Notwithstanding the provisions of subparagraph (i) of paragraph  
5 (a) of this subdivision, the authority may issue a retail license for  
6 on-premises consumption for a premises which shall be within two hundred  
7 feet of a building occupied exclusively as a school, church, synagogue  
8 or other place of worship, provided such premises constitutes a premises  
9 for the sale of food or beverages at retail for consumption on the prem-  
10 ises located wholly within the boundaries of the city of Binghamton,  
11 county of Broome, bounded and described as follows:

12 All that tract or parcel of land, situate in the City of Binghamton,  
13 County of Broome and State of New York, on the west side of the Chenango  
14 River at the west end of the Court Street Bridge, and bounded and  
15 described as follows: Commencing at the southeasterly corner of premises  
16 conveyed by Harry Smolensky and Anna Smolensky to Guilio Mattioli and  
17 Anthony F. Mattioli, Sr. by Full Covenant Deed dated February 28th, 1963  
18 and recorded in the Broome County Clerk's office in Book 1063 of Deeds  
19 at page 731 and running thence northerly along the easterly line of  
20 premises so conveyed in a straight line to lands formerly the homestead  
21 property of Benjamin F. Sisson, the southerly part of which is the third  
22 parcel of land described in a Warranty Deed from Archie S. Beers by  
23 Roland F. Beers, his attorney in fact to Arthur Kradjian and Kenneth  
24 Kradjian dated April 18, 1967 and recorded in the Broome County Clerk's  
25 office in Book 1119 of Deeds at page 737; thence in an easterly direc-  
26 tion along the south line of the said premises formerly of Arthur Krad-  
27 jian and Kenneth Kradjian to the Chenango River; thence southerly along  
28 the westerly bank of the Chenango River as it winds and turns to the  
29 north side of Main Street; thence in a westerly direction along the  
30 north side of said Main Street to the point or place of beginning.

31 (c-6) Notwithstanding the provisions of subparagraph (i) of paragraph  
32 (a) of this subdivision, the authority may issue a retail license for  
33 on-premises consumption for a premises which shall be within two hundred  
34 feet of a building occupied exclusively as a school, church, synagogue  
35 or other place of worship, provided such premises constitutes a premises  
36 for the sale of food or beverages at retail for consumption on the prem-  
37 ises located wholly within the boundaries of the city of Binghamton,  
38 county of Broome, bounded and described as follows:

39 All that tract or parcel of land situate in the City of Binghamton,  
40 County of Broome and State of New York, being a strip of land twelve  
41 (12) feet wide, front and rear taken off the entire southerly side of  
42 premises described in 1936 as follows: All that tract or parcel of land  
43 situate in the City of Binghamton, County of Broome and State of New  
44 York, and being the homestead property of Benjamin F. Sisson, deceased,  
45 situate on the east side of Front Street in said city and being about  
46 eighty-seven (87) feet wide front on Front Street and extending to the  
47 Chenango River and bounded as follows: on the north by lands of Carrie  
48 M. Waldron (formerly owned by Charles D. Rogers), on the south by lands  
49 of Conine & Gleason, C. F. & W. W. Sisson, Ida R. Buckingham and James  
50 W. Lyon; on the east by the Chenango River and on the west by Front  
51 Street, and including all the lands conveyed to Benjamin F. Sisson by  
52 three deeds, to wit: one from the Village of Binghamton dated April 10,  
53 1867 and recorded in the Broome County Clerk's office in Book 74 of  
54 Deeds at page 125; one from Sarah R. Graves and Herman W. Graves dated  
55 July 9, 1875 and recorded in the Broome County Clerk's office in Book 93  
56 of Deeds at page 174; and one from Charles D. Rogers and wife dated July

1 9, 1875 and recorded in the Broome County Clerk's office in Book 98 of  
2 Deed at page 369 and also includes the northerly part of lands conveyed  
3 to Benjamin F. Sisson by John S. Wells and wife by deed dated June 28,  
4 1853 and recorded in the Broome County Clerk's office in Book 39 of  
5 Deeds at page 401 and 402 to all of which deed reference is had.

6 § 2. This act shall take effect immediately.