

# STATE OF NEW YORK

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5675

2019-2020 Regular Sessions

## IN SENATE

May 10, 2019

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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 a license to sell liquor 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 of the alcoholic beverage  
2 control law is amended by adding a new paragraph (e-11) to read as  
3 follows:

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

14 BEGINNING at a point at the intersection of the northerly street boun-  
15 dary of Henry Street and the easterly street boundary of Water Street,  
16 at the southwesterly corner of the premises herein described;

17 THENCE N 17°-02'-44" E along said easterly street boundary of Water  
18 Street a distance of 96.66 feet to a point;

19 THENCE N 19°-42'-08" E along said easterly street boundary of Water  
20 Street a distance of 25.28 feet to a 5/8 inch rebar with plastic yellow  
21 cap marked "Jennings" found at the southwesterly corner of lands owned  
22 by the City of Binghamton as recorded in the Broome County Clerk's  
23 Office in Liber 549 at page 418;

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

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1 THENCE S 77°-19'-48" E along the southerly boundary of lands owned by  
2 said City of Binghamton a distance of 118.89 feet to a masonry nail  
3 found in the westerly boundary of lands owned by Samuel Diamond (Liber  
4 1198, page 377);

5 THENCE S 17°-49'-47" W along said westerly boundary of lands owned by  
6 Diamond a distance of 14.00 feet to a 1/2 inch rebar found;

7 THENCE S 82°-36'-13" E along the southerly boundary of lands owned by  
8 said Diamond a distance of 5.06 feet to a point at the northwesterly  
9 corner of lands owned by Washington Building Management Company (Liber  
10 1750, page 69);

11 THENCE S 15°-00'-17" W along the westerly boundary of lands owned by  
12 said Company a distance of 42.68 feet to a point;

13 THENCE, S 83°-53'-13" E along the southerly boundary of lands owned by  
14 said Company a distance of 28.00 feet to a point at the northwesterly  
15 corner of lands owned by Kenneth and Isabelle Mitchell (Liber 1316, page  
16 33) on the exterior face of a building wall;

17 THENCE, along the westerly boundary of lands owned by said Mitchell  
18 the following three courses:

19 1. S 11°-52'-47" W along said wall a distance of 33.68 feet to a point  
20 in a party building wall;

21 2. S 84°-51'-13" E along said party wall a distance of 7.57 feet to a  
22 point;

23 3. S 14°-48'-47" W along the centerline of a party building wall a  
24 distance of 35.26 feet to a point in said northerly street boundary of  
25 Henry Street;

26 THENCE N 77°-32'-37" W along said northerly street boundary of Henry  
27 Street a distance of 165.87 feet to the point of beginning as surveyed  
28 by Paul B. Koerts, Professional Land Surveyor on March 11, 1996. The  
29 bearings are referenced to record north for lands owned by said City of  
30 Binghamton (Liber 549, page 418).

31 Together with the following:

32 1. A right-of-way over the westerly 12.5 feet of so much of the prem-  
33 ises described above as adjoins the premises formerly of Charles A.  
34 Wilkinson, now of Clare B. Risk, on the west (being the northerly 40  
35 feet thereof, more or less), and adjoining the premises described above  
36 on the east, as granted in a deed from Charles A. Wilkinson, et al, to  
37 John Hull, Jr., et al, dated February 24, 1886 and recorded in the  
38 Broome County Clerk's Office on November 20, 1886 in Book 130 of Deeds  
39 at page 546.

40 2. The benefits contained in an agreement between Hull, Grummond & Co.  
41 and George F. O'Neil providing for the erection of a party wall recorded  
42 in the Broome County Clerk's Office on October 28, 1913 in Book 247 of  
43 Deeds at Page 313.

44 3. The benefits contained in an agreement between Mabel D. Eggleston  
45 and Hull-Grummond & Co., Inc. providing for the erection of a party wall  
46 recorded in the Broome County Clerk's Office on August 28, 1918 in Book  
47 281 of Deeds at page 179.

48 § 2. This act shall take effect immediately.