

# STATE OF NEW YORK

10646

## IN SENATE

June 2, 2026

Introduced by Sen. OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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-a of the alcoholic beverage  
2 control law is amended by adding a new paragraph (c-7) to read as  
3 follows:

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

12 ALL that piece or parcel of land, situated in the town and village of  
13 Middleburgh, county of Schoharie and state of New York, described as  
14 follows:

15 NORTHERLY by Main Street, in said Village of Middleburgh, easterly by  
16 lands formerly of George E. Borst and Judson P. Hyde and wife, southerly  
17 by lands formerly of Ettrick Bates and Emmett B. Vrooman, and westerly  
18 by the lands formerly of Christopher S. Best and is subject to rights of  
19 way on the easterly and southerly sides, comprising a piece of land  
20 containing about 1/8 of an acre of land and being the same premises  
21 conveyed April 2, 1888, by George Rockerfeller and Lydla, his wife to  
22 James C. Borst, by deed recorded April 5, 1888 In Book 105 of Deeds at  
23 Page 47 in the Schoharie County Clerk's Office.

24 ALSO hereby conveying all the right, title and interest of the party  
25 of the first part in and to a certain party wall along the westerly side  
26 of the premises herein before described in a deed thereof from Hattie M.  
27 Richard to Irving Kilts, dated November 5, 1945 and recorded in the

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

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1 Schoharie County Clerk's Office on November 7, 1945 in Book 237 of Deeds  
2 at Page 267.

3 ALSO ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying and being  
4 in the Town and Village of Middleburgh, County of Schoharie and State of  
5 New York, being a portion of the lands formerly known as the Hotel Baker  
6 lot on Main Street In said Village, the parcel herein described taking  
7 its beginning at a point on Dexter Lane directly in the rear of the  
8 building now or formerly owned by James Mattice, commencing at an iron  
9 pin driven In the ground where the lands of Dexter Lane, those of  
10 Mattice and those herein conveyed join and running thence South 36° 40'  
11 East a distance of 23.3 feet to the lands now or formerly owned by  
12 Frederick J. Richards; thence along the lands of now or formerly of  
13 Frederick J. Richards, South 39° 20' West a distance of 77.1 feet to a  
14 point in the southerly boundary now or formerly of the Richards proper-  
15 ty; thence North 43° 42' West a distance of 33 feet to the easterly  
16 boundary line of Dexter Lane; thence North 45° 28' East a distance of 81  
17 feet to the place of beginning, conveying and intending to convey a  
18 parcel of land 23.3 feet wide on the northerly end and the southerly end  
19 33 feet wide, and the westerly side 77.1 feet, together with the inter-  
20 est of the party of the first part in and to the smoke house on the  
21 northerly end thereof, containing 1/10 of and acres be the same more or  
22 less, and being a portion of the premises described in a deed from  
23 Joseph Skladanwski to Thomas Bush by deed recorded in Book 241 of Deeds  
24 at Page 591.

25 EXCEPTING AND RESERVING now or formerly of Thomas Bush, his heirs and  
26 assigns, the right to lay and maintain a sewer line along the easterly  
27 boundary of the premises herein conveyed from the lot now or formerly  
28 owned by Thomas Bush directly South of the premises herein conveyed to  
29 the present sewer line running through and across such premises.

30 ALSO ALL THAT PIECE OR PARCEL OF LAND situate in the village of  
31 Middleburgh, county of Schoharie and state of New York, bounded and  
32 described as follows:

33 BEGINNING at a point where the lands formerly of Hoerz, the lands now  
34 or formerly of Byron Haverly and the easterly boundary of Dexter Road  
35 intersect; running thence South 43" East a distance of 27 feet along the  
36 lands of Hoerz; thence South 45° 28' West a distance of 6 feet through  
37 the lands formerly of Haverly; thence 43" West a distance of 27 feet  
38 through the lands of Haverly to the easterly boundary of Dexter Road;  
39 thence North 45" 28' East along said boundary to the point or place of  
40 beginning. Intending to convey a strip of land 6 feet wide and 27 feet  
41 long adjoining the southeast boundary of the lands formerly of Hoerz.

42 EXCEPTING AND RESERVING from the above described premises all that  
43 piece and parcel of land situate in the village of Middleburgh, county  
44 of Schoharie and state of New York bounded and described as follows:  
45 Beginning at a point located in the boundary line between the lands  
46 formerly of Hoerz and now or formerly of Byron D. Haverly, said point  
47 being South 43" East a distance of 27 feet from an iron pipe located at  
48 the point where the lands formerly of Hoerz Intersect with the lands of  
49 Haverly and the easterly boundary of Dexter Road; running thence South  
50 43" East along the lands formerly of Hoerz and now or formerly of Haver-  
51 ly, a distance of 6 feet to an iron pipe fence; thence North 39° 30'  
52 West along said Iron pipe fence and the lands formerly of Hoerz and now  
53 or formerly of Haverly a distance of 77.1 feet in a southwesterly direc-  
54 tion through the lands formerly of Hoerz a distance of 77 feet to the  
55 point of beginning. Intending to convey a triangular parcel of land

1 adjoining the northwesterly boundary of the lands now or formerly of  
2 Byron D. Haverly.

3 BEING the same premises as conveyed by Deed dated November 19, 2010  
4 from Lynda G. Smith to Daniel M. Bartholomew; being duly filed in the  
5 Schoharie County Clerk's Office on December 20, 2010 in Book 910 of  
6 Deeds at Page 135.

7 § 2. This act shall take effect immediately.