

# MISCELLANEOUS NOTICES/HEARINGS

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## Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 7:00 a.m. to 5:00 p.m., at:

1-800-221-9311 (In New York State)  
(518) 270-2200 (Outside New York State)

or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236

## PUBLIC NOTICE Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for January 2004 will be conducted on January 15 commencing at 10:00 a.m. and January 16 commencing at 10:00 a.m. This meeting will be conducted in the Commission Conference Rm., 2nd Fl., Dept. of Civil Service, Bldg. 1, State Campus, Albany, NY.

*For further information contact:* Office of Commission Operations, Department of Civil Service, State Campus, Bldg. 1, Albany, NY 12239, (518) 457-2575

## PUBLIC NOTICE Deferred Compensation Board

Pursuant to the provisions of 9 NYCRR, Section 9003.2, authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning Monday, January 5, 2004 is soliciting proposals from Financial Organizations (insurance companies, banks and registered investment advisers) for the provision of unallocated single deposit guaranteed investment contracts, "alternative" or "synthetic" guaranteed investment contract arrangements and book value wrapper contracts under the Deferred Compensation Plan for

Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

*A copy of the request for proposals may be obtained from:* Linda F. Schlissel, Senior Vice President, Evaluation Associates, 200 Connecticut Avenue, Suite 700, Norwalk, CT 06854-1958, (203) 855-2260. All proposals must be received no later than the close of business on Friday, January 30, 2004

## PUBLIC NOTICE Environmental Facilities Corporation Notice of Final Description of Eligible Project Categories Financial Assistance to Business Water Program

### I. BACKGROUND, SCOPE AND APPLICABILITY

The New York State Environmental Facilities Corporation (EFC), through its Financial Assistance to Business (FAB) Water Program, proposes to provide funding: 1) to businesses and to water suppliers on behalf of businesses for all projects that will create, improve or extend water supply facilities that are designed to comply with applicable federal laws and state drinking water supply requirements; and 2) to businesses and municipalities on behalf of business for projects that will create, improve or extend wastewater treatment facilities that are designed to comply with applicable federal and state water quality requirements. This funding will be made pursuant to the Financial Assistance to Business (FAB) Water Program that was created by Governor George E. Pataki's Clean Water/Clean Air Bond Act of 1996, and implementing regulations (21 NYCRR Part 2606). **All eligible projects must demonstrate an environmental or public health benefit.**

The FAB Water Program was established to help businesses and water suppliers on behalf of businesses, increase the availability and improve the quality of water supplies and to help businesses and municipalities on behalf of business increase the availability and improve the quality of wastewater treatment facilities.

Assistance from the FAB Water Program will be available only to projects that are located in villages, towns, and cities with a population of less than one million people.

### II. PURPOSE OF THIS NOTICE

As required by Part 2606, this notice describes eligibility requirements for the FAB Water Program, the time period during which EFC will accept applications for funding, and certain other eligibility criteria.

### III. DEFINITIONS

Unless defined herein, terms used in this notice shall have the meanings set forth in Section 56-0101 of the environmental conservation law, or 21 NYCRR Part 2606. Terms used in this notice have the following meanings:

"Water supply project" means the planning, design, construction, improvement, or acquisition of facilities, equipment, sites, or buildings

for the supply, control, treatment, distribution, and transport of water supplies to ensure the integrity and quality of such water including compliance with the federal Safe Drinking Water Act and other applicable federal and State drinking water supply standards.

"Wastewater Treatment Facility" means the planning, design, construction, improvement, or acquisition of facilities, equipment, sites, or buildings needed to reduce or prevent water pollution including compliance with the federal Clean Water Act and other applicable federal and State water quality standards.

#### IV. DESCRIPTION OF ELIGIBLE PROJECTS

Projects eligible for funding under the FAB Water Program must demonstrate an environmental or public health benefit, and may include investments to construct, upgrade, improve or replace infrastructure which will provide to businesses: 1) water supplies which meet the requirements of the federal Safe Drinking Water Act and other applicable federal and State water supply requirements; or, 2) wastewater treatment facilities which meet the requirements of applicable federal and State water quality requirements. Some other examples include:

##### Water Supply Projects

- rehabilitation or development of new water sources by or on behalf of business to replace contaminated supplies;
- installation or upgrades of facilities that provide water to businesses if the project is needed to comply with primary or secondary standards or treatment/performance criteria or enable a public drinking water system to become viable;
- installation or upgrading of storage facilities, including finished water reservoirs, to prevent microbiological contamination;
- installation or replacement of transmission and distribution mains to prevent contamination caused by inadequately sized or constricted or failing mains;
- funding and/or construction to promote the consolidation of water supply services, particularly in circumstances where individual businesses or water systems generally have an inadequate quantity of water, the public water system is not viable, the water supply is contaminated, or the system is unable to ensure compliance; and
- the purchase of a portion of another system's capacity, if the purchase is part of a consolidation plan to bring the system(s) into compliance.

##### Wastewater Treatment Projects

- construction of new, expanded or rehabilitated wastewater treatment plants;
- construction or upgrade of sludge treatment and disposal facilities, including biosolids reuse;
- construction and rehabilitation of sewers; and
- construction of septage handling and marine vessel pumpout and treatment facilities.

#### V. PROJECT SELECTION

All complete applications will be evaluated based upon characteristics of each proposed project. This evaluation will be based upon factors including, but not limited to:

- the reliability and viability of the proposed system to provide a water supply or wastewater treatment to businesses;
- the need to improve the water supply for public health reasons, including reducing exposure to microbiological contamination such as e coli, toxins, and other contaminants;
- any sanitary code violations, including inadequate source capacity, inadequate distribution pressures or uncovered finished water storage;
- any water quality violations and threats to public health or the environment;

Once a decision to fund a project is made, EFC will notify successful project owners, and execute a contract describing the rights and responsibilities of the parties. EFC will then begin processing the State Assistance Payments. No funds will be disbursed until all necessary permits and approvals for the project (including, DOH approval to create, construct or modify a public water system, any SEQRA requirements, and, if necessary, a DEC water supply permit) have been

received.

#### VI. PROJECT COMPLETION DATE

All projects for which FAB Water money is awarded must be commenced within three (3) years of the signing of a contract between EFC and the project owner.

#### VII. AMOUNT OF FUNDING

EFC will make State Assistance Payments for not more than 75% of the cost of an eligible project on a reimbursement basis. EFC may award less than 75% of the cost of a project based upon a determination that the amount of the award will allow the project to proceed, given other sources of funding.

#### VIII. APPLICATION SCHEDULE

EFC will accept applications for State Assistance Payments under the FAB Water Program through February 16, 2004. Applications are available at the address listed below or on EFC's website, [www.nysefc.org](http://www.nysefc.org).

#### IX. ADDITIONAL REQUIREMENTS

##### (1) Project Limitations.

All recipients must pledge not to remove from the State any assets purchased with funds received from the FAB Water Program.

##### (2) Application Procedure

The procedures for administering the FAB Water Program, including the submission, review and approval of requests for State Assistance, will be governed by 21 N.Y.C.R.R. Part 2606.

#### X. INFORMATION AVAILABILITY

*Any person seeking additional information or application material should contact EFC at:* Environmental Facilities Corporation, Financial Assistance to Business Program, 625 Broadway, Albany, NY 12207-2997, (800) 200-2200, fax (518) 486-9248, [www.nysefc.org](http://www.nysefc.org)

## PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to provide clarification regarding a previously approved alternative payment methodology for certain Federally Qualified Health Centers (FQHCs) and Rural Health Centers as follows:

Diagnostic and Treatment Centers eligible for rates of payment as a FQHC or a Rural Health Center, which were also preferred primary care providers on December 31, 2000, may elect to continue receiving rates of payment through the Products of Ambulatory Care patient classification and payment system. In no event shall these alternative rates of payment to these facilities be less than those computed in accordance with the approved rate methodology for FQHCs.

There is no additional cost associated with this amendment.

Copies of the proposed state plan amendment will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County  
250 Church Street  
New York, New York 10018

Queens County, Queens Center  
3220 Northern Boulevard  
Long Island City, New York 11101

Kings County, Fulton Center  
114 Willoughby Street  
Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

The public is invited to review and comment on this proposed state plan amendment.

For further information and to review and comment, please contact: William Johnson, Department of Health, Division of Legal Affairs, Office of Regulatory Reform, Corning Tower, Rm. 2415, Empire State Plaza, Albany, NY 12237, (518) 473-7488, fax: (518) 486-4834, e-mail: regsqna@health.state.ny.us

**PUBLIC NOTICE**

Oneida-Herkimer Solid Waste Authority  
Award of Contract

On October 20, 2003 the Oneida-Herkimer Solid Waste Authority awarded a two-year contract commencing 12/02/03 to Waste Management of NY, LLC, 1 Grimsby Dr., Hamburg, NY 14075, pursuant to section 120-w of the General Municipal Law for the disposal of non-recyclable solid waste including transportation. The validity of such contract and the procedures which led to its award may be hereafter contested only by action, suit or proceeding commenced within sixty days after the date of this notice and only upon the ground or grounds that: 1) such award or procedure was not authorized pursuant to that section; or 2) any of the provisions of that section which should be complied with at the date of the publication of this notice have not been substantially complied with; or 3) a conflict of interest can be shown in the manner in which such contract was awarded and executed; or by action, suit or proceeding commenced on the grounds that such contract was awarded in violation of the provisions of the Constitution.

For further information, contact: Hans G. Arnold, Executive Director, Oneida-Herkimer Solid Waste Management Authority, 1600 Genesee St., Utica, NY 13502

**PUBLIC NOTICE**

Power Authority of the State of New York  
Notice of Public Forum on Proposed Firm  
Power Rate Increase

Pursuant to the Power Authority's Policy and Procedures concerning Public Forums on Rate Proposals, the Authority will conduct a Public Forum to obtain the views of interested persons on a proposed increase in rates for the sale of firm power to the Governmental Customers located primarily in New York City. The Forum will be held at the following location:

Date: February 2, 2004  
Place: New York Power Authority  
501 Seventh Avenue, 9th Floor  
New York, New York 10019  
Time: 11:00 a.m.

Interested parties may receive documentation concerning the rate proposal and the relevant resolutions of the Authority's Board of Trustees from the Secretary of the Authority at the address and telephone number set forth below. Individuals and organizations wishing to make statements at the Public Forum are encouraged to notify the Secretary of their intent to do so at least five (5) days before the Forum and should provide to the Authority at the Forum fifteen (15) copies of

any written statements concerning the proposal. All written statements shall be made part of the record of the Forum whether or not presented orally in their entirety.

For further information about the rate proposal or the forum, contact: Secretary's Office, New York Power Authority, 123 Main St., 15-M, White Plains, NY 10601, (914) 287-3092

**PUBLIC NOTICE**

Department of State  
F-2003-0179

Date of Issuance - December 31, 2003

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

**In F-2003-0179, Suffolk County Department of Public Works, of 335 Yaphank Ave., Yaphank, NY 11980,** proposes to re-establish a channel for flushing purposes from Long Island Sound into Goldsmith Inlet. An existing stone jetty on the west side of Goldsmith Inlet has interrupted the littoral transport in the area and resulted in trapping sand on the west side of the jetty. The proposed project would excavate 15,000 cubic yards of sand from this beach area, and use this as nourishment for the beach on the east side of the Inlet, which has been deprived of sand. To allow for flushing of the inlet, a channel that is to the east of the jetty would be re-established by dredging to a depth of 4 to 5 feet with a side slope of 3:1. Total dredged volume from the channel would be 21,000 cubic yards over an approximate length of 1,300 feet and bottom width of 40 feet. The project site is located at east end of Sound View Avenue in the Town of Southold, Suffolk County.

Any interested parties and/or agencies desiring to express their views concerning **(any of)** the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **15 days from the date of publication of this notice, or January 15, 2004.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

**Department of State**

*Proclamation*

Revoking Limited Liability Partnerships

**WHEREAS**, Article 8-B of the Partnership Law, requires registered limited liability partnerships and New York registered foreign limited liability partnerships to furnish the Department of State with a statement every five years updating specified information, and

**WHEREAS**, the following registered limited liability partnerships and New York registered foreign limited liability partnerships have not furnished the department with the required statement, and

**WHEREAS**, such registered limited liability partnerships and New York registered foreign limited liability partnerships have been provided with 60 days notice of this action;

**NOW, THEREFORE**, I, Randy A. Daniels, Secretary of State of the State of New York, do declare and proclaim that the registrations of the following registered limited liability partnerships are hereby revoked and the status of the following New York foreign limited liability partnerships are hereby revoked pursuant to the provisions of Article 8-B of the Partnership Law, as amended:

**DOMESTIC REGISTERED LIMITED  
LIABILITY PARTNERSHIPS**

**A**

A.M. CALANOG, M.D. & A. SIMONE, M.D., LLP (98)  
APPELBAUM, FARKASH & WALDMAN, LLP (98)  
APUZZO, FINAMORE & WILLIAMS, LLP (98)

**B**

BAKSH, JONES & PARTNERS, L.L.P. (98)  
BAUER & SCHAFFER, LLP (98)  
BAUMAN, KATZ & GRILL, LLP (98) W  
BERANBAUM MENKEN & BEN-ASHER LLP (98)  
BROOKLYN VETERINARY HOSP., LLP (98)  
BURKE & STONE, LLP (98)

**D**

DE NARDIS ASSOCIATES, LLP (98)

**E**

EAST VILLAGE DENTAL GROUP LLP (98)  
ENTWISTLE & CAPPUCI, LLP (98)

**F**

FIRST IN LINE THERAPIES, LLP (98)  
FRIEDMAN, KHAFIF & ASSOCIATES, LLP (98)

**G**

GALLERIA FOOT CARE LLP (98)  
GLASSMAN & BROWN, LLP (98)  
GLAZER, KAPLAN AND GROSSMAN LLP (98)  
GOLD, FARRELL & MARKS, LLP (98)  
GOLDSTEIN & DERRICO LLP (98)

**H**

HOWARD, SMITH & LEVIN LLP (98)  
HUDSON VALLEY LAW GROUP, LLP (98)

**J**

JACKSON & CONSUMANO LLP (98)

**K**

KALOW & SPRINGUT LLP (98)  
KELLEY & CLARK, LLP (98)  
KELLY, LUCAS & PACIFICO LLP (98)  
KOGAN & ROSENTHAL, LLP (98)  
KRIEGER & SCHNEIDER LLP (98)

**L**

LEVITT & KAHEN, LLP (98)  
LONG ISLAND CARDIOLOGY & INTERNAL MEDICINE LLP (98)  
LOPRESTI & SIEGEL, LLP (98)

**M**

MARSHALL & MARSHALL, LLP (98)

MASSELLA, TOMARO & CO., LLP (98)  
MCCANLISS & EARLY L.L.P. (98)  
MEDWELL LLP (98)

**N**

NONINVASIVE CARDIAC DIAGNOSTICS, LLP (98)

**O**

O'ROURKE, O'ROURKE SEAMAN & O'ROURKE, LLP (98)  
O'SHEA & DOWNES, LLP (98)

**P**

P & P LLP (98)  
PROMEDICUS HEALTH GROUP, L.L.P. (98)

**R**

REITTINGER & REITTINGER, LLP (98)  
ROBERT L. FOLKS & ASSOCIATES, LLP (98)  
ROSNER MURRAY & TUCKER LLP (98)  
ROSNER, NOCERA & RAGONE, LLP (98)

**S**

SANDER & BALDONADO, LLP (98)  
SCHONDEBARE & BROWN LLP (98)  
SOKOLOW, DUNAUD, MERCADIER & CARRERAS LLP (98)

**U**

UNIVERSITY DENTAL ASSOCIATES, LLP (98)  
UNIVERSITY UROLOGY ASSOCIATES, LLP (98)

**V**

VLACHOS & TORCHIO, LLP (98)

**W**

WINGET, SPADAFORA & SCHWARTZBERG, LLP (98)

**Z**

ZIETZ & ZIETZ, LLP (98)

WITNESS my hand and the official seal of the Department of State at its office in the City of Albany this 31st day of December in the year two thousand three.

[SEAL]

RANDY A. DANIELS  
*Secretary of State*

## PUBLIC NOTICE

### Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Roy Scott, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2003-0732 Matter of Kevin P. Clark, 602 North Avenue, Hilton, NY 14468, for a variance concerning fire safety requirements including the size of emergency egress openings, located at 602 North Avenue, Hilton, County of Monroe, State of New York.

2003-0745 Matter of Curtis Feldmann, P.O. Box 912, Skaneateles, NY 13152 for a variance concerning fire-safety requirements, including omitting an automatic sprinkler system in motel sleeping units.

Involved is the construction of three detached motel buildings with two sleeping units in each structure, known as Skaneateles Suites, located at 4114 East Genesee Street, Town of Sennett, County of Cayuga, State of New York.

2003-0748 Matter of The Village of Addison, P.O. Box B, Addison, NY 14801, for a variance concerning a required sprinkler system in a building, located at 110 Community Drive, Village of Addison, County of Steuben, State of New York.

2003-0751 Matter of Baldwinsville Central School District, 29 East Oneida Street, Baldwinsville, NY 13027 for a variance concerning fire-safety requirements, including an addition to exceed fire area limitations.

Involved is an addition and alterations to the first floor of an existing high school science department, known as Charles W. Baker High School, located 29 East Oneida Street, Village of Baldwinsville, County of Onondaga, State of New York.

**SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE  
Chenango Reforestation Area No. 20  
Contract No. X004957**

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for 995 tons more or less of red pine, 4.9 MBF more or less of black cherry, 0.5 MBF more or less of white ash, 0.2 MBF more or less of hard maple, 0.1 MBF more or less of soft maple and 22 cords more or less of firewood located Chenango Reforestation Area No. 20, Contract No. X004957, Stand(s) B-10, 17, 18, 40, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Jan. 15, 2004.

*For further information (including billing) contact:* Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036