

# 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 Environmental Conservation

Pursuant to subdivision 5 of Section 23-1101 of the Environmental Conservation Law, the New York State Department of Environmental Conservation hereby gives public notice of the following:

The Department has determined that public bids for the leasing of a parcel of State land totaling 8.10 acres, underlying State Route 36 in the Town of Jasper, Steuben County, New York, for oil and natural gas production is unreasonable and impracticable.

The Department intends to lease such lands to Kelly Oil & Gas, Inc. for such purpose.

*For further information contact:* Charles Gilchrist, Department of Environmental Conservation, Division of Mineral Resources, 625 Broadway, 3rd Fl., Albany, NY 12233-6500, (518) 402-8056

## 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 August 27, 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, e-mail: [www.nysefc.org](http://www.nysefc.org)

### PUBLIC NOTICE

City of New York  
Office of Labor Relations

The Request for Proposals for the International Growth Equity Investment Management Services for the International Equity Fund (PIN21404000299) that was released by the City of New York on Friday, May 28, 2004, is hereby withdrawn.

The City of New York Office of Labor Relations (OLR) is seeking proposals from qualified international core/growth equity vendors to provide investment management services for the International Equity Fund investment option of the City of New York Deferred Compensation Plan. The Request for Proposals will be available beginning on Friday, July 23, 2004. Responses are due no later than 4:30 p.m. Eastern Time on Friday, September 3, 2004. To obtain a copy of the RFP, please visit the Plan's web site at <http://nyc.gov/html/olr>

*If you have any questions, please submit them by fax to:* Georgette Gestely, Director, at (212) 306-7376

### PUBLIC NOTICE

Department of State  
F-2004-0535 DA  
Date of Issuance - August 4, 2004

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

The U.S. Military Academy has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The consistency determination and accompanying public information and data is available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

**In F-2004-0535 (DA), The Department of Army, US Military Academy, West Point, NY 10996,** is seeking authorization to replace barge dock currently at the South Dock, and relocate it to Constitution Island on the grounds of the US Military Academy in West Point. The proposal involves moving the new (replacement) 15' x 75' aluminum barge from South Dock to Constitution Island, fastening it with two new mooring arms, cable, a new aluminum gangway, and the connections to facilitate the system. All connections would be steel, aluminum, or stainless steel. No new concrete would be poured. The proposed project is located on the Hudson River at Constitution Island, in West Point, Orange County.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activity 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 August 19, 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 Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

**PUBLIC NOTICE**

Department of State  
F-2004-0536 DA

Date of Issuance - August 4, 2004

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

The U.S. Military Academy has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The consistency determination and accompanying public information and data is available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

**In F-2004-0536 (DA), The Department of Army, US Military Academy, West Point, NY 10996,** is proposing the installation of a new semi-permanent latrine on the South Dock of West Point. The proposed project is located adjacent to the Hudson River in the Town of Highland, Orange County.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activity 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 August 19, 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 Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

**PUBLIC NOTICE**

County of Suffolk

The County of Suffolk, New York and the County Public Employees Deferred Compensation Board is soliciting proposals from organizations to provide administrative service and investment products in connection with its Public Employees Deferred Compensation Plan. The plan, in existence for eighteen years, currently has approximately 8,200 participants and assets in excess of \$417 million. Proposed services and products must meet the requirements of Section 457 of the Internal Revenue Code and Article 2, Section 5 of the New State Finance Law. Submission deadline is October 1, 2004, before 4 p.m. sharp.

*To obtain a Request for Proposal contact:* Alan Schneider, Suffolk County Personnel Director, Department of Human Resources, P.O. Box 6100, Hauppauge, NY 11788-0099, (631) 853-5794

For an electronic copy of the RFP, please provide an email address.

**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.

2004-0381 Matter of Robert D. Wright, Burt Hill Kosar Rittelmann Associates, Suite 400, 101 East Diamond St., Butler, PA 16001 for a variance concerning fire safety issues including the fireproofing of columns.

Involved is the construction of a B/A3 business/assembly occupancy of Type II-A, non-combustible construction, 4 stories in height, having a cumulative gross floor area of 228,000 square feet. The subject building is known as the Biotechnology and Interdisciplinary Studies Building located on the Rensselaer Polytechnic Institute Campus, located at 110-8th Street, City of Troy, Rensselaer County, State of New York.

2004-0382 Matter of Robert D. Wright, Burt Hill Kosar Rittelmann Associates, Suite 400, 101 East Diamond St., Butler, PA 16001 for a variance concerning fire safety issues including required fire dampers in exhaust ducts.

Involved is the construction of a B/A3 business/assembly occupancy of Type II-A, non-combustible construction, 4 stories in height, having a cumulative gross floor area of 228,000 square feet. The subject building is known as the Biotechnology and Interdisciplinary Studies Building, located on the Rensselaer Polytechnic Institute Campus, located at 110-8th Street, City of Troy, Rensselaer County, State of New York.

2004-0386 Matter of Peter John Enzien, 566 Second Avenue, Troy, NY 12182 for a variance concerning the Multiple Residence Law's requirements for 2 exits and a cellar ceiling in a multiple dwelling.

Involved is the housing inspection of an R-2 multiple dwelling of Type IIIB ordinary construction, 3 stories in height having a cumulative gross floor area of 4,460 square feet. The subject building is located at 554 Second Avenue, City of Troy, Rensselaer County, State of New York.

2004-0403 Matter of Stephen J. Andzel, Pastor, New Creation Fellowship, 3325 Genesee Street, Cheektowaga, NY 14225, for a variance concerning fire-safety requirements, including fire hydrant systems.

Involved is the addition to a church known as the New Creation Fellowship, located at 3325 Genesee Street, Town of Cheektowaga, County of Erie, State of New York.

2004-0420 Matter of Gardner Plus Architects, 40 Wildbriar Road, Rochester, NY 14623 for a variance concerning ceiling heights and stairway dimensions.

Involved is the change of use of an existing Residential structure of Type 5B construction, two stories in height to a Business use, located at 229 Empire Boulevard, Town of Irondequoit, County of Monroe, State of New York.

2004-0423 Matter of International Ordinance Technology, Inc., 101 Harrison Street, Jamestown, NY 14701, for a variance concerning fire-safety requirements, including sprinkler systems.

Involved is the alteration to a manufacturing facility, known as the International Ordinance Technology, located at 101 Harrison Street, Jamestown, NY 14701, City of Jamestown, County of Chautauqua, State of New York.

2004-0424 Matter of Dan Long Architects & Associates, 44 Castle Street, Geneva, New York 14456, for a variance concerning fire safety requirements, including relief from requirements to provide a sprinkler system in a public assembly occupancy. The building is classified as a Group A-3 (assembly-auction house) occupancy, 1 story in height, of Type VA (combustible) construction, and is located at 2747 Route 14 North, in the Town of Geneva, Ontario County, State of New York.

2004-0427 Matter of David Huck for Park Lane Apartments, LLC, 6105 Transit Road, Suite 140, East Amherst, NY 15051, for a variance concerning safety requirements, including, for a variance concerning fire-safety requirements, including sprinkler systems.

Involved is the construction of a new apartment complex, known as the Park Lane Apartments, located at 4845 Transit Road, Depew, NY 14043, Town of Lancaster, County of Erie, State of New York.

2004-0431 Matter of Michael Poost, Envision Architects, PC, 52 James St., Albany, NY 12207 for a variance concerning the requirement for plumbing fixtures for the physically handicapped.

Involved is the construction of an A-5 grandstand occupancy, of Type IIB non-combustible construction, 28 feet in height, having a cumulative gross area of 10,000 square feet, located on the site of the Columbia High School at 962 Luther Road, Town of East Greenbush, Rensselaer County, State of New York.

**SALE OF  
FOREST PRODUCTS**

NOTICE OF SALE  
Delaware Reforestation Area No. 4  
Contract No. X005237

Pursuant to Section 9-0505 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following: Sealed bids for 20.1 MBF more or less of maple, cherry, ash, and oak sawtimber and 215 cords more or less of larch and spruce located on Delaware Reforestation Area No. 4, Stand(s) A-44, 45, B-13, will be accepted at the NYS Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* Ben Peters, Sr. Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

**SALE OF  
FOREST PRODUCTS**

NOTICE OF SALE  
Delaware Reforestation Area No. 5  
Contract No. X005238

Pursuant to Section 9-0505 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following: Sealed bids for 9.7 MBF more or less of maple, cherry, and oak sawtimber and 422 cords more or less of spruce located on Delaware Reforestation Area No. 5, Stand(s) B-13, will be accepted at the NYS Department of Environmental Conservation, Contract Unit, 625 Broadway, 10<sup>th</sup> Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* Ben Peters, Sr. Forester, Department of Environmental Conservation, Division of Lands and Forests,

Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, 607-652-7365

**SALE OF  
FOREST PRODUCTS**

NOTICE OF SALE  
Delaware Wildlife Management Area No. 90  
Contract No. X005233

Pursuant to Section(s) 11-2101 and 11-2305 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 102 cords more or less of spruce pulpwood, 272.0 MBF more or less of spruce sawtimber, 2.1 MBF more or less of miscellaneous hardwood sawtimber, and 40 cords more or less of miscellaneous hardwood firewood located on Delaware Wildlife Management Area No. 90; Stand(s) M-5, S-1, 2, X-1, will be accepted at the NYS Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* Paul Wenner, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

**SALE OF  
FOREST PRODUCTS**

NOTICE OF SALE  
Otsego Reforestation Area No. 1  
Contract No. X005232

Pursuant to Section 9-0505 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 294.3 MBF more or less of miscellaneous hardwood and softwood sawtimber, 695 cords more or less of miscellaneous hardwood firewood, and 9 cords more or less of aspen pulpwood located on Otsego Reforestation Area No. 1, Stand(s) A-20, 31, 32, 36, will be accepted at the NYS Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* Paul Wenner, Senior Forester, Department of Environmental Conservation, Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

**SALE OF  
FOREST PRODUCTS**

NOTICE OF SALE  
St. Lawrence Reforestation Area No. 11  
Contract No. X005162

Pursuant to Section 9-0505 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 135.5 MBF more or less of red pine sawtimber, and 10 cords more or less of red pine pulp located on St. Lawrence Reforestation Area No. 11, Stand(s) C-15, will be accepted at the NYS

Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* John Gibbs, Forester 2, Department of Environmental Conservation, Division of Lands and Forests, Region 6, 6379 U.S. Hwy. 11, Potsdam, NY 13676, (315) 265-3090

**SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE  
Schoharie Reforestation Area No. 16  
Contract No. X005231**

Pursuant to Section 9-0505 of the Environmental Conservation Law, the NYS Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 66.1 MBF more or less of red pine sawtimber, 142.9 MBF more or less of spruce sawtimber, 9.5 cords more or less of spruce pulpwood, and 0.7 MBF more or less of red oak saw timber located on Schoharie Reforestation Area No. 16, Stand(s) A-59, 68, 69, B-10, 14, will be accepted at the NYS Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Floor, Albany, New York 12233-5027 until 11:00 a.m., Thursday, Aug. 19, 2004.

*For further information, contact:* Vicki Shorey, Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

