

MISCELLANEOUS NOTICES/HEARINGS

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

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

NOTICE OF PUBLIC HEARING

New York State Energy Research and Development Authority

New York State Energy Research and Development Authority (the "Authority") is authorized, pursuant to Title 9 of Article 8 of the New York State Public Authorities Law, to issue tax-exempt and taxable nonrecourse revenue bonds and notes to finance special energy projects, including facilities for the local furnishing of electric energy or gas; and, whenever it deems refunding expedient, to refund any bond or note by the issuance of new bonds and notes.

In 1994, the Authority issued \$100,000,000 7½% Facilities Revenue Bonds, Series 1994 A (Consolidated Edison Company of New York, Inc. Project), due December 1, 2029 (the "Prior Bonds"). Proceeds from the Prior Bonds were issued to finance the acquisition, construction and installation of certain additional facilities for the furnishing of gas within the Consolidated Edison Company of New York, Inc.'s ("Con Edison") gas service area (the "Series 1994 A Project"). Construction of the Series 1994 A Project was completed prior to 1994. There is \$100,000,000 principal amount of the Prior Bonds currently outstanding.

Con Edison has requested that the Authority issue its gas facilities revenue bonds, in the aggregate principal amount of up to \$100,000,000, for the purposes of currently refunding and extending the maturity of all or a portion of the Prior Bonds (the "Refunding

Bonds"). The Refunding Bonds may be issued in one or more series or subseries over a period of three years from the date of the hearing. The Refunding Bonds may have a maturity date which is later than the maturity date of the Prior Bonds they are refunding.

Project:

The Project consists of certain facilities for the furnishing of gas owned and operated by Con Edison within Con Edison's gas service area. Such facilities are located throughout such service area which consists of all of The City of New York and most of Westchester County. The Project consists of the following facilities which have been acquired, constructed and installed prior to 1994 as part of Con Edison's gas distribution system: gas mains, gas measuring and regulating station equipment, gas services, gas meters, gas meter installations, house regulators, house regulator installations, liquified natural gas storage projects, and gas distribution plant structures and improvements.

The executive offices of Con Edison are located at 4 Irving Place, New York, New York 10003.

Hearing:

A public hearing will be held on Monday, October 4, 2004, commencing at 11:00 a.m. at the Authority's offices located at 17 Columbia Circle, Albany, New York, for the purpose of hearing the views of interested members of the public concerning issuance of the Refunding Bonds. Notice of this public hearing is being published pursuant to the requirements of Section 147(f) of the Federal Internal Revenue Code of 1986, as amended.

Interested persons are invited to submit written comments, speak at the public hearing, or both. Written comments must be received by the Authority no later than Monday, October 4, 2004, by mailing or hand delivery to the presiding official at the public hearing. Persons wishing to speak at the hearing should contact Ms. Jerry no later than Friday, October 1, 2004, at the address below.

Contact: Jacquelyn L. Jerry, Associate Counsel, New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, NY 12203, (518) 862-1090, ext. 3284

PUBLIC NOTICE

Office of Alcoholism and Substance Abuse Services

Pursuant to Articles 19 and 61 of the Mental Hygiene Law, the Office of Alcoholism and Substance Abuse Services hereby gives public notice of the following:

Federal Substance Abuse Prevention and Treatment Block Grant Application

The New York State Office of Alcoholism and Substance Abuse Services (OASAS) has developed an application for the 2005 Federal

Fiscal Year Substance Abuse Prevention and Treatment Block Grant. The application, which will be submitted by OASAS as required by the Federal government, includes a statement of assurances and certifications by OASAS, the goals and objectives of OASAS and subrecipients funded with this grant and a description of the intended use of payments.

The proposed application is available on line for public review by entering the username citizenny at <http://www.bgas.amhsa.gov/2005/>. The password is: albanys35.

Comments are invited during the period September 20, 2004 through September 24, 2004.

Questions and comments may be directed to: Terrence Jackson, Addictions Program Specialist. Mr. Jackson may be reached: by mail at OASAS, 1450 Western Avenue, Albany, NY 12203-3526; by phone at (518) 485-1366; by fax at (518) 485-7574; or by e-mail at TerryJackson@OASAS.state.ny.us

PUBLIC NOTICE

Department of Health

Patient Safety Award

This grant will focus on work team composition and engagement; data collection and maintenance; and the impact of technology in initiating change in order to have performance improvement at Morris Heights Health Center, Inc. (MHHC). The Center is focusing its performance improvement in the area of processing and tracking clinical information in an effort to prevent failures in the patient care area. At minimum, ongoing analysis will include processes for patient follow-up and tracking of laboratory referrals as well as specialty and other consultations. It is believed that an improvement in these processes and the collaborative team work of all Center personnel who will identify and map the process for continuity of care to the MHHC's patients, will help prevent adverse patient effects and outcomes.

This project will be funded under Section 2807-c(19) of the Public Health Law, under which the Commissioner of Health has the authority to award grants without competition.

Program contact: Cathy Blake, Director, Health Care Quality Initiatives, Department of Health, Five Penn Plaza, New York, NY 10001, (212) 268-7093

PUBLIC NOTICE

Department of Health

The Department of Health hereby gives public notice of the following:

The Department of Health, to comply with a change in section 367-a(9)(b) of the State Social Services Law, proposes to amend the Title XIX State Plan for prescription drugs to reflect a change in the definition of Estimated Acquisition Cost (EAC). Previously, the EAC for brand-name and generic drugs was defined as average wholesale price (AWP) minus twelve (12) percent. The following changes will be reflected in payments that are issued for services that are provided on and after October 1, 2004. (1) For sole or multi-source brand-name drugs dispensed in accordance with State and federal requirements, the EAC is defined as AWP minus twelve and seventy-five one-hundredths (12.75) percent. (2) For multi-source generic drugs, the EAC is defined as the lower of AWP minus sixteen and one-half (16.50) percent or the federal upper limit (FUL).

Additional changes are also being proposed. If an FUL has not been established by the Centers for Medicare and Medicaid Services, the State based maximum acquisition cost (MAC), when established by the Commissioner of Health, will be applied. In addition, NYS legislation requires the Commissioner of Health to approve specialized HIV pharmacies which meet specific programmatic and operational criteria. When these pharmacies are approved, the estimated acquisition cost will be defined as follows for these pharmacies: for sole or multi-source brand-name drugs--AWP minus twelve (12) percent. State and federal requirements for the dispensing of brand-name drugs must be met. For multi-source generic drugs--AWP minus twelve (12) percent or the lower of the established FUL or NY State MAC, when established by the Commissioner of Health. These changes are made to comply with State legislation.

The annual aggregate savings in Medicaid expenditures from this Amendment is estimated to be \$42.4 million dollars for the first year of implementation.

Copies of the proposed State Plan Amendment when submitted to the Centers for Medicare and Medicaid Services, will be 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 or to review and comment on this proposed State Plan Amendment, please contact or write: 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: regsqa@health.state.ny.us

PUBLIC NOTICE

Department of State

F-2003-0949

Date of Issuance - September 15, 2004

The New York State Department of State (DOS) is required by Federal regulations 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 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-2003-0949, Patrick Kelly of 304 Proctor Ave., Ogdensburg, NY 13669, proposes the construction of an erosion control structure at his river front property. The proposal involves the placement of heavy stone along approximately 65 feet of the St. Lawrence River, 10 feet water-ward of the existing shoreline, and backfilling this newly created 10'x65' area with additional stone. The proposed project site is located at 304 Proctor Avenue, City of Ogdensburg, St. Lawrence 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 October 30, 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.

PUBLIC NOTICE

Department of State
F-2004-0721 (DA)

Date of Issuance - September 15, 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-2004-0721(DA) , The US Military Academy, West Point, NY 10996, is proposing to implement permanent security measures at Washington Gate, Stony Lonesome Gate, and Thayer Gate. Improvements at Washington Gate would include the addition of new traffic lanes, traffic arms, new signage and deployable vehicle barrier systems. In addition to these roadway improvements, a new sentry house would be constructed, permanent lighting and canopies, and more Closed Circuit Television (CCTV) cameras would be added. The greatest amount of construction and improvements are proposed at Stony Lonesome Gate. New traffic lanes would be added, and the entire appearance of the gate is proposed. Other roadway improvements would include traffic control measures such as traffic arms, new signage, and deployable vehicle barrier systems. Associated construction that would occur includes a security vehicle parking area, truck inspection area, and a 20,000 square feet Visitor Center Building with adjacent parking. Permanent lighting and canopies, and additional CCTV cameras would be added. The existing gatehouse would be

retained. Access gate security improvements at the Thayer Gate would include the reconfiguration and addition of traffic lanes along Thayer Road entering the USMA. The new traffic pattern would also include limited access to the Thayer Hotel, the addition of permanent traffic control measures such as traffic arms, new signage, and deployable vehicle barrier systems. These improvements would require the removal of landscape vegetation, including trees, and the sidewalk for a limited distance along Thayer Road. Permanent lighting and canopies and more CCTV cameras would be added. The existing Thayer Gatehouse and associated buildings, which are considered contributing structures to the USMA National Historic Landmark District, would be retained, and external views of Thayer Gate from Highland Falls and South Post would not be altered. The proposed project is located at West Point Military Academy, 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 October 30, 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

A meeting of the New York State Hearing Aid Dispensing Advisory Board will be held on Monday, September 27, 2004 at 10:30 a.m. at the New York State Department of State, 41 State Street, 11th Floor Conference Room, Albany, NY.

Should you require further information, please contact Carol Fansler (cfansler@dos.state.ny.us) at 518-486-3857. Please always consult the Department of State website (www.dos.state.ny.us) on the day before the meeting to make sure the meeting has not been canceled.

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.

2004-0497 Matter of Gregory Korvne, 415 Northwood Drive, Buffalo, NY 14223 for a variance concerning requirements for clearance between swimming pool and overhead conductors.

Involved is the installation of an in-ground swimming pool in a one-family dwelling, located at 415 Northwood Drive, Town of Tonawanda, County of Erie, State of New York.

SALE OF
FOREST PRODUCTS
NOTICE OF SALE
Delaware Reforestation Area No. 12
Contract No. X005331

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 305.1 MBF more or less of cherry, maple, and birch sawtimber and 385 cords more or less of hardwood firewood located on Delaware Reforestation Area No. 12, Stand(s) A-14, 15, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Sept. 30, 2004.

For further information (including billing) contact: Ben Peters, 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
Madison Reforestation Area No. 10
Contract No. X005270

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 132.8 MBF more or less of Norway spruce, 103 cords more or less of Norway spruce, 0.7 MBF more or less of black cherry, and 5 cords more or less of firewood located on Madison Reforestation Area No. 10, Stand(s) A-6, 8, 10, 13, 28, 29, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Sept. 30, 2004.

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