

# 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

## NOTICE OF PUBLIC HEARINGS Office of Children and Family Services

The Office of Children and Family Services (OCFS) will hold three public hearings on New York State's proposed multi-year plan to receive assistance under the Social Security Act and the Child Care and Development Block Grant Act of 1990, also known as the Child Care and Development Fund. The state's proposed plan will cover the period of 10/1/05-9/30/07.

The purpose of this federal block grant program is to increase the availability, affordability and quality of child care services. Federal funds would be available to assist New York State in supporting subsidies for child day care services to low-income families upon the plan's approval by the United States Department of Health and Human Services. Funding also would be available for improving the quality of child day care services and increasing the availability of early childhood development programs, as well as before and after school services.

Pursuant to the Child Care and Development Block Grant Act, the public is invited to provide input into the development of the final plan. Specific areas for comment include program priorities for child day care; funding distribution priorities; and suggested avenues for local input in shaping the state's child day care agenda. Information about the state's proposed multi-year child care plan will be available on the OCFS website at [www.ocfs.state.ny.us/main/beccs/stateplan/](http://www.ocfs.state.ny.us/main/beccs/stateplan/)

Persons interested in providing oral testimony during the public hearings must register their intent to do so five days prior to the public hearing with Suzanne Zafonte Sennett, Office of Children and Family Services, 52 Washington Street, Room 338 North, Rensselaer, New York 12144. People can also register by calling (518) 408-0766, or by submitting the registration form posted on the OCFS website: [www.ocfs.state.ny.us](http://www.ocfs.state.ny.us). Oral testimony is limited to ten minutes in length and must be followed up with written testimony within five days after the hearing. Persons interested only in submitting written comments must submit such comments within five days after the public hearing.

The hearings are scheduled as follows:

Date: Tuesday, May 17, 2005  
Time: 10 am to 2 pm  
Place: Child Care Council, Suite 120  
595 Blossom Road  
Rochester, New York 14620

Date: Friday, May 20, 2005  
Time: 10 am to 2 pm  
Place: NYS Office of Children and Family Services  
Room 144, North Building  
52 Washington Street  
Rensselaer, New York 12144

Date: Wednesday, May 25, 2005  
Time: 10 am to 2 pm  
Place: Fashion Institute of Technology  
Board Room, Building C, 9th Floor  
7th Ave. between 27th and 28th Streets  
New York, New York 10001-5992

## PUBLIC NOTICE Department of Agriculture and Markets

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In the Matter of Considering the Continuation  
of the New York State Apple Marketing Order  
Pursuant to Article 25 of the Agriculture and  
Markets Law and 1 NYCRR section 201.13  
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DETERMINATION

### PRELIMINARY STATEMENT

Section 201.13 of Title One of the Official Compilation of Codes, Rules and Regulations of the State of New York (1 NYCRR), relating to the New York State Apple Marketing Order (Order), provides that at least once during each eight year period that the Order is in effect, the Commissioner shall conduct a referendum of eligible New York State apple growers to determine whether they approve the continuation of the Order. Continuation of the Order is subject to the approval

of not less than 50 percent of such growers voting in the referendum. Upon such approval, a new eight year period begins as of the first of July following the date of certification of approval of the Order.

#### FINDINGS AND CONCLUSIONS

Pursuant to a Notice of Referendum, dated February 22, 2005, a referendum of eligible New York State apple growers was conducted through April 15, 2005 inclusive, to determine whether such growers approve continuation of the Order. The results of the referendum have been duly recorded and verified as follows:

In favor – 168 (71%)

In opposition – 69 (29%)

Total eligible ballots counted and verified: 237

In addition, 7 ballots were declared ineligible, as follows:

7 ballots were not marked "yes" or "no"; 3 of the 7 indicated that the producers were deceased, the other 4 indicated that the producers were out of business.

#### CERTIFICATION

Upon the results of the referendum as set forth above, I hereby certify that, pursuant to 1 NYCRR section 201.13 and Agriculture and Markets Law section 294(2), that the percentage of eligible New York State apple growers required to approve the continuation of the Apple Marketing Order has been met with 71% percent of such apple growers voting in favor of continuation of the Order.

NOW, THEREFORE, upon the findings and conclusions herein, I determine that the Apple Marketing Order (1 NYCRR Part 201) should be and hereby is continued pursuant and subject to Article 25 of the Agriculture and Markets Law and 1 NYCRR §201.13.

NATHAN L. RUDGERS

Commissioner of Agriculture and  
Markets of the State of New York

### PUBLIC NOTICE

Education Department

Office of Vocational and Educational  
Services for Individuals with Disabilities

Pursuant to 34CFR § 76.102, the New York State Education Department hereby gives notice that it is accepting public comment on its Annual State Application Under Part B of the Individuals with Disabilities Education Act (IDEA) for Federal Fiscal Year 2005.

Purpose:

To provide an opportunity for public comment on the State's application for the expenditure of its Part B IDEA funds. This application provides a set of assurances for all eligibility requirements of Part B of IDEA as found in PL 108-446, certifications and a description of the amount of funds to be expended for administrative activities under Part B of IDEA and other State-level activities.

A copy of New York State's Annual State Application for Federal Fiscal Year 2005 may be accessed at <http://www.vesid.nysed.gov/specialed/timely.htm>, by calling the Special Education Policy and Partnerships Unit at 518-473-2878 or by writing to Special Education Policy and Partnerships Unit, Office of Vocational and Educational Services for Individuals with Disabilities, New York State Education Department, Room 1624, One Commerce Plaza, Albany, NY 12234 – Attention: P. Geary

Comments will be accepted through July 11, 2005.

For further information, contact: Patricia J. Geary Room 1624, One Commerce Plaza, Albany, NY 12234, (518) 473-2878; pgeary@mail.nysed.gov

### PUBLIC NOTICE

Department of State

PURSUANT to 15 CFR 923.84(b), the New York State Department of State (DOS) has submitted a routine program change to the federal Office of Ocean and Coastal Resource Management (OCRM). The DOS considers this action to be routine and requests OCRM's concurrence in this determination. The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of a minor amendment to the Town of Hamlin Local Waterfront Revitalization Program into the State's CMP.

A major component of the State's CMP is the provision that local governments be allowed to prepare local waterfront revitalization programs which further detail and make geographically specific the State's coastal policies. Each local program will be reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Town of Hamlin Local Waterfront Revitalization Program, which serves as a long-term management program for the Town's Lake Ontario waterfront resources, was approved by the New York State Secretary of State on 12/2/91 and subsequently incorporated in to the State CMP on 3/12/92. The minor amendment would consist of updates, which reflect changing characteristics of the Town's waterfront area, as follows:

- Language has been added to the Natural Resources chapter of the Inventory and Analysis section of the LWRP concerning the status of the Rochester Embayment Remedial Action Plan.
- Information on the characteristics and importance of the Yanty Marsh area has been added to the Natural Resources chapter of the Inventory and Analysis section.
- A discussion of the public trust doctrine has been added to the Community and Cultural Resources chapter of the Inventory and Analysis section.
- Policy 2A, regarding acquisition of large parcels suitable for water-dependent and water-enhanced development, has been deleted.
- Policy 7B has been amended to add Yanty Marsh as a Locally Significant Habitat.
- Policy 20 has been amended to include language regarding the Public Trust Doctrine.
- Policy 25A has been amended to add Yanty Creek as a natural scenic resource of local significance.
- Policy 35 has been amended to add "filling" of coastal waters as an activity to be undertaken in a manner to protect coastal resources.
- Improvements to Sandy Harbor, increasing dock space near the State boat launch, and provision of a stairway to provide creek access have been added to the list of proposed projects.
- With respect to local actions needed to implement the LWRP, an additional zoning classification (Commercial Neighborhood Business) has been created, the boundary of the Conservation Overlay District clarified, and a new zoning map adopted.

Any comments on whether or not the action constitutes a routine program change should be submitted by June 1, 2005 to: John King, Office of Ocean and Coastal Resource Management, Coastal Programs Division, N/ORM3, SSMC4, 11th Floor, 1305 East-West Highway, Silver Spring, MD 20910.

Further information on this action may be obtained from: Kevin Millington, Division of Coastal Resources, Department of State, 41 State St., Albany, NY 12231

SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE  
Delaware Reforestation Area No. 3  
Contract No.X005451

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 109.5 MBF more or less of oak, maple, cherry, ash and hemlock sawtimber; and 265 cords more or less of miscellaneous hardwood firewood located on Delaware Reforestation Area No. 3, Stand(s) A-1, 3, 16, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, May 26, 2005.

*For further information (including billing) contact:* Ben Peters, 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

