

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

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 December 2005 will be conducted on December 12 commencing at 10:00 a.m. and December 13 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: the Office of Commission Operations, Department of Civil Service, State Campus, Bldg. 1, Albany, NY 12239, (518) 457-2575

PUBLIC NOTICE Division of Criminal Justice Services

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Municipal Police Training Council:

Date: Wednesday, December 7, 2005
Time: 10:00 a.m.
Place: Four Tower Place
Albany, New York

For further information or if you need a reasonable accommodation to attend this meeting, please contact: Lucy Verrigni, Division of Criminal Justice Services, Office of Public Safety, Four Tower Place, Albany, NY 12203-3764, (518) 457-6101

PUBLIC NOTICE Division of Criminal Justice Services

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Law Enforcement Agency Accreditation Council:

Date: Thursday, December 8, 2005
Time: 10:00 a.m.
Place: 80 Wolf Road - 4th Floor Training Room
Albany, New York

For further information or if you need a reasonable accommodation to attend this meeting, please contact: John O'Neil, Division of Criminal Justice Services, Office of Public Safety, Four Tower Place, Albany, NY 12203-3764, (518) 485-7645

PUBLIC NOTICE Division of Criminal Justice Services

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Commission on Forensic Science:

Date: Tuesday, December 6, 2005
Time: 1:00 p.m.
Place: Four Tower Place
Albany, New York

For further information or if you need a reasonable accommodation to attend this meeting, please contact: Tina Houston, Division of Criminal Justice Services, Office of Forensic Services, Four Tower Place, Albany, NY 12203-3764, (518) 457-1901

PUBLIC NOTICE
Department of Labor

Pursuant to Labor Law Section 27-a, subdivisions 8 and 12, NYCRR Part 803.11, the Department of Labor hereby give public notice of the following:

TEXT OF NOTICE

NEW YORK STATE DEPARTMENT OF LABOR
NOTICE OF FILING FOR PERMANENT VARIANCE
PUBLIC EMPLOYEE SAFETY AND HEALTH PROGRAM

APPLICANT: City of Auburn
Auburn, NY 13021
CASE NO: P-004-05
PREMISES: Police & Fire Station
24 South Street
Auburn, NY 13021

STANDARDS INVOLVED: 29 CFR 1910.36(b)(8) The City of Auburn Police and Fire Department does not have two mean of egress remote from each other.

HEARING INFORMATION: This is to notify affected employees, and appropriate governmental authorities having jurisdiction over employment at the premises or jurisdiction for the premises that this petition will have a hearing and an opportunity to attend and participate. To be notified of the time and place of the hearing please contact Mr. Blaise Thomas at the address below.

SUMMARY OF APPLICATION: The employer proposes to consult an Architectural/Engineering Firm to make the proper corrections. Interested persons may submit written data, views or arguments regarding the application for a period of 60 days.

Submissions should be made to and further information obtained from: Blaise Thomas, P.E., Associate Safety & Health Engineer, Department of Labor, Division of Safety & Health, State Campus, Bldg. 12, Rm. 154, Albany, NY 12240, (518) 457-3530

PUBLIC NOTICE
Department of Labor

Pursuant to Labor Law Section 27-a, subdivisions 8 and 12, NYCRR Part 803.11, the Department of Labor hereby give public notice of the following:

TEXT OF NOTICE

NEW YORK STATE DEPARTMENT OF LABOR
NOTICE OF FILING FOR PERMANENT VARIANCE
PUBLIC EMPLOYEE SAFETY AND HEALTH PROGRAM

APPLICANT: Batavia City Police Dept.
CASE NO: P-002-05
PREMISES: City of Batavia
Batavia City Police Dept.
One Batavia City Center
Batavia, NY 14020

STANDARDS INVOLVED: 29 CFR 1910.36(b)(8) Not provided with at least two mean of egress remote from each other.

HEARING INFORMATION: This is to notify affected employees, and appropriate governmental authorities having jurisdiction over employment at the premises or jurisdiction for the premises that this petition will have a hearing and an opportunity to attend and participate. To be notified of the time and place of the hearing please contact Mr. Blaise Thomas at the address below.

SUMMARY OF APPLICATION: Office, locker room, and active storage in the basement have been relocated to first and second floor areas. Smoke detectors and fire extinguishers are located in the basement area at strategic locations. Interested persons may submit

written data, views or arguments regarding the application for a period of 60 days.

Submissions should be made to and further information obtained from: Blaise Thomas, P.E., Associate Safety & Health Engineer, Department of Labor, Division of Safety & Health, State Campus, Bldg. 12, Rm. 154, Albany, NY 12240, (518) 457-3530

PUBLIC NOTICE
Department of Labor

Pursuant to Labor Law Section 27-a, subdivisions 8 and 12, NYCRR Part 803.11, the Department of Labor hereby give public notice of the following:

TEXT OF NOTICE

NEW YORK STATE DEPARTMENT OF LABOR
NOTICE OF FILING FOR PERMANENT VARIANCE
PUBLIC EMPLOYEE SAFETY AND HEALTH PROGRAM

APPLICANT: Town of Livonia
CASE NO: P-001-05
PREMISES: Town Office
35 Commercial Street
Livonia, NY

STANDARDS INVOLVED: 29 CFR 1910.36(g)(1) Mean of egress were not designed and maintained to provide a clearance height of at least six feet eight inches from the floor.

HEARING INFORMATION: This is to notify affected employees, and appropriate governmental authorities having jurisdiction over employment at the premises or jurisdiction for the premises that this petition will have a hearing and an opportunity to attend and participate. To be notified of the time and place of the hearing please contact Mr. Blaise Thomas at the address below.

SUMMARY OF APPLICATION: The town will be installing signage and warning symbols identifying the area of concern. The town will also be installing padding at the top of the door opening. Interested persons may submit written data, views or arguments regarding the application for a period of 60 days.

Submissions should be made to and further information obtained from: Blaise Thomas, P.E., Associate Safety & Health Engineer, Department of Labor, Division of Safety & Health, State Campus, Bldg. 12, Rm. 154, Albany, NY 12240, (518) 457-3530

PUBLIC NOTICE
Department of Labor

Pursuant to Labor Law Section 27-a, subdivisions 8 and 12, NYCRR Part 803.11, the Department of Labor hereby give public notice of the following:

TEXT OF NOTICE

NEW YORK STATE DEPARTMENT OF LABOR
NOTICE OF FILING FOR PERMANENT VARIANCE
PUBLIC EMPLOYEE SAFETY AND HEALTH PROGRAM

APPLICANT: Town of Rockland
CASE NO: P-003-05
PREMISES: Livingston Manor Pump Station
357 Old Rte. 17
Livingston Manor, NY 12758

STANDARDS INVOLVED: 29 CFR 1910.24(e) Fixed stairs were installed at an angle to the horizontal >50 degrees.

HEARING INFORMATION: This is to notify affected employees, and appropriate governmental authorities having jurisdiction over employment at the premises or jurisdiction for the premises that this

petition will have a hearing and an opportunity to attend and participate. To be notified of the time and place of the hearing please contact Mr. Blaise Thomas at the address below.

SUMMARY OF APPLICATION: Top of stairway has been roped off with caution signage in place. Top step painted yellow to highlight. Employees have been cautioned to use stairs descending backwards. A rope and bucket have been suspended to raise and lower needed tools, etc. Interested persons may submit written data, views or arguments regarding the application for a period of 60 days.

Submissions should be made to and further information obtained from: Blaise Thomas, P.E., Associate Safety & Health Engineer, Department of Labor, Division of Safety & Health, State Campus, Bldg. 12, Rm. 154, Albany, NY 12240, (518) 457-3530

PUBLIC NOTICE

Office of Mental Retardation and
Developmental Disabilities

Pursuant to 42 USC 1396(a)(13)(A), the NYS Office of Mental Retardation and Developmental Disabilities (OMRDD) and the NYS Department of Health (DOH) hereby give notice of the following:

OMRDD proposes to change its methods and standards for setting Medicaid rates and fees for state operated Intermediate Care Facilities for the Developmentally Disabled (ICF/DD). These changes will be effective January 1, 2006 for all facilities.

Additional funding for employee health care benefits is available as per the following: a survey of health care benefits offered by voluntary and state sponsored providers was taken in the summer of 2005. A benchmark of health care benefits was established. Providers above the benchmark will receive 3% of the operating costs contained in their rates or fees on December 31, 2005. Providers below the benchmark who offer no health care may apply for \$2,500 per employee. Providers who offer some health benefits may apply for \$325 per employee. For providers below the benchmark, funds must be used to establish or enhance health care benefits or reduce employees' out-of-pocket health related expenses. Effective January 1, 2006 facilities may also be eligible for additional funding equal to an amount that would have been received during the period of April 1, 2004 through December 31, 2005 using the same benchmark and application criteria.

The public is invited to review and comment on these changes beginning November 30, 2005. Comments must be received no later than December 30, 2005, in order to receive due consideration.

Any written comments and inquiries for further information may be addressed to: Barbara Brundage, Director, Regulatory Affairs Unit, Office of Counsel, Office of Mental Retardation and Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830

PUBLIC NOTICE

Onondaga County
Notice of Issuance of a Request for Proposals
Pursuant to Section 120-w

Pursuant to the provisions of Section 120-w of the New York State General Municipal Law, notice is hereby given that Onondaga County, NY is issuing on or about November 30, 2005 a Request for Proposals for Long Term Biosolids Management Services. A copy of the Request for Proposals will be on file with the County Clerk.

Copies of the Request for Proposals may be obtained by contacting: Donald F. Geisser, P.E., Blasland, Bouck & Lee, Inc., 6723 Towpath Road, Box 66, Syracuse, NY 13214, (315) 446-9120

Proposals will be received until March 1, 2006.

PUBLIC NOTICE

Department of State
Routine Program Change Notice

STATEWIDE — Pursuant to 15 CFR 923.84, the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on November 2, 2005 on the incorporation of the Town of Southold Local Waterfront Revitalization Program (LWRP) into the State's Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM's concurrence on this action on June 11, 2003 in a previous notice in the *State Register* which further described the content of the action.

The LWRP includes the following new enforceable policy: Policy 9.5. Other enforceable policies contained in the LWRP are the same as those previously approved by OCRM under the Long Island Sound Coastal Management Program, or refined to reflect local circumstances.

Pursuant to the State CMP and Article 42 of the Executive Law, the Town of Southold LWRP was adopted by the Town on November 30, 2004 and approved by the New York State Secretary of State on May 10, 2005. Federal consistency with the Town of Southold LWRP applies as of the date of this notice.

Copies of the LWRP are available for review at the offices of the NYS Department of State, Division of Coastal Resources, 41 State Street, Albany, New York 12231.

For further information, contact: George R. Stafford, Director, Division of Coastal Resources at (518) 474-6000

PUBLIC NOTICE

Department of State
Board of Real Estate Appraisal

A meeting of the New York State Board of Real Estate Appraisal will be held on Friday, December 9, 2005 at 10:30 a.m. at the Department of State, Division of Licensing Services, 123 William Street, 19th Floor Conference Room, New York, 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

Department of Taxation and Finance
Interest Rates

Pursuant to the provisions of subsection (j) of section 697 of the Tax Law, the Commissioner of Taxation and Finance hereby sets the overpayment rate of interest for the purposes of said subsection for the months of January, February, and March 2006 at 6 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of January, February, and March 2006 at 8 percent per annum. These rates are applicable to the New York State personal income tax (Article 22 of the Tax Law - except for rates of interest payable by or to an employer with respect to income taxes required to be withheld and paid over by the employer pursuant to Part V of such Article 22), unincorporated business income tax (Article 23

of the Tax Law), estate tax (Article 26 of the Tax Law), gift tax (Article 26-A of the Tax Law), generation-skipping transfer tax (Article 26-B of the Tax Law), the New York City resident income tax (Article 30 of the Tax Law, Chapter 17 of the New York City Administrative Code), the New York City nonresident earnings tax (Article 2-E of the General City Law, Chapter 19 of the New York City Administrative Code), the City of Yonkers resident income tax surcharge (Article 30-A of the Tax Law, Article IX of the Codes and Ordinances of the City of Yonkers) and the City of Yonkers nonresident earnings tax (Article 30-B of the Tax Law, Article X of the Codes and Ordinances of the City of Yonkers).

Pursuant to the provisions of subsection (e) of section 1096 of the Tax Law, the Commissioner of Taxation and Finance hereby sets the overpayment rate of interest for the purposes of said subsection for the months of January, February and March 2006 at 6 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of January, February and March 2006 at 9 percent per annum. These rates are applicable to the New York State corporation tax (Article 9 of the Tax Law), franchise tax on business corporations (Article 9-A of the Tax Law), franchise tax on state banks, trust companies, financial corporations and tax on savings and loan associations (Article 9-B of the Tax Law), tax on national banking associations and production credit associations (Article 9-C of the Tax Law), motor fuel and diesel motor fuel taxes (Article 12-A of the Tax Law), unrelated business income tax (Article 13 of the Tax Law), petroleum businesses tax (Article 13-A of the Tax Law), taxes on alcoholic beverages (Article 18 of the Tax Law), tax on beverage containers (Article 18-A of the Tax Law), taxes on boxing and wrestling exhibitions (Article 19 of the Tax Law), tax on cigarettes and tobacco products (Article 20 of the Tax Law), highway use tax (Article 21 of the Tax Law), interest payable by or to an employer with respect to income taxes required to be withheld and paid over by the employer pursuant to Part V of Article 22 of the Tax Law, tax on lubricating oil (Article 24 of the Tax Law), State and local sales and use taxes administered by the Commissioner of Taxation and Finance (Articles 28 and 29 of the Tax Law), special tax on passenger car rentals (Article 28-A of the Tax Law), real estate transfer tax (Article 31 of the Tax Law), tax on gains from real property transfers (Article 31-B of the Tax Law), franchise tax on banking corporations (Article 32 of the Tax Law), franchise taxes on insurance corporations (Article 33 of the Tax Law), tax on independently procured insurance (Article 33-A of the Tax Law), the special assessments on hazardous waste (section 27-0923 of the Environmental Conservation Law), waste tire management and recycling fee (section 27-1913 of the Environmental Conservation Law), and underpayments or overpayments of the mortgage recording tax (Article 11 of the Tax Law) in cities having a population of one million or more.

No underpayment rate set hereby shall be less than 6 percent per annum. The underpayment rate for taxes on beverage containers and for State and local sales and use taxes administered by the Commissioner of Taxation and Finance shall not be less than 14 percent per annum and the underpayment rate for taxes on lubricating oil shall not be less than 12 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law shall be 15 percent.

For further information, including rates for previous periods, contact: Marilyn M. Kaltenborn, Director, Technical Services Division, Department of Taxation and Finance, State Campus, Albany, NY 12227, (518) 485-7820