

# 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 HEARING Insurance Department

The Insurance Department will hold, pursuant to Section 5412 of the Insurance Law, a public hearing in New York City to determine whether to require the New York Property Insurance Underwriting Association (NYPIUA) to provide a market for surety bonds.

NYPIUA is a joint underwriting association in which New York authorized property/casualty companies participate. NYPIUA acts as the residual market mechanism for New Yorkers seeking insurance for fire and extended property coverage.

Many small businesses, including many that are owned by women or minorities, have difficulty in obtaining the appropriate surety coverage needed to compete for bids for government contracts.

The hearing will take place on December 14, 2007 from 9:00AM to 12:00PM at the following address:

Adam Clayton Powell Jr., State Office Building  
163 West 125th Street - Room 215  
New York, NY 10027

The hearing is open to the public. Interested parties may testify at these hearings, or submit written comments to be included in the hearing record. Any person wishing to testify should contact the Department's Public Affairs Bureau at (212) 480-5262. Oral testimony will be allowed for up to 5 minutes.

Written comments should be addressed by regular mail to Ellen Wenz, Public Affairs Bureau, New York State Insurance Department, 25 Beaver Street, New York, NY 10004, or by a PDF attachment to e-mail at [ewenz@ins.state.ny.us](mailto:ewenz@ins.state.ny.us). Comments will be accepted for 15 days after the public hearing.

Oral and written testimony should address topics relative to access to the surety bond marketplace, such as:

- Whether coverage for surety bonds is readily available in the voluntary market.
- If coverage is not readily available, why it is not?
- The volume and nature of denials and restrictions on the coverage.
- Whether coverage is available in the excess lines market.
- The availability of reinsurance.
- The efficacy of a market assistance program as an alternative.
- The impact on New York's economy, statewide and regionally, of the any deficiencies in the surety bond market.

For additional information about this hearing, please contact Alwyn Codrington, Associate Insurance Examiner in the Property Bureau, at (212) 480-5467 or by e-mail at [acodrind@ins.state.ny.us](mailto:acodrind@ins.state.ny.us).

## PUBLIC NOTICE

Department of State  
F-2007-0537

Date of Issuance - November 28, 2007

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-2007-0537, Mr. Ralph Panella is proposing temporary bulkhead repair, and bulkhead and groin replacement at 540 Takaposha Road, along Hog Neck Bay in the Town of Southold, Suffolk county, New York. Specifically, the proposed activity would involve excavation behind the existing bulkhead, the installation of filter cloth, and the backfilling of the excavated area with clean trucked-in soil. Filter cloth would be placed on top of the fill and 20-50 pound core stone would be placed on top of the filter cloth. The next phase of the proposed activity would require the removal and in-place replacement of an existing 75-foot long bulkhead, the removal and replacement in place of a 20-foot long return on the eastern property line, the removal of a

20-foot long return and replacement with a 46-foot long return on the western property line, and the removal and replacement of an existing 20-foot long groin with a 20-foot long low-profile groin. The purpose of the proposed activity is to replace an aging, deteriorated, and failing bulkhead structure.

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, December 13, 2007.

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-2007-0731

Date of Issuance - November 28, 2007

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-2007-0731, Mr. George Smirnov, is proposing new construction of a one-family house at 118 Graham Boulevard, Staten Island, including driveway, septic tank and leachfield, and level approximately 241 cy of mixed gravel and silt loam fill from off-site. NYS DEC records indicate that the entire lot proposed for building, with the exception of a small portion along the road bed, is located entirely within NYS DEC Class I Freshwater Wetlands.

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, December 13, 2007.

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 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 2008, 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 2008, 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 2008, 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 2008, 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, Taxpayer Guidance Division, Department of Taxation & Finance, State Campus, Albany, NY 12227, (518) 457-2773*

**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 Steven Rocklin, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2007-1442 Matter of Sean Moran, for Hanlon Architects, 6605 Pittsford Palmyra Road, Fairport, New York 14450 for a variance concerning fire safety requirements including relief from requirements to provide a handicapped accessible route to a mezzanine. The building is classified as an F2 (low hazard Factory occupancy), one story in height of Type IIB (unprotected non-combustible) construction, and is located at ERM Manufacturing Corporation, 6377 Dean Parkway, in the Town of Ontario, Wayne County, State of New York.

2007-1454 Matter of Michael Chemelnicki/Regency Extended Care Center, Yonkers, New York 10701 for a variance concerning handicapped accessibility.

Involved is an existing six-story building, located at 65 Ashburton Avenue, City of Yonkers, County of Westchester, State of New York.

2007-1505 Matter of Pompey Community Church, Attn: Michael Miller, Board Chairman 7373 Academy Street, Pompey, NY 13138 for a variance concerning fire-safety requirements, including requirements to provide a sprinkler system in an assembly occupancy.

Involved is the construction of a one-story, wood-framed building for use as a church (fellowship hall, officers), known as the Pompey Community Church, located at corner of Route 20 and Berwyn Road, in the Town of Pompey, County of Onondaga, State of New York.

2007-1524 Matter of Al Arilotta, ALA Architects for an appeal of the Code Enforcement Official's decision with regard to the application of Chapter 34 of the New York State Building Code in reference to the need for a fire sprinkler installation. The building is classified as a mixed used F1 bakery with adjacent M mercantile occupancy, one story in height, of Type 5B construction, approximately 4,000 square feet in gross area, and is located at 25 Old Scottsville Road, Town of Chili, County of Monroe State of New York.

2007-1526 Matter of Matt Stowell, agent for the Hillside Family of Agencies for a variance concerning fire safety requirements including the installation of delayed egress locks. The building is classified as an E educational occupancy, one story in height, of Type 3B construction, approximately 64,000 square feet in gross area, known as the Halpern Education Center and is located at 695 Bay Road, Town of Webster, County of Monroe State of New York.

2007-1532 Matter of Jeffrey K. Hampshire, One West Main Street, Friendship, NY 14739, for a variance concerning the installation of roofing on a building, and an appeal of a Code Enforcement Official's decision on a building, located at 9399 West Hill Road, Town Allen, County of Allegany, State of New York.

2007-1536 Matter of Rune Hilt and Giuletta Racciatti, 30 Castle Street, Geneva, New York 14456, for a variance concerning fire safety requirements including relief from requirements to provide a commercial dishwasher hood and exhaust duct. The building is classified as an

A2 (Assembly occupancy) restaurant, three stories in height of Type IIIB (unprotected ordinary) construction, and is located at The Red Dove Tavern, 3- Castle Street, in the City of Geneva, Ontario County, State of New York.

2007-1539 Matter of John and Yvette Seamon, Box 94, Schuyler Lake, NY 13457 for a variance related to sprinkler system installation in accordance with Title 19 the New York State Uniform Fire Prevention and Building Code.

Involved is the construction of an one-story motel located at State Route 28, Town of Exeter, County of Otsego, State of York.

2007-1550 Matter of Anthony L. Pecoraro, for the New York State Office of Parks, Recreation and Historic Preservation, Finger Lakes Region, 2221 Taughannock Park Road, Trumansburg, New York 14886 for a variance concerning fire safety requirements including relief from requirements to provide a sprinkler system in an assembly occupancy. The building is classified as an A3 (assembly occupancy) park pavilion, one story in height of Type VB (unprotected wood frame) construction, approximately 4768 square feet in gross area, and is located at Buttermilk Falls State Park, on the corner of Sand Bank Road and New York State Routes 13/34/96, in the Town of Ithaca, Tompkins County, State of New York.

**SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE**

**Chenango Reforestation Area No. 2  
Contract No. X006768**

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 2,005 tons more or less, of red pine: 16.2 MBF, more or less, of white spruce, 0.4 MBF, more or less of black cherry, 0.1 MBF, more or less, of hand maple and 22 cords, more or less, of hardwood firewood located on Chenango Reforestation Area No. 2, Stand(s) D-34 and 45, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Dec., 13, 2007.

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

**SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE**

**Chenango Reforestation Area No. 2  
Contract No. X006769**

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following Sale of Forest Products:

Sealed bids for 153.8 MBF, more or less, of Norway spruce; 1.0 MBF, more or less, of black cherry; 0.7 MBF, more or less, of white ash; 0.6 MBF, more or less, of hard maple; 0.1 MBF, more or less, of red maple; 0.1 MBF, more or less, of aspen and 73 cords, more or less, of hardwood firewood located on Chenango Reforestation Area No. 2; Stands B-36 and 37, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m. on Thursday, Dec. 13, 2007.

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

SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE  
Chenango Reforestation Area No. 2  
Contract No. X006770

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following Sale of Forest Products:

Sealed bids for 2,915 tons, more or less, of red pine; 160.0 MBF, more or less, of white spruce; 0.4 MBF, more or less, of hard maple; 0.3 MBF, more or less, of white ash; 0.1 MBF, more or less, of black cherry; 0.2 MBF, more or less, of red maple; 0.1 MBF, more or less, of Scotch pine and 16 cords, more or less, of firewood located on Chenango Reforestation Area No. 2; Stands D-16 & 20 will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m. on Thursday, Dec. 13, 2007.

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