

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 Commission on Sentencing Reform

Tuesday, November 13, 2007 9:30 AM – 4:30 PM
New York City Bar Association
42 W. 44th Street
Manhattan, NY

Thursday, November 15, 2007 9:30 AM – 4:30 PM
Roosevelt Hearing Room C
Legislative Office Building - 2nd Floor
Albany, NY

Monday, November 19, 2007 9:30 AM – 4:30 PM
Buffalo and Erie County
Public Library Auditorium
One Lafayette Square
Buffalo, NY

SUBJECT: The Future of Sentencing in New York State

The New York State Commission on Sentencing Reform is conducting a series of public hearings around the State beginning November 13, 2007.

Governor Eliot Spitzer established the Commission pursuant to Executive Order No. 10 on March 5, 2007 to conduct a comprehensive review of New York's "current sentencing structure, sentencing practices, community supervision, and the use of alternatives to incarceration" in order to provide the State with "crucial guidance to

ensure the imposition of appropriate and just criminal sanctions, and to make the most efficient use of the correctional system and community resources." Following its inaugural session, the Commission conducted a series of meetings where state and national sentencing experts provided an in-depth review of New York's existing sentencing structure, sentencing practices and criminal justice system, as well as the many challenges facing that system and constructive proposals for reform.

In its Preliminary Report, the Commission concluded that while New York has made commendable progress in enhancing public safety through the combined use of limited correctional resources and a broad reliance on community-based alternatives to incarceration, there is tremendous opportunity for improvement. The Report is available online at the following web address: <http://www.criminaljustice.state.ny.us/legalservices/sentencingreform/2007prelimsentencingreformrpt.pdf>

Issues that the Commission is interested in exploring at the public hearings, and that witnesses should address, include, but are not limited to, the following:

- How do New York's existing sentencing laws impact offenders, victims and their families? How should these laws be streamlined, simplified or otherwise revised?
- The State's drug sentencing laws were last revised in 2004. What, if any, additional changes should be made to these laws?
- Should the State expand its use of alternatives to incarceration if such expansion can be accomplished without compromising public safety?
- What, if any, steps should be taken to enhance the quality and availability of substance abuse treatment programs and other community-based programs throughout the State?
- What improvements can be made to the manner in which offenders are supervised in the community and how should supervision be aligned with risk?
- The Commission has recommended that certain offenders who violate the terms of their supervision be subjected to graduated sanctions or other alternative sanctions in lieu of being returned to State prison. What types of sanctions should be utilized and how should they be implemented?
- How can New York improve institutional programming for incarcerated offenders, such as Shock, CASAT and Willard?
- How can New York's existing policies and procedures for preparing offenders for re-entry from prison to the community be improved?
- Are New York's laws governing the rights of crime victims in the sentencing and correctional process adequate? What, if any, statutory or other changes should be made to enhance the rights of crime victims in the sentencing and correctional process?

Persons wishing to testify or attend should complete the hearing reply form and return the completed form as indicated as soon as possible, but no later than Monday, November 5, 2007. It is important that the

form be fully completed and returned promptly so that persons may be notified in the event of emergency postponement or cancellation.

Oral testimony will be limited to 10 minutes in length. In preparing the order of witnesses, the Commission will attempt to accommodate individual requests to speak at particular times in special circumstances only. Such a request should be made on the reply form or communicated to Commission staff as soon as possible. If you are testifying, twenty copies of your written statement should be submitted on the day of the hearing at the hearing registration table. Alternatively, written testimony may be e-mailed as an attachment to: Patricia.Greco@dcjs.state.ny.us. Written testimony should be submitted no later than one week after the hearing date.

For further information and a copy of the hearing reply form contact Patti Greco of the New York State Division of Criminal Justice Services at (518) 485-6084 or at the above e-mail address.

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 November 2007 will be conducted on November 19 commencing at 9:30 a.m. This meeting will be conducted at New York Network, Suite 146, South Concourse, Empire State Plaza, Albany, NY. Directions and parking information available at (www.nyn.suny.edu).

For further information, contact the Office of Commission Operations, Department of Civil Service, Alfred E. Smith State Office Building, Albany, NY 12239 (518) 473-6598.

PUBLIC NOTICE
Department of Health

The Department of Health, Bureau of Tobacco Use Prevention and Control, announces the assignment of contract rights and responsibilities from Kingston Regional Health Care System to The Kingston Hospital. The funds are used to engage local stakeholders; educate community leaders and the public; and mobilize communities to strengthen tobacco-related policies to prevent and reduce tobacco use and limit opportunities for exposure to secondhand smoke.

For further information, contact: Lynn Heffernan, Health Program Administrator, Division of Chronic Disease Prevention and Adult Health, ESP, Corning Tower, Rm. 515, Albany, NY 12237, (518) 474-3050, e-mail: Lah12@health.state.ny.us

PUBLIC NOTICE
Department of Labor

Pursuant to Labor Law Article 2, Section 30 subdivisions 4, and 6, NYCRR Part 56, the Department of Labor hereby give public notice of the following:

TEXT OF NOTICE

In the Matter of
Part 4 of Title 12 of the Official
Compilation of Codes,
Rules and Regulations
of the State of New York
(Cited as 12 NYCRR 4)
(As Amended November 29, 2006)
Cases: ICR 4-6.4(a,b,c,d)

**COMMISSIONER'S
DECISION**

**APPLICABLE
VARIANCE
B-1
(AV-B-1)**

Clearances for Boilers Installed
After March 31, 1965 in a Space
or Room Not Previously Used to
House a Boiler

DATED: October 3, 2007

Pursuant to Section 30 of the Labor Law, the Commissioner of Labor has reviewed the provisions of Industrial Code Rule 4, as they relate to the clearances for boilers installed after March 31, 1965 in a space or room not previously used to house a boiler.

The Commissioner of Labor has also reviewed numerous petitions for variance or other relief relative to such boilers and the decisions rendered relative to these petitions.

The Commissioner of Labor finds that the issuance of an Applicable Variance from the above-cited provisions of Industrial Code Rule 4, as such pertain to the clearances for boilers installed after March 31, 1965 in a space or room not previously used to house a boiler; would not violate the spirit and purpose of said rules and would secure the public safety as contemplated by said rules.

APPLICABLE VARIANCE

A variance from the cited provisions of Industrial Code Rule 4 is hereby GRANTED subject to the following conditions:

THE CONDITIONS

1. Documentation shall be available stating the manufacturers' clearance recommendations. Sufficient clearance shall be maintained for safe operation, maintenance and inspection of the boiler. In all cases, these clearances shall meet or exceed the manufacturer's recommendations for minimum clearances.

2. A copy of this Applicable Variance shall be conspicuously posted at the entrance to the Boiler Room.

3. All other applicable provisions of Industrial Code Rule 4 shall be complied with.

This APPLICABLE VARIANCE shall apply and shall be applied by all enforcement officials to all persons and in all places to which the aforesaid provisions of Industrial Code Rule 4 apply to the clearance for boilers installed after March 31, 1965 in a space or room not previously used to house a boiler with the same force and effect as if this APPLICABLE VARIANCE were duly granted upon separate petition for the use and benefit of every person affected by the cited provisions of Industrial Code Rule 4.

In the Matter of
Part 4 of Title 12 of the Official
Compilation of Codes, Rules and
regulations of the State of New York
(Cited as 12 NYCRR 4)
(As Amended November 29, 2006)
Cases: ICR 4-6.8(a,b)

**COMMISSIONER'S
DECISION**

**APPLICABLE
VARIANCE B-2
(AV-B-2)**

Requirement for Boiler Room
Exits - Boilers Installed After
March 31, 1965

DATED: October 3, 2007

Pursuant to Section 30 of the Labor Law, the Commissioner of Labor has reviewed the provisions of Industrial Code Rule 4, as they relate to the requirement for boiler room exits - for boilers installed after March 31, 1965.

The Commissioner of Labor has also reviewed numerous petitions for variance or other relief relative to such boilers and the decisions rendered relative to these petitions.

The Commissioner of Labor finds that the issuance of an Applicable Variance from the above-cited provisions of Industrial Code Rule 4, as such pertain to the requirement for boiler room exits - for boilers installed after March 31, 1965, would not violate the spirit and purpose of said rules and would secure the public safety as contemplated by said rules.

APPLICABLE VARIANCE

A variance from the cited provisions of Industrial Code Rule 4 is hereby GRANTED subject to the following conditions:

THE CONDITIONS

1. The boiler rooms shall be unmanned and whenever it is occupied for maintenance, repair, and inspection purposes, the door/doors shall be fastened open to the full opening of the exit. Boiler rooms with an

area of less than 500 square feet shall be provided with at least one exit not less than 36 inches wide. If such room has an area of 500 square feet or more, two exits remote from each other must be provided. These exits must be at least 36 inches wide. If required, the access to the remote exit may be a permanent vertical or inclined metal ladder not less than 18 inches wide.

2. A copy of this Applicable Variance shall be conspicuously posted at the entrance to the Boiler Room.

3. All other applicable provisions of Industrial Code Rule 4 shall be complied with.

This APPLICABLE VARIANCE shall apply and shall be applied by all enforcement officials to all persons and in all places to which the aforesaid provisions of Industrial Code Rule 4 apply to the requirement for boiler room exits for boilers installed after March 31, 1965 with the same force and effect as if this APPLICABLE VARIANCE were duly granted upon separate petition for the use and benefit of every person affected by the cited provisions of Industrial Code Rule 4.

For further information contact: Blaise Thomas, Associate Safety & Health Engineer, Department of Labor, Division of Safety & Health, State Campus, Bldg. 12, Rm. 154, Albany, NY 12240, (518) 457-1534

PUBLIC NOTICE

City of New York
Office of Labor Relations

The City of New York Office of Labor Relations (OLR) is seeking proposals from qualified vendors to provide Commission Recapture and Directed Brokerage services for the Deferred Compensation Plan. The Request for Proposals will be available beginning on Friday, November 2, 2007. Responses are due no later than 4:30 p.m. Eastern Time on Friday, December 14, 2007. To obtain a copy of the RFP, please visit the OLR web site at: <http://nyc.gov/html/olr/html/requests/rfp.shtml>

If you have any questions, please submit them by fax to Georgette Gestely, Director, New York City Deferred Compensation Plan, at (212) 306-7376.

PUBLIC NOTICE

Office of Parks, Recreation and Historic Preservation

Pursuant to section 14.07 of the Parks, Recreation and Historic Preservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives notice of the following:

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the State Review Board will be considering nomination proposals for listing of properties in the State Register of Historic Places at a meeting to be held at 10 a.m. December 13, 2007, at Peebles Island State Park, Waterford, New York.

The following properties will be considered:

1. Concordia Cemetery, Buffalo, Erie Co.
2. Williamsville Junior and Senior High School, Williamsville, Erie Co.
3. Beardsley-Oliver House, Olean, Cattaraugus Co.
4. SPITFIRE (shipwreck), Lake Champlain, Clinton-Essex Cos.
5. Sherwood Equal Rights Historic District, Sherwood, Cayuga Co.
6. East Main Street Armory, Rochester, Monroe Co.
7. St. Moritz Hotel, New York, New York Co.
8. Fraunces Tavern, New York, New York Co.
9. Bird-Pulver House, Stanfordville vicinity, Dutchess Co.
10. Town-Hollister Farm, North Granville, Washington Co.
11. Woodlawn Farm, Slate Hill, Orange Co.
12. Rushmore Memorial Building, Highland Mills, Orange Co.

13. Building at 1-3 West Main St., Webster, Monroe Co.
 14. Building at 413 Lake St., Elmira, Chemung Co.
 15. Jacob Lowman House, Lowman, Chemung Co.
 16. Lowman Schoolhouse, Lowman, Chemung Co.
 17. Starr House, Leicester, Livingston Co.
 18. Portageville Chapel, Portageville, Wyoming Co.
 19. Friendship Library, Friendship, Allegany Co.
 20. Hammondsport School, Hammondsport, Steuben Co.
 21. Trinity Episcopal Church, Buffalo, Erie Co.
 22. Jamesport Meeting House, Jamesport, Suffolk Co.
 23. Brewster House, Setauket, Suffolk Co.
 24. Cortland Public Library, Cortland, Cortland Co.
 25. Knox Mansion, Johnstown, Fulton Co.
 26. Enlarged Double Lock 23, Old Erie Canal, Rotterdam vicinity, Schenectady Co.
 27. South Ann Street-Mill Street Historic District, Little Falls, Herkimer Co.
 28. General Walter Martin House, Martinsburg, Lewis Co.
 29. Utica Parks and Parkway Historic District, Utica, Oneida Co.
 30. St. Agnes Cemetery, Menands, Albany Co.
 31. Rock Valley Schoolhouse and Cemetery, Long Eddy, Delaware Co.
 32. General Electric Tower, Buffalo, Erie Co.
 33. Hotel Syracuse, Syracuse, Onondaga Co.
 34. Smith Observatory and William R. Brooks House, Geneva, Ontario Co.
 35. Sleepy Hollow Cemetery, Sleepy Hollow, Westchester Co.
 36. Evangeline Booth House, Hartsdale, Westchester Co.
 37. Hadden-Margolis House, Harrison, Westchester Co.
 38. General Walter Martin House, Martinsburg, Lewis Co.
 39. Farmers' and Merchants' Bank Building (Geneva Savings Bank), Geneva, Ontario Co.
 40. Cornell Shops Building, Kingston, Ulster Co.
 41. 1932 Olympic Bobsled Run, Lake Placid/North Elba, Essex Co.
- Comments may be submitted to Carol Ash, Commissioner of Parks, Recreation and Historic Preservation, attention Historic Preservation Field Services Bureau, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than December 12, 2007, or may be submitted in person at the meeting by contacting Ruth L. Pierpont at the same address no later than December 10, 2007.
- For further information, contact Ruth L. Pierpont, Director, Historic Preservation Field Services Bureau, Office of Parks, Recreation and Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189 (phone: 518-237-8643).

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.

2007-1412 Matter of Darlin Marlip Corporation, c/o Gary Wolch, P.O. Box 1357, Orchard Park, NY 14127 for a variance concerning the ceiling height in basement apartments.

Involved is the renovation to install a basement apartment in an existing two-story building, of wood frame construction, for permanent multiple dwelling occupancy, located at 683 Harlem Road, Town of West Seneca, County of Erie, State of New York.

2007-1413 Matter of Darlin Marlip Corporation, c/o Gary Wolch, P.O. Box 1357, Orchard Park, NY 14127 for a variance concerning the ceiling height in basement apartments.

Involved is the renovation to install a basement apartment in an existing two-story building, of wood frame construction, for permanent multiple dwelling occupancy, location 689 Harlem Road, Town of West Seneca, County of Erie, State of New York.

2007-1414 Matter of Darlip Marlip Corporation, c/o Gary Wolch, P.O. Box 1357, Orchard Park, NY 14127 for a variance concerning the ceiling height in basement apartments.

Involved is the renovation to install a basement apartment in an existing two-story building, of wood frame construction, for permanent multiple dwelling occupancy, located at 695 Harlem Road, Town of West Seneca, County of Erie, State of New York.

2007-1415 Matter of Darlip Marlip Corporation, c/o Gary Wolch, P.O. Box 1357, Orchard Park, NY 14127 for a variance concerning the ceiling height in basement apartments.

Involved is the renovation to install a basement apartment in an existing two-story building, of wood frame construction, for permanent multiple dwelling occupancy, located at 701 Harlem Road, Town of West Seneca, County of Erie, State of New York.

2007-1416 Matter of Darlip Marlip Corporation, c/o Gary Wolch, P.O. Box 1357, Orchard Park, NY 14127 for a variance concerning the ceiling height in basement apartments.

Involved is the renovation to install a basement apartment in an existing two-story building, of wood frame construction, for permanent multiple dwelling occupancy, located at 707 Harlem Road Road, Town of West Seneca, County of Erie, State of New York.

2007-1476 Matter of James R. McDermott, 705 4th Avenue, Troy, NY 12182 for a variance concerning fire safety issues including the code requirement for two exits from a five-story building.

Involved is the reconstruction of an existing building containing an F1/R3 (moderate hazard industrial/two-family dwelling) occupancy, of Type IIIB (ordinary) construction, having a cumulative gross floor area of 9,200 square feet. The building is located at 177 River Street, City of Troy, Rensselaer County, State of New York.

2007-1477 Matter of Joseph Capovani, American Italian Heritage Association, 1227 Central Avenue, Albany, NY 12205 for a series of variances concerning required plumbing fixtures, electrical service, structural loading, means of egress and the requirement for the installation of a sprinkler system.

Involved is the reconstruction of an existing building containing an A-3 (museum/assembly) occupancy, two stories in height, of Type IIIB (ordinary) construction having a cumulative gross floor area of 6,500 square feet. The building is located at 1227 Central Avenue, City of Albany, Albany County, State of New York.

2007-1478 Matter of Robert L. Beebe, LLC, 514 Vischers Ferry Road, Clifton Park, NY 12065 for an appeal of the Code Enforcement Officer's decision to deny a building permit to construct a single-family dwelling on a lot in the town on the basis of an inadequate sanitary disposal system.

Involved is the application for a building permit of a proposed single-family dwelling, of Type VB (wood frame) construction, one story in height, having a cumulative gross floor area of 600 square feet. The building is located at 139 Battenkill Evergreens, Town of Jackson, Washington County, State of New York.

2007-1479 Matter of Garry Robinson, PE, Consulting Engineer, 114 Monument Drive, Schuylerville, NY 12871 for a variance concerning the code requirements related to the installation of a sewage disposal system.

Involved is the construction of a building containing a single-family dwelling, of Type VB (wood frame) construction, two stories in height, having a cumulative gross floor area of 1,700 square feet. The building is located on Lake Desolation Road, Town of Greenfield, Saratoga County, State of New York.

2007-1481 Matter of Lamparelli Construction Co., Paul Lamparelli, 590 Kennedy Road, Cheektowaga, NY 14225 for a variance concerning fire separation between dwelling units.

Involved is the construction of a two-story building of wood frame construction for permanent multiple dwelling occupancy with approximate gross floor area of 48,500 square feet, located at 2911 William Street, Town of Cheektowaga, County of Erie, State of New York.

2007-1500 Matter of Matthew W. Mason, RA, C.T. Male Associates, PC, 50 Century Hill Drive, Latham, NY 12110, for a variance concerning the code calculation of the number of occupants in a building and the resulting requirement for a fire alarm system based upon the occupant load.

Involved is the construction of a water filtration building containing H-4, F-2, & S-2 (hazardous, low hazard industrial, low hazard storage) occupancies, one story in height of Type IIB (non-combustible) construction, having a cumulative gross floor area of 24,000 square feet. The building is known as the "Membrane Building" located at the Saratoga County Water Treatment Plant, Butler Road, Town of Moreau, Saratoga County, State of New York.