

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 September 2008 will be conducted on September 9 commencing at 9:30 a.m. and September 10 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: Office of Commission Operations, Department of Civil Service, Alfred E. Smith State Office Building, Albany, NY 12239 (518) 473-6598.

PUBLIC NOTICE

Sanitary District No. 1
Town of Hempstead
Nassau County, L.I., N.Y.
Notice to Proposers
Operation and Maintenance of
Recyclable Materials Separation
and Refuse Transfer Station
and
Disposal of Solid Waste Remaining
After Recover of Recyclable Materials

Please Take Notice that a Final Request for Proposals (FRFP) in accordance with the provisions of General Municipal Law, Section 120-w, for i) operation and maintenance of an existing Materials Recovery Facility (MRF), and ii) for the disposal of the District's solid waste stream remaining after recovery of recyclable materials, after August 29, 2009, from the District's MRF and transfer station located at the premises of Sanitary District No. 1, Bay Boulevard,

Lawrence, Long Island, New York, will be made available by Sanitary District No. 1, Town of Hempstead, at the offices of the District, at Bay Boulevard, Lawrence, L.I., N.Y. on and after August 11, 2008. In addition, a copy of the FRFP shall be on file and available for public review at the offices of the District during normal business hours. Inquiries may be made by telephone at 516-239-5600.

Sealed proposals in response to the FRFP are expected to be received by the District at 11:00 am on August 25, 2008 at the District's offices at Bay Boulevard, Lawrence, L.I.

Proposers may submit proposals on either or both of the tasks described in the FRFP, and the District reserves the right to award the contracts to separate proposers as to each contract or to a single proposer for both contracts.

The District reserves the right to waive any informalities and to accept any proposal it determines is most responsive to the District's request for proposals.

No proposal may be withdrawn earlier than a period of 60 days after publication of notice of the District having awarded a contract to the successful proposer.

PUBLIC NOTICE

Office of Parks, Recreation
and Historic Preservation

ORDER PURSUANT TO SECTIONS 3.09(5)(8)(13), 27.01 AND 27.03 OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW AND SECTIONS 10, 19 AND 30 OF THE NAVIGATION LAW PRESCRIBING THE FORM FOR THE UNIFORM APPEARANCE TICKET AND SIMPLIFIED INFORMATION

Summary: This Commissioner's Order authorizes use of the NYS Department of Motor Vehicles' (DMV) uniform ticket/simplified information for violations of the Parks, Recreation and Historic Preservation Law, the Navigation Law, articles 47 and 48 of the Vehicle and Traffic Law, State regulations and orders that implement those statutes, and local laws, ordinances and regulations.

Whereas, Section 27.03(1) of the Parks, Recreation and Historic Preservation Law (PRHPL) authorizes the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP) to:

prescribe the form of an appearance ticket and simplified information for all cases involving a violation of this chapter, articles forty-seven and forty-eight of the vehicle and traffic law, or of any local law, ordinance, rule, regulation or order adopted or promulgated thereunder, or of any class or category of such cases, and to establish procedures for proper administrative controls over the disposition thereof. The commissioner may, in his discretion, combine the form of the uniform appearance ticket and simplified information authorized by this section with the appearance ticket and information authorized under the navigation law.

Whereas, Section 19(1) of the Navigation Law authorizes the Commissioner to:

prescribe the form of summons and/or complaint in all cases involving a violation of any provision of this chapter or of any ordinance, rule or regulation relating to navigation.

Whereas, the NYS Department of Motor Vehicles (DMV) issues, updates and distributes a form known as the uniform ticket/simplified information/complaint (uniform ticket); and

This DMV uniform ticket form is equivalent to and satisfies the requirements of the uniform appearance ticket/simplified information form required for traffic infractions and violations of the PRHPL, Navigation Law, articles 47 and 48 of the Vehicle and Traffic Law, Subtitle I of Title 9 NYCRR, Commissioner's Orders, and local laws, ordinances and regulations.

NOW, THEREFORE,

I hereby authorize use of the DMV uniform ticket for traffic infractions and violations of the PRHPL, Navigation Law, articles 47 and 48 of the Vehicle and Traffic Law, Subtitle I of Title 9 NYCRR, Commissioner's Orders, and local laws, ordinances and regulations.

IT IS SO ORDERED:

/s/

CAROL ASH

COMMISSIONER

DATED: Albany, New York
July 30, 2008

PUBLIC NOTICE
Office of Parks, Recreation
and Historic Preservation

**DESIGNATION OF CROSS-BORDER SNOWMOBILE TRAIL
PURSUANT TO SECTIONS 3.09(8) AND 25.04 OF THE PARKS,
RECREATION AND HISTORIC PRESERVATION LAW AND
SECTION 2222(12) OF THE VEHICLE AND TRAFFIC LAW**

Summary: The Commissioner describes a trail that crosses between New York and Vermont and designates it as a cross-border trail so that a nonresident who owns a snowmobile registered in Vermont may use that snowmobile on this cross-border trail without also registering that snowmobile in New York.

Whereas, the Commissioner is required to designate "snowmobile trails which proceed along a New York state border and which, occasionally as dictated by terrain, cross into another state" (cross-border trail) (PRHPL § 25.04); and

Once designated, "nonresident owned snowmobiles may proceed [on this cross-border trail] without New York State registration. . . ." (VTL § 2222[12]); and

A snowmobile trail located in Washington County meets the statutory criteria in that it crosses from New York into Vermont and back again; and

Nonresidents whose snowmobiles are registered in Vermont desire to use their snowmobiles on this trail without registering them in New York; and

Local New York businesses providing food, fuel, lodging, tourism and repair services to users of this trail and New York municipalities along the trail could benefit from the designation of a cross-border trail between New York and Vermont.

NOW, THEREFORE,

1. I hereby designate a New York-Vermont cross-border trail and describe it as follows:

The cross-border trail starts in Salem, New York on Snowmobile Corridor Trail C9 and extends north into Rupert, Vermont. Trail C9 then enters back into New York from Pawlet, Vermont at Trail Junction WS17C in the Town of Granville and continues through the Village of Granville. Route marker signs will direct snowmobilers to continue north on Trails C9 or S42 or S42A depending upon trail conditions. Trails S42 and S42A re-connect with Trail C9 at Trail Junction WS44. Trail C9 then travels north to connect with Trail C4 at Trail Junction WS13C. Trail C4 then re-enters Vermont heading

towards Poultney. These trails are delineated on the Office of Parks, Recreation and Historic Preservation's Map entitled "Washington County Snowmobile Trails" that is updated annually and available from the Agency.

2. I hereby direct notice this designation and the cross-border trail description be published

- in the New York State Register,
- in publications available and accessible to the snowmobiling public; and
- on the Agency's web site.

3. I hereby further direct notice of this designation and the cross-border trail description be provided to State and local law enforcement agencies and to the Commissioner of Motor Vehicles.

IT IS SO ORDERED:

/s/

Carol Ash

Commissioner

DATED: Albany, New York
August 5, 2008

PUBLIC NOTICE

Department of State

F-2008 -0372

Date of Issuance - August 27, 2008

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 One Commerce Plaza, 99 Washington Avenue in Albany, New York.

In F-2008-0372, the Club at Bayberry Homeowners Association, 400 Ocean Avenue, Town of Islip, Suffolk County, is proposing to perform maintenance on, as well as construct some new, waterfront structures. The details of the proposed work are as follows:

- remove and replace, in place, two sections of timber bulkhead. This involves the replacement of 265' along the bay front, south of the basin, and 957' within the basin and inlet for a total of 1222 linear feet;
- remove and replace, in place, a 78' existing timber jetty and a 60' existing solid fill timber jetty, both located at the inlet to the basin;
- remove and replace, in place, two existing groins (one 30' and one 28') along the bay shore;
- repair and replace, in place, one 70' section, one 157' section and one 245' section of existing gabion, for a total length of 472' to be replaced;
- install 135' of new gabion along the bayfront at the southwest portion of the association property;
- construct 642' of new bulkhead, above mean high water, beginning at the existing bulkhead of the adjacent property to the north and extending south to tie into the bulkhead at the existing solid-fill jetty;
- construct 250' of new stone armoring, beginning immediately north of the existing solid-fill jetty and in front of the proposed new bulkhead;
- dredge the inlet and basin to -4' MLW and the sand deposition basin for a proposed sand by-pass system (south of the timber jetty) to -8' MLW, removing a total of 4,460 cubic yards. 1,860 cubic yards of spoil is to be removed to an approved upland site, while 2,600 cubic yards is to be beneficially re-used as follows:
 - proposed beach nourishment at the same location as the proposed new armoring and bulkhead, using 800 cubic yards of dredge spoil;

- construct a dune community with 1,800 cubic yards of clean dredge spoil, landward of the proposed new bulkhead at the north end of the association property.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, September 26, 2008.

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, One Commerce Plaza, 99 Washington Avenue, 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-2008-0539 (DA)

Date of Issuance -August 27, 2008

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 United States Environmental Protection Agency, 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 One Commerce Plaza, 99 Washington Avenue in Albany, New York.

In F-2008-0539 DA, the U.S. Environmental Protection Agency proposes the issuance of two National Pollutant Discharge Elimination System (NPDES) permits for discharges “incidental to the normal operation of vessels” including, but not limited to, deck runoff, graywater, engine cooling water, bilge water, ballast water, and anti-fouling leachate. The Vessel General Permit (VGP) will cover discharges “incidental to the normal operation” of commercial vessels and recreational vessels greater than 79 feet in length. The Recreational General Permit (RGP) will cover discharges “incidental to the normal operation” of recreational vessels and uninspected passenger vessels less than 79 feet in length. These permits will apply to the waters “of the United States,” defined as those waters extending to the outer reach of the 3 mile territorial sea, as defined in section 502(8) of the CWA.

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 September 11, 2008.

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, One Commerce Plaza, 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
F-2008-0601 (DA)

Date of Issuance -August 27, 2008

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 United States The United States Department of the Interior, Army Corps of Engineers, 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 ac-

companying public information and data is available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue in Albany, New York.

In F-2008-0601 DA, the U.S. Army Corps of Engineers (COE), Department of the Interior, is proposing to perform maintenance dredging of the navigation channel at Shinnecock Inlet. Shinnecock Bay, Hampton Bays, Town of Southampton, Suffolk County. The proposed plan involves the dredging of a channel 200 feet wide and 10 feet deep at MLW of the Atlantic Ocean, a deposition basin 20 feet deep and 800 feet wide seaward of the jetties that envelopes the channel, and an inner bay channel at 100 feet wide by 6 feet deep to meet the Intracoastal Waterway, approximately 1 mile in length. They have estimated that the proposed dredging will remove approximately 400,000 cubic yards of sand, to be placed along the Atlantic Ocean Beach as nourishment at or about 1.5 miles west of the jetty, near Road K.

Maintenance dredging will be accomplished by pipeline dredge, hopper dredge or similar; the entire channel will not require dredging, only areas where shoaling has occurred. No work will occur during the environmental windows for roseate terns and piping plovers (April 1st to September 15th).

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., 30 days from the date of publication of this notice, or September 26, 2008.

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, One Commerce Plaza, 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 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 October, November, and December 2008, at 5 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of October, November, and December 2008, at 7 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 October, November, and December 2008, at 5 percent per annum; and sets the underpayment rate of interest for the purposes of said subsection for the months of October, November, and December 2008, at 8 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: William Ryan, Director, Taxpayer Guidance Division, Department of Taxation and Finance, W.A. Harriman 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, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2008-0405 Matter of Jeff Roloson, AIA, for LaBella Associates, PC, 300 State Street, Rochester, New York, 14614 for a variance concerning Uniform Code requirements including relief from requirements to provide opening protectives in a fire wall. The subject building is classified as a A3 (assembly occupancy) YMCA, 1 story in height, of Type IIB (unprotected non-combustible) construction, and is located at the Canandaigua YMCA, 32 Main Street, in the City of Canandaigua, Ontario County, State of New York.

2008-0479 Matter of William Carascio, 567 Cypress Street, Elmira, New York for a variance concerning flood resistant construction requirements, including the need for two feet of freeboard. The building is classified as a Residential Occupancy, one story in height, approximately 456 square feet in area and of Type 5B (Wood-frame, unprotected) construction, and is located at 3457 Sandy Cove, Town of Canandaigua, State of New York.

2008-0480 Matter of Ena Gill, 3 Valley View Drive, Victor, New York for a variance concerning third story construction requirements, including the need for a sprinkler system. The building is classified as a Residential Occupancy, three stories in height, approximately 1,698 square feet in area and of Type 5B (Wood-frame, unprotected) construction, and is located at 85 Crittenden Blvd., City of Rochester, State of New York.

2008-0481 Matter of William Frandsen, 19 Orchard Street, Spencer, New York, 14883 for a variance concerning Uniform Code requirements including relief from requirements to install a required ice and water shield on three buildings in a complex. The subject buildings are classified as R2 (permanent occupancy) multiple dwellings, 1 story in height, of Type VB (unprotected wood frame) construction, and are located at Montour Falls Family Housing, Raymond Street, in the Village of Montour Falls, Schuyler County, State of New York.

2008-0484 Matter of Finger Lakes Construction Company, Inc., 10269 Old Route 31, Clyde, New York, 14433 for a variance concerning Uniform Code requirements including relief from requirements to provide sprinklers in high rack storage. The subject building is classified as an S1 (moderate hazard storage occupancy) warehouse, 1 story in height, of Type IIB (unprotected non-combustible) construction, and is located at the Marshall Pet Products, 5740 Limekiln Road, in the Town of Butler, Wayne County, State of New York.

SALE OF FOREST PRODUCTS

Oneida Reforestation Area No. 1
Contract No. X007007

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

Sale of Forest Products: sealed bids for white pine sawtimber 54.4 MBF more or less, red pine sawtimber 28.6 MBF more or less, pine pulp 129 cords more or less located on Oneida Reforestation Area No. 1, Stand A-26, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, September 11, 2008.

For further information, contact: Scott Healy, Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 6, 225 N. Main St., P.O. Box 89, Herkimer, NY 13350-0089, (315) 866-6330