

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

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

REVISED NOTICE OF PUBLIC HEARING

Superintendent of Insurance and Attorney General

Pursuant to Sections 201 and 301 and Articles 21 and 24 of the Insurance Law, the Superintendent of Insurance and the Attorney General will conduct Public Hearings in New York City, Albany, and Buffalo to obtain the views of interested persons about the proposed addition of a new regulation to the Insurance Department's regulations (Title 11 of the New York Code of Rules and Regulations) regarding permissible forms of insurance producer compensation and disclosure by insurance producers of all forms of compensation.

In 2004, the Attorney General and the Superintendent conducted investigations of a number of insurance brokers and insurers to determine whether certain types of producer compensation led to deceptive business practices by brokers and insurers. The investigations also focused on whether there was adequate disclosure of compensation to clients. The Attorney General and the Superintendent alleged that at many companies, payment of contingent compensation led insurance producers to steer their clients to insurers paying the producers the most compensation. The Attorney General and the Superintendent also alleged that the then current level of disclosure did not properly inform clients of the compensation to be received.

As a result, the Attorney General and the Superintendent entered into a number of agreements and stipulations that prohibited the receipt

of contingent commissions by certain insurance brokers; prohibited the payment of contingent compensation by certain insurers for certain lines of insurance; provided a mechanism for expansion of the prohibition of contingent compensation to additional lines of insurance; and required substantial improvements in the disclosure of producer compensation provided to certain producers' clients. The agreements, however, did not include all the producers and insurers doing business in New York.

The Superintendent of Insurance is empowered under the Insurance Law to prescribe regulations interpreting the provisions of the Insurance Law. Insurance Law Section 2101(k) defines "insurance producer" to mean an insurance agent, insurance broker, reinsurance intermediary, excess lines broker, or any other person required to be licensed under the laws of this State to sell, solicit or negotiate insurance.

The proposed regulation will address the issue of "producer compensation" for the market as a whole. For purposes of the proposed regulation, "compensation" shall mean anything of value, including money, credits, loans, interest on premium, forgiveness of principal or interest, vacations, prizes, gifts or the payment of employee salaries or expenses, whether paid as commission or otherwise, but shall not include benefits provided to an insurance agent from an insurer as part of the insurer's employee benefit plan where benefits are similarly provided to non-agent employees.

The Superintendent and the Attorney General seek the views of interested parties on whether insurance producers in this State should be required to make full disclosure to the insured, and obtain its consent, in writing of any compensation from an insurer or other entity relating to the issuance, renewal or servicing of the insured's insurance policy or annuity contract.

The Superintendent and the Attorney General also seek views about contingent commissions, and whether such compensation creates an irreconcilable conflict of interest for producers.

Independent insurance producers (as opposed to captive agents who write business exclusively for a single insurer) generally receive two types of compensation. The first is a flat percentage commission based on premium volume paid at the time of sale. There may be different flat rates paid for new and renewal business.

The second is a contingent commission, which may be paid in addition to flat percentage commissions, and which typically is based on profit, volume, retention, and/or business growth. Contingent commissions are not payable on a per risk basis, but are allocated based on the performance of the entire portfolio of business placed with a particular insurer. The contingent commission schedule is known to producers at the beginning of a given period of time (usually one year), but contingent commissions actually earned are calculated some period after business is placed and loss experience is observed.

Some insurers also pay supplemental commissions. Supplemental commissions are similar to contingent commissions in that an incentive

structure based on profit, volume, retention, and/or business growth is generally put in place at the beginning of a given year. But under a supplemental system, rather than paying additional cash commissions at the end of the year, the incentive structure is used to reset the flat percentage commission for the following year.

According to critics, contingent commissions create a conflict of interest for ostensibly independent producers. Contingent commissions are paid to such producers based on the volume and profitability of business that they refer to insurers. The size and structure of the contingent commissions that insurers offer to intermediaries therefore can vary significantly and can lead to abuses such as improper "steering" of clients to insurers that allegedly fail to provide coverage as beneficial as that offered by competitors.

Defenders of contingent commissions argue that competition in the marketplace can adequately address any conflicts. They also point out that the conflicts of interest created by contingent commissions are also inherent in the payment of supplemental and flat percentage commissions.

The Attorney General and the Superintendent are interested in learning to what extent contingent, supplemental and flat percentage commissions are currently leading to steering or other deceptive or anti-competitive practices in the marketplace, and to understand what mechanisms are most effective to curb such practices.

In particular, oral and written testimony should address topics pertaining to the form and disclosure of producer compensation (including contingent commissions) such as: whether disclosure of compensation is necessary; whether disclosure requirements should apply to all agents and brokers; whether disclosure should be required when the amount of producer compensation cannot be ascertained at the outset of the customer/producer relationship; whether there are certain categories of transactions that should be exempted from some or all disclosure requirements; whether certain types of compensation should be permissible and whether steering associated with contingent commissions should be considered an unfair act or practice within the meaning of Article 24 of the Insurance Law.

The public hearings are scheduled as follows:

Date: July 14, 2008

Location: Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203

Time: 10:00 AM

Date: July 23, 2008

Location: Chancellor's Hall
State Education Building
89 Washington Ave
Albany, NY 12234

Time: 10:00 AM

Date: July 25, 2008

Location: New York University
Eisner & Lubin Auditorium
4th Floor
Helen and Martin Kimmel Center for University Life
60 Washington Square South
New York, NY 10012

TIME: 10:00 AM

The hearings are 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 Insurance Department's Public Affairs Bureau at (212) 480-5262. Oral testimony will be allowed for up to 5 minutes.

Written comments for the hearing record may be submitted to Broker Compensation Hearings, Public Affairs Bureau, New York State Insurance Department, 25 Beaver Street, New York, NY 10004, or e-mailed to PublicHearingsComments@ins.state.ny.us with the

subject line "BROKER COMPENSATION HEARINGS."

Comments will be accepted by the Department for up to 15 business days after the public hearing.

For additional information about this hearing, please contact: Ellen Buxbaum, Associate Counsel - Special Investigations at (212) 480-6254 or by e-mail at Ebuxbaum@ins.state.ny.us

PUBLIC NOTICE

Department of Criminal Justice Services
Subcommittee on Forensic DNA Laboratories and Forensic DNA Testing

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Subcommittee on Forensic DNA Laboratories and Forensic DNA Testing:

Date: Thursday, July 31, 2008

Time: 10:00 a.m.

Place: NYC Office of the Chief Medical Examiner DNA Laboratory
421 East 26th Street
New York, NY

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

PUBLIC NOTICE

Division of Military and Naval Affairs
New York National Guard Counterdrug Program

The Division of Military and Naval Affairs through the New York National Guard Counterdrug Support Program assists civilian law enforcement agencies and community-based organizations in New York State to counter illicit drug activity pursuant to the authority of Section 11 of the Military Law and Division of Military and Naval Affairs Regulation 500-2, promulgated on June 1, 2006, that authorizes and prescribes the standard policies, procedures, responsibilities and overall concept of operation governing the New York National Guard Counterdrug Support Program.

For further information, contact: Colonel Alden Saddlemire, Director, New York National Guard Counterdrug Task Force, One National Guard Rd. - Bldg. 24, Stratton Air National Guard Base, Scotia, NY 12302-9752; or through the e-mail webmaster at www.counterdrug.c om

PUBLIC NOTICE

Office of Parks, Recreation and Historic Preservation

Public Notice to amend the Long Island North Shore Heritage Area Management Plan pursuant to Title G, Article 35.03 Section (2) of the New York Parks Recreation and Historic Preservation Law.

The New York State Legislature established the Long Island North Shore Heritage Area in 1998 for the purpose of preserving and enhancing the historic, cultural and natural resources of Long Island's North Shore. The Long Island North Shore Heritage Area Planning Commission prepared a management plan to be utilized for planning, preservation and enhancement of the Heritage Area. The management plan was approved by the Commissioner of the New York State Office of Parks, Recreation and Historic Preservation on December 8, 2006. On March 21, 2008 the Long Island North Shore Heritage Area Inc. submitted a request to amend the Long Island North Shore Heritage Area Management Plan. Such amendment includes a boundary change

to include the addition of the Village of Oyster Bay Cove and the Village of Centre Island to the Long Island North Shore Heritage Area. The New York State Heritage Area Advisory Council approved the Long Island North Shore Heritage Area Management Plan Amendment, as described above, on June 19, 2008.

A copy of the approved Long Island North Shore Heritage Area Management Plan is available at: www.linorthshoreheritagearea.com or at the offices of the Long Island North Shore Heritage Area, P.O. Box 58, Oyster Bay, NY 11772.

NYSOPRHP considers this action to be a routine change to the approved Long Island North Shore Heritage Area Management Plan. Any comments should be submitted by July 22, 2008 to: Marcia Kees, Office of Parks, Recreation and Historic Preservation, P.O. Box 219, Waterford, NY 12188.

PUBLIC NOTICE

Department of State

F-2008-0270; F-2008-0271; F-2008-0266; F-2008-0325

Date of Issuance - July 16, 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 applicants have certified that the proposed activities comply with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicants' consistency certifications 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-2008-0266, F-2008-0270, F-2008-0271, and F-2008-0325, the Davis Park Beach Erosion Control District (BECD); Fire Island Pines BECD; Village of Saltaire, Fair Harbor BECD, Dunewood BECD, and Lonelyville BECD; and the Village of Ocean Beach, Fire Island Summer Club BECD, Corneille Estates BECD, Seaview BECD, and Ocean Bay Park BECD, respectively, are proposing the nourishment of the existing beaches and dunes along their respective shorefronts along the south shore of Fire Island in the Towns of Islip and Brookhaven in Suffolk County, New York using material from a borrow area in the Atlantic Ocean south of Fire Island.

Specifically, the nourishment project consists of constructing a beach berm with an elevation of 7.9 ft NAVD with a dune elevation of 15.4 ft NAVD. Renourishment will extend along approximately 29,830 linear feet of shoreline with 500-foot taper sections to the east and west of each segment, except for the western taper section of the Western Fire Island Segment (F-2008-0271) which will only be 400 feet. Construction will be accomplished by utilizing a hydraulic cutterhead dredge connected by submerged pipeline to the shoreline of the communities, or a hopper dredge and pumped ashore via submerged pipelines. Construction slopes will be 1 ft vertical to 4 ft horizontal between the dune crest and beach berm, and 1 ft vertical to 10 ft horizontal beach berm and mean tide level.

In addition to the nourishment, the communities plan to stabilize the newly constructed dune system with vegetation and sand fencing and rebuild dune walk-overs. The purpose for the proposed activities is to protect homes and infrastructure from storm damage and erosion, increase recreational area, and provide thoroughfare for emergency access vehicles.

- Davis Park (F-2008-0266) - The total length for which nourishment is proposed is 5,200 feet and the expected volume of sand needed is approximately 305,000 cubic yards. Overall, sand fill will cover approximately 11.2 acres of beach area

landward of the mean high water line. Submerged lands adjacent to shore will be covered to approximately 27.8 acres at construction.

- Central Fire Island Segment (F-2008-0325) - This segment includes the communities of Fire Island Summer Club, Corneille Estates, Seaview, Ocean Bay Park, and the Village of Ocean Beach. The total length of the beach for which nourishment is proposed spans approximately 8,580 feet and the volume of sand needed is approximately 570,000 cubic yards. Overall, sand fill will cover approximately 32.3 acres of beach area landward of the mean high water line. Submerged lands adjacent to shore will be covered to approximately 43.8 acres at construction.
- Fire Island Pines Segment (F-2008-0270) - The total length of beach for which nourishment is proposed is approximately 7,400 feet and the volume of sand needed is approximately 500,000 cubic yards. Overall, sand fill will cover approximately 12.8 acres of beach area landward of the mean high water line. Submerged lands adjacent to shore will be covered to approximately 38.7 acres at construction.
- Western Fire Island Segment (F-2008-0271) - This segment includes the communities of Saltaire, Fair Harbor, Dunewood, and Lonelyville. The total length of beach for which nourishment is proposed is approximately 8,200 feet and the volume of sand needed is approximately 500,000 cubic yards. Overall, sand fill will cover approximately 25.0 acres of beach area landward of the mean high water line. Submerged lands adjacent to shore will be covered to approximately 39.3 acres at construction.

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, August 15, 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-2008-0371

Date of Issuance - July 16, 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-2008-0371, the Scenic Hudson Land Trust, Inc. One Civic Center Plaza, Suite 200, Poughkeepsie, NY, 12601, proposes the Long Dock Beacon Mixed Use Development. The project site is located southwest of the Metro-North Railroad Beacon Station, along the west side of the railroad tracks and extending south to Dennings Point. The proposal includes the following:

Hotel and Conference Center: Proposed construction of a 3-story mixed use hotel and conference center occupying approximately

50,000 square feet to house 140 hotel rooms, conference space, 2 restaurants, retail space, and office space. Water features would be sculpted around the building by excavating a portion of the existing shoreline above Mean High Water (MHW) to alter the existing MHW line so that the building would be partially over the water.

North Boardwalk and Public Plaza: A 22,000 square foot pile supported boardwalk is proposed which would wrap the northern and north western shorelines of the project site for sight-seeing, fishing, and other recreational use. The western end of the boardwalk would be a 10,400 square foot open public plaza with a 2,000 sq. ft. shading structure with seating for seasonal outdoor events. The structure would result in approximately 4,200 square feet of over water coverage.

Re-sculpting of Shoreline: Approximately 365 feet of shoreline is proposed to be re-sculpted to provide approximately 11,200 square feet of new water area. This would be accomplished through the excavation of 4000 cubic yards of material.

Replacement Bulkhead, New Beach, Rip rap: The existing timber bulkhead south of the proposed new water area and wrapping the shore to the new beach area would be replaced with a new timber sheet pile bulkhead as close as possible to the existing. The existing navigation aid west of the new beach area and the existing concrete debris seaward of the bulkhead would be removed, and new rip rap installed to help stabilize the new replacement bulkhead at that location. At the proposed new beach, 185 feet of shoreline would be transformed into a kayak beach. The existing concrete debris would be removed and replaced with an armored slope overlain with smooth riverbed stone.

Floating Walkways and Gangways: A 210 foot by 15 foot floating dock with a 70 foot by 8 foot gangway to shore is proposed that would provide a passenger drop-off point for recreational boaters on day trips and additional area for recreational use. The platform would be a seasonal structure that would be brought ashore for the winter months.

Miscellaneous Structures: A 4,000 square foot barn would be renovated, and a 3,000 square foot boat storage building is proposed to be built. Both structures are upland and within 300 feet of shore.

The stated purpose of the proposed project is to revitalize the waterfront at an old industrial site.

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, August 15, 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

A meeting of the New York State Board of Real Estate Appraisal will be held on Friday, July 18, 2008 at 10:30 a.m. at the Department of State, Division of Licensing Services, Alfred E. Smith State Office Bldg., 80 South Swan Street, 10th Floor Conference Room, Albany, NY.

Should you wish to attend or require further information, please contact: Carol Fansler, Board Coordinator, at carol.fansler@dos.state.ny.us or 518-486-3857. Please always consult the Department of State website (www.dos.state.ny.us/about/calendar.htm) on the day before the meeting to make sure the meeting has not been rescheduled.

PUBLIC NOTICE

Warren and Washington Counties
Industrial Development Agency

The Counties of Warren and Washington Industrial Development Agency (the "Agency") will issue a Request for Proposals ("RFP") for the Purchase and Hauling of Scrap Ferrous Metal from post-combustion ash from the Agency's Resource Recovery Facility in Hudson Falls, NY. In accordance with Section 120-w of the New York State General Municipal Law ("GML"), the Agency will accept comments on the Draft RFP for a minimum period of sixty (60) days.

All persons wishing to comment on the Draft RFP may obtain a copy from the clerk of the Agency at the address set forth below, and may submit comments in writing by mail, e-mail or facsimile. After a ten (10) days review of the comments, the Agency intends to issue the final Request for Proposals.

WWIDA, 5 Warren Street, Glens Falls, NY, 12801

Phone: (518) 792-1312

Fax: (518) 792-4147

E-mail: sharon@warren-washingtonida.com

SALE OF FOREST PRODUCTS

Otsego Reforestation Area No. 1
Contract No. X006983

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

Sealed bids for 110 cords, more or less, of red pine pulpwood; 1,017.2 MBF, more or less, of red pine sawtimber; 21.6 MBF, more or less, of miscellaneous hardwood and softwood sawtimber; 24 cords, more or less, of miscellaneous hardwood firewood located on Otsego Reforestation Area No. 1, Stand B-1, will be accepted at the Department of Environmental Conservation, Bureau of Procurement & Expenditure Services, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, July 31, 2008.

For further information, contact: Paul Wenner, 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