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DEPARTMENT OF STATE  
Office of Information Services

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# NEW YORK STATE **REGISTER**

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**INSIDE THIS ISSUE**

- Electric Rates for Posts and Halls of Not-for-Profit Veterans' Organizations
- Accreditation of Testing Laboratories
- Emergency Assistance to Needy Families with Children

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State agencies must specify in each notice the last date on which they will accept public comment. Agencies always accept public comment for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making, and for 30 days after publication of a Notice of Revised Rule Making. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice; and comment must be accepted for at least five days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies accept comment through close of business on the next succeeding workday.

***For notices published in this issue:***

- the 45-day period expires Saturday, February 27, 1999
- the 30-day period expires on Friday, February 12, 1999

assembled length of ladder more than is allowable in accordance with the latest published ANSI (American National Standards Institute) Standards A14.1, A14.2 and A14.5.

2. All ladders shall be used at such pitch that the horizontal distance from the building or wall to the foot of the ladder is one-quarter of the working length of the ladder (the length along the ladder between the foot and the top support). The maximum length permitted for a ladder used in window washing operations shall be 36 feet.

3. Ladders may not be used on an elevated surface where the width of the surface is less than one-half the length of the ladder.

4. In order for a ladder to be used on an elevated surface, the building or structure on which such ladder is proposed to be used shall have a substantial parapet or a substantial guard railing and midrail constructed of metal. Such parapet or guardrail shall not be less than 42 inches in height from the roof surface. The guard railing shall be installed at the perimeter of the roof not more than one foot back from the roof edge. The parapet or guard railing shall be designed to resist a lateral force at the top equivalent to a minimum linear load of 50 pounds per foot.

5. The Petitioner shall comply with a applicable provisions of Industrial Code Rule 21.

This 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 21 apply to the use of ladders for window cleaning, with the same force and effect as if this variance were duly granted upon separate petition for the use and benefit of every person affected by the aforesaid provisions of Industrial Code Rule 21.

DATED: December 18, 1998

James J. McGowan  
Commissioner of Labor

**PUBLIC NOTICE**  
County of Schenectady

The following notice was submitted by Schenectady County for publication in the December 30, 1998 issue of the *State Register* and was erroneously omitted from that issue. The Office of Information Services apologizes for any inconvenience this may have caused.

Schenectady County is soliciting proposals from Trustees to provide Trustee services, effective July 1, 1999, in connection with an existing Deferred Compensation Plan that will meet the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

*A copy of the proposal questionnaire may be obtained from:* James R. Edgar, Personnel Administrator, Schenectady County Civil Service, 334 State St., Schenectady, NY 12305

**PUBLIC NOTICE**  
Administrative Adjudication Report  
of the New York State Office of  
Temporary and Disability Assistance  
Office of Legal Affairs  
Office of Administrative Hearings

Pursuant to Executive Order No. 131 issued by Governor Mario Cuomo on December 4, 1989, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the

Order. The report for the period ending November 30, 1990, detailed the initial steps taken to comply with the Order, including changes in organizational structure, office regulations and practices, and in hearing procedures. Those provisions remain in effect.

The Order (Section V) requires that the report include "statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination." The following statistics on Article 78 proceedings are from the period commencing January 1, 1996 through December 28, 1998:

Cases opened:	666
Cases closed:	342
The closed cases resulted in the following outcomes:	
Stipulation of settlement:	251
Decisions favorable to the Office:	236
Withdrawn or abandoned by petitioner:	5
Decisions adverse to the Office:	24
Reasons for adverse decisions:	
Mistake of law as applied to facts:	17
Record deficient:	7

**PUBLIC NOTICE**  
Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 450, 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 Mark Blanke, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

1998-1052 Matter of Gerard E. Meyer, AIA, 14 Covert Avenue, Stewart Manor, NY 11530, for a variance concerning fire-safety requirements, including the ceiling height requirement, exiting and bathroom fixture requirements.

Involved is the alteration of an existing cellar space, C1 (photography studio) two-story, type 4 (ordinary) construction known as Gary Studios at 282 Jericho Turnpike, Village of Floral Park, Nassau County, New York.

1998-1085 Matter of Paul and Minail Tsougas, 17 Washington Avenue, Island Park, NY 11558, for a variance concerning fire-safety requirements, including distance separation, A1 (single family) occupancy, two stories, type 5 (wood frame) construction.

Involved is the legislation of the deck at 17 Washington Avenue, Town of Hempstead, Nassau County, New York.

1998-1179 Matter of Melton Manor Condominiums, 176 Chaplin Parkway, Buffalo, NY 14240, for a variance concerning fire-safety requirements, including individual electric meters for dwelling units.

Involved is alterations and renovations to electrical service to an existing four story condo complex, B1 (multiple dwelling) occupancy