

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 8:00 a.m. to 4:30 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.

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 2013 will be conducted on September 10 and September 11 commencing at 10:00 a.m. These meetings will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY.

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. 1, Albany, NY 12239, (518) 473-6598

PUBLIC NOTICE Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation on Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the Fort Hunter Fire District, County of Montgomery.

Pursuant to section 176-b of the Town Law, the non-resident membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such waiver should not be granted, and shall be submitted to: Bryant D. Stevens, State Fire Administrator, Office of Fire Prevention and Control, State Office Campus, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12242

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

For further information, please contact: Deputy Chief Donald Fischer, Office of Fire Prevention and Control, State Office Campus, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12242, (518) 474-6746, e-mail: Dfischer@dhses.ny.gov

PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to update rates paid for Medicaid coverage for preschool and school supportive health services (SSHS) provided in school districts and counties in a city with a population over one million, effective on or after September 1, 2013. SSHS are provided to Medicaid -eligible students with disabilities. Payment will be based on a certified public expenditure reimbursement methodology, based on a statistically valid cost study for all school supportive health services and transportation. SSHS are authorized under § 1903(c) of the Social Security Act and include: physical therapy, occupational therapy, speech therapy, psychological evaluations, psychological counseling, skilled nursing services, medical evaluations, medical specialist evaluations, audiological evaluations, and special transportation services.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2013/2014 is \$100.2 million.

The public is invited to review and comment on this proposed state plan amendment, which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status.

Copies of the proposed State Plan amendment will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201
Bronx County, Tremont Center

1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Bureau of HCRA Operations & Financial Analysis, 99 Washington Ave. – One Commerce Plaza, Suite 810, Albany, NY 12210, (518) 474-1673, (518) 473-8825 (FAX), spa_inquiries@health.state.ny.us

PUBLIC NOTICE
Homes and Community Renewal
2014 Annual Action Plan
Public Comment Period Notice

In order to maintain its eligibility to administer certain federal funds for affordable housing and community development, New York State (NYS) must prepare an Annual Action Plan (AAP) and submit it to the U.S. Department of Housing and Urban Development. For one specific program year, the AAP describes the State's proposed use of available federal and other resources to address the priority needs and specific objectives in the Consolidated Plan; the State's method for distributing funds to local governments and not-for-profit organizations; and the geographic areas of the State to which it will direct assistance. The AAP also describes NYS's planned use of approximately \$64 million in federal fiscal year 2014 funds for the: NYS Community Development Block Grant Program (\$42 million); HOME Investment Partnerships Program (\$15 million); Housing Opportunities for Persons with AIDS Program (\$2 million); and Emergency Solutions Grants Program (\$4.7 million). NYS encourages public participation in the development of its AAP and invites interested persons to review and comment on the draft AAP for 2014 during an upcoming public comment period. This 30-day public comment period will begin on Thursday, September 5, 2013 and extend through close of business on Friday, October 4, 2013. Beginning on September 5, 2013, NYS's draft AAP for 2014 may be viewed on and downloaded from the NYS Homes and Community Renewal (HCR) website at www.nyshcr.org. In addition, copies can be requested by e-mail (HCRConPln@nyshcr.org) or by calling (518) 474-8782. Comments should be mailed to: NYS HCR, Attention: Alison Russell, 38-40 State Street, Albany, NY 12207 or e-mailed to (HCRConPln@nyshcr.org). Comments must be received or postmarked by close of business Friday, October 4, 2013.

PUBLIC NOTICE
Office for People with Developmental Disabilities
and
Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People with Developmental Disabilities (OPWDD) and the New York State Department of Health give notice of proposed amendments to the Title XIX (Medicaid) State Plan for Intermediate Care Facilities for the Developmentally Disabled (ICF/DDs), and to the comprehensive Home and Community Based Services (HCBS) waiver for Individualized Residential Alternatives (IRAs) and group day habilitation services operated by OPWDD.

The State proposes to change the methods and standards for setting fee-for-service Medicaid payment rates for the above services effective October 1, 2013 which will ultimately serve as the minimum amount of reimbursement residential providers will receive under managed care.

The following rate setting process to set standard fees for services based on the direct care staff providing support. The fees can therefore be varied based on the staff function and the intensity of support they might provide. The steps to establish these fees will include:

1. Determine Cost Categories – To develop standardized rates for

services. A detailed study of each service description determines the five cost categories, direct service staff wage, employment-related, program-related, clinical and general and administrative expenditures. In ICF/DDs and Group Day Habilitation, a "facility-related" category is included, while a "to/from transportation" category is included for Group Day Habilitation only.

2. Gather Financial Data. - Consolidated Fiscal Reports (CFR) are utilized in the calculation of the standardized rate methodology. CFRs for the period of January 1, 2011 through December 31, 2011 for Up-state providers and the period of July 1, 2010 through June 30, 2011 for NYC providers were reviewed and various costs were placed within the following standard cost components:

a) Direct Service Wage - The direct service wage component consists of staff that primarily performs face-to-face duties in delivering the service and must meet some objective defined in the service. The person who is receiving the service and who is expected to benefit from it must be present at least 90 percent of the time. They are not considered direct service staff solely by their qualifications. The costs included in the Direct Service Wage component are all those wages coded in the CFR as Direct Care.

b) Employment-Related Expenditures - The benefits received by employees of the service agency. Benefits generally fall into two categories. Discretionary benefits which are benefits that employers may elect to provide but are not mandated to do so by any governmental agency and non-discretionary benefits which are those benefits that are mandated by a governmental authority. The costs included in the employee-related expenditures were Personal Service vacation accruals and both non-mandated and mandated fringe benefits.

c) Clinical Support – Cost component consists of Clinical personal services wages while a separate cost component consists of Contracted Services.

d) Program-Related Expenditures – These support the objectives and the provision of the service, but cannot be tied to any particular person receiving the service. There are many factors that influence the inclusion or exclusion of cost types in this category, but the two most prominent are the service descriptions and the funding source regulations. The following costs were included in the program-related expenditures: Support Personal Services (excluding Maintenance Worker); Other Than Personal Services costs include participant-related transportation, staff travel, training, expensed adaptive equipment, total amount expended for the purchase of all materials necessary for the completion of prime manufacturing or sub-contract work and participant wages (non-contracted and contracted), participant fringe benefits, non-household supplies and materials, and provider paid equipment (vehicle lease/rental, vehicle depreciation and vehicle interest).

e) General and Administrative Expenditures - General and administrative expenditures are the costs of being in business. They are not specific to the program or the service to the individual. Costs included in the general and administrative expenditures component were those coded as agency administration and general insurance.

f) The To/From Transportation component (for Group Day Habilitation only) includes the costs of transporting individuals to and from Day Habilitation programs.

g) The Facility-Related component (for ICF/DDs and Group Day Habilitation only) includes Maintenance Workers (from Support Personal Services), food, repairs, utilities, household supplies, telephone, equipment rental, equipment depreciation, expensed equipment, property insurance and program administration property.

3. Utilization Standards - DOH/OPWDD engaged Optumas, a strategy and actuarial firm, to determine if a correlation exists among resource utilization by the Voluntary Providers and several potential predictors of resource utilization such as the current assessment tool - the Developmental Disabilities Profile (DDP), average bed size, age, etc. Optumas' analytic approach was to build an ordinary least squares (OLS) regression model with direct care staff hours as the dependent variable and consider a variety of independent variables that the literature, research, and the DDP validation work suggested could be correlated to resource utilization. For the DDP, they looked at the scores for its component parts; the Adaptive score, the Behavior score,

and the Health score as well as the individuals' competencies that comprised each of the components. They also reviewed other factors the literature suggested were important determinants of resource needs, including average age of the individuals served, average bed size for the individuals' setting, and other variables captured during the Individualized Service Planning (ISP) process.

Their results yielded strong regression models, with r-squared values between 20 and 30 percent with statistically significant coefficients for both Supportive IRA and Supervised IRA. As such, for the Direct Care portion of the calculation, both programs will utilize a statewide average of Direct Care reported hours which will then be adjusted by an agency specific acuity factor. However, the ICF and Group Day Habilitation regression did not yield a high correlation, and therefore, agency specific Direct Care hours will be utilized in the rate calculation. For the Clinical and Contracted Clinical Support portion of the calculation, agency specific Clinical and Contracted Clinical hours will be utilized in the rate calculation.

The following 4 steps were common to ICFs, IRAs and Group Day Habilitation:

4. Establish Direct Service Staff Wage Profiles – To determine wage levels associated with described staff in the service descriptions, the State will calculate a Direct Care Staff average salary by using a simple average based on information from the 2010-2011 and 2011 Consolidated Fiscal Report (CFR). The Direct Care Staff wage was calculated by taking the total wage dollars reported for Salaried Direct Care workers and dividing this amount by the total hours for the Salaried Direct Care workers. Contracted services dollars were not included as part of this calculation, since these wages could include a fringe benefit component that would have skewed the average salary calculation.

5. Determine Employment Related Expenditures Percentage – As with the wage levels, a decision was made to use the existing market percentage in current providers' cost reports. Percentages were calculated by dividing the total dollars in the identified category by salaried Direct Care wage dollars.

6. Determine Program Support Percentage – The Program Support percentage add-on will be calculated by dividing the total dollars in the identified category by salaried Direct Care wage dollars.

The average Direct Care wage from Step 4 ("Establish Direct Service Staff Wage Profile") will then be multiplied by each of the above percentages independently to calculate each component add-on.

7. Set General and Administrative Cost Level - Are usually 'fixed' in nature and do not vary in periods of less than one year. These expenditures are not related to a specific business type (service or product) that the entity provides; however, this component is sensitive to scale. The General and Administrative percentage will be calculated by dividing total General and Administrative costs by Total Costs. The other components (including Facility-Related for Group Day Habilitation) will then be subtotaled and divided by (1 less the General and Administrative percentage). This subtotaled amount will then be subtracted from the resulting rate to calculate the amount of the add-on.

The following component applies to ICF/DDs and Group Day Habilitation:

8. The Facility-Related Percentage - Will be calculated using a "gross up" method since the percentages are applied to the total rate, not to the Direct Care wage. First, the Facility-Related percentage (for Group Day Habilitation only) will be calculated by dividing total Facility-Related costs by Total Costs (excluding General and Administrative). The other components together (excluding General and Administrative) will be subtotaled and divided by (1 less the Facility-Related percentage). The subtotaled amount will then be subtracted from the resulting rate to calculate the amount of the add-on.

The following component applies to Group Day Habilitation:

9. Determine To/From Transportation for Day Habilitation Percentage - The To/From Transportation for Day Habilitation percentage add-on will be calculated by dividing the total dollars in the identified category by total Direct Care wage dollars. The average Direct Care

wage will then be multiplied by this percentage to calculate the component add-on.

All applicable component add-ons are then summed to calculate the fully loaded Direct Service hourly rate. In addition, the following two add-ons will be calculated and incorporated into the rate as separate components for all programs:

10. Determine Salaried Clinical Support Add-on – Clinical Support is defined as the clinical staff providing services in the specific program. The Salaried Clinical Support add-on will be calculated by using the existing market in current providers' cost reports. The average Salaried Clinical Staff wage was calculated by dividing the total wage dollars reported for Salaried Clinical Staff by the Salaried Clinical Staff hours.

11. Determine Contracted Clinical Support Add-on – The Contracted Clinical Support add-on will be calculated by using the existing market in current providers' cost reports. The average Contracted Clinical Staff wage was calculated by dividing the total Contracted Clinical Services dollars by the Contracted Clinical Services Staff hours.

The Salaried and Contracted Clinical Support add-ons will be added to the Direct Service hourly rate to complete the calculation.

Finally, the State will develop average hourly rates for all programs by region and service category. The regions the State will be using are:

Region 1: NYC, Nassau, Suffolk and Westchester counties

Region 2: Dutchess, Orange, Putnam, Rockland, Sullivan and Ulster counties

Region 3: Albany, Erie, Fulton, Genesee, Madison, Monroe, Montgomery, Niagara, Onondaga, Orleans, Rensselaer, Saratoga, Schenectady, Warren, Washington and Wyoming counties

Region 4: Rest of State's counties

12. Finalize Rates – For the specific categories of service. Provider rates will be calculated by multiplying the hours as determined consistent with paragraph 3 ("Utilization Standards"). Rates will utilize the same unit of service which is currently in place. Impacts will be calculated by provider and then in totality. This analysis will determine the length of transition needed.

13. Property – Will be calculated and reimbursed 1/12 (per month) if the provider has been approved for capital reimbursement through a "prior property approval" (PPA) process. Upon OPWDD approval of expenses associated with the acquisition, renovation and/or lease of facility property, OPWDD produces a PPA document which details annual reimbursement.

A transition schedule for fully implementing (phasing-in) the October 1, 2013 standard rates will be negotiated with CMS prior to implementation. The proper length of the transition period is essential to assuring continuity of services to individuals with developmental disabilities and to allow for individual choice.

The above methodology will be utilized to calculate standard rates for the remaining four waiver services, Respite, Supported Employment, Family Care and Pre Vocational Services by September 30, 2015.

The reason for these proposed changes is to more closely align rates and prices with the costs of providing these services and to comply with Federal requirements. The State estimates that these changes will not result in any increase or decrease in annual aggregate Medicaid expenditures.

Outside New York City, a detailed description of the changes is available for public review at the following addresses:

Albany

Albany County Department of Mental Health

175 Green St.

Albany NY 12202

Allegany

Allegany County Mental Health Department

45 North Broad St.

Wellsville NY 14895

Broome

Broome County Mental Health Department
229-231 State St., Fl 4 Binghamton NY 13901-6635

Cattaraugus

Cattaraugus County Community Services
1 Leo Moss Dr., Suite 4308
Olean NY 14760

Cayuga

Cayuga County Mental Health Department
146 North St.
Auburn NY 13021

Chautauqua

Chautauqua County Mental Health Services
HRC Bldg., 7 N. Erie St., 1st Floor
Mayville NY 14757

Chemung

Chemung County Mental Health Hygiene Department
425 Pennsylvania Ave.
Elmira NY 14902

Chenango

Chenango County Mental Hygiene Services
County Office Bldg., 5 Court St., Ste. 42
Norwich NY 13815

Clinton

Clinton County Mental Health/Addictions Services
16 Ampersand Dr.
Plattsburgh NY 12901

Columbia

Columbia County Department of Human Services
325 Columbia St.
Hudson NY 12534

Cortland

Cortland County Community Services
7 Clayton Ave.
Cortland NY 13045

Delaware

Delaware County Mental Health Clinic
1 Hospital Rd.
Walton NY 13856

Dutchess

Dutchess County Department of Mental Hygiene
82 Washington St.
Poughkeepsie NY 12601

Erie

Erie County Department of Mental Health
95 Franklin St., Rm. 1237
Buffalo NY 14202
Essex
Essex County Mental Health Services

7513 Court St.

Elizabethtown NY 12932

Franklin

Franklin County Community Services
70 Edgewood Rd., PO Box 1270
No. Saranac Lake NY 12983

Fulton

Fulton County Mental Health Clinic
57 E. Fulton St., Rm. 106
Gloversville NY 12078

Genesee

Genesee County Mental Health Services
5130 E. Main Rd., Suite 2
Batavia NY 14020

Greene

Greene County Department of Mental Health
905 Greene County Office Bldg.
Cairo NY 12413

Hamilton

Hamilton County Community Services
83 White Birch Lane
Indian Lake NY 12842

Herkimer

Herkimer County Mental Health Services
301 North Washington St., Ste. 2470
Herkimer NY 13350

Jefferson

Jefferson County Community Services
175 Arsenal St.
Watertown NY 13601

Lewis

Lewis County Mental Hygiene Department
7714 Number Three Rd.
Lowville NY 13367

Livingston

Livingston County Community Services
4600 Millennium Dr.
Geneseo NY 14454

Madison

Madison County Mental Health Department
Veterans' Memorial Bldg.
Wampsville NY 13163

Monroe

Monroe County Office of Mental Health
1099 Jay St., Bldg. J, Ste. 201A
Rochester NY 14611

Montgomery

Montgomery County Department of Community Services
St. Mary's Hospital,
427 Guy Park Ave.

Amsterdam NY 12010

Nassau
Nassau County Department of Mental Health,
Chemical Dependency and Developmental Disabilities Services
60 Charles Lindberg Blvd., Ste. 200
Uniondale NY 11553

Niagara
Niagara County Department of Mental Health
5467 Upper Mountain Rd., Ste. 200
Lockport NY 14094

Oneida
Oneida County Department of Mental Health
235 Elizabeth St.
Utica NY 13501

Onondaga
Onondaga County Department of Mental Health
421 Montgomery St., 10th Fl.
Syracuse NY 13202

Ontario
Ontario County Mental Health Department
3019 County Complex Dr.
Canandaigua NY 14424

Orange
Orange County Department of Mental Health
30 Harriman Dr.
Goshen NY 10924-2410

Orleans
Orleans County Mental Health/Community Services
14014 Route 31 West
Albion NY 14411

Oswego
Oswego County DSS, Division Mental Hygiene
100 Spring St.
Mexico NY 13114

Otsego
Otsego County Mental Health Clinic
242 Main St.
Oneonta NY 13820

Putnam
Putnam County Department of Social Services/Mental Health
110 Old Route 6
Carmel NY 10512

Rensselaer
Rensselaer County Department of Mental Health
1600 7th Ave.
Rensselaer Co. Off. Bldg., 3rd Fl.
Troy NY 12180

Rockland
Rockland County Department of Mental Health
50 Sanatorium Rd., Bldg. F

Pomona NY 10970

Saratoga
Saratoga County Mental Health Center
211 Church St., Cramer House
Saratoga Springs NY 12866

Schenectady
Schenectady County Mental Health Dept.
797 Broadway, Ste. 304
Schenectady NY 12305

Schoharie
Schoharie County Community Service and MH
113 Park Pl., Ste. 1, Co. Annex Bldg.
Schoharie NY 12157-0160

Schuyler
Schuyler County Community Services
Mill Creek Ctr., 106 S. Perry St., Ste. 4
Watkins Glen NY 14891

Seneca
Seneca County Mental Health Department
31 Thurber Dr.
Waterloo NY 13165

St. Lawrence
St. Lawrence County Mental Health Clinic
80 State Hwy. 310, Ste. 1
Canton NY 13617-1493

Steuben
Steuben County Community Mental Health Center
115 Liberty St.
Bath NY 14810

Suffolk
Suffolk County Community Mental Hygiene
No. County Complex, Bldg. C-928
Hauppauge NY 11788

Sullivan
Sullivan County Department of Community Services
P.O. Box 716
Liberty NY 12754

Tioga
Tioga County Department of Mental Hygiene
1062 State Rt. 38
Owego NY 13827

Tompkins
Tompkins County Mental Health Department
201 E. Green St.
Ithaca NY 14850

Ulster
Ulster County Mental Health Department
239 Golden Hill La.
Kingston NY 12401
Warren

Warren County Community Services
230 Maple St., Suite 1
Glens Falls NY 12801

Washington
Washington County Community Services
230 Maple St., Suite 1
Glens Falls NY 12801

Wayne
Wayne County DMH/Behavior Health Network
1519 Nye Rd.
Lyons NY 14489

Westchester
Westchester County Community Mental Health Department
112 E. Post Rd., 2nd Fl.
White Plains NY 10601

Wyoming
Wyoming County Mental Health Department
338 North Main St.
Warsaw NY 14569

Yates
Yates County Community Services
417 Liberty St., Ste. 2033
Penn Yan NY 14527

In New York City, a detailed description of the changes is available for public review at the following OPWDD Office locations:

Metro New York
75 Morton Street
New York, New York 10014

Bernard M. Fineson
80-45 Winchester Blvd.
Administration Building
80-00 Queens Village, New York 11427

Brooklyn
888 Fountain Avenue
Brooklyn, New York 11208

Metro New York
2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

PUBLIC NOTICE

Department of State
F-2012-1028

Date of Issuance – August 28, 2013

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.

In F-2012-0183, Entergy Nuclear Indian Point 2, LLC., Entergy Nuclear Indian Point 3, LLC., and Entergy Nuclear Operations, Inc. (collectively Entergy) is proposing to extend for an additional 20 years its operating licenses for its nuclear electric generation facilities at Indian Point Nuclear Generating Units 2 and 3 (IP2 and IP3) in the Village of Buchanan, County of Westchester. Entergy reports that no change of existing facilities, activities, or effects is proposed. The current operating licenses for IP2 and IP3 expire on September 28, 2013, and December 12, 2015, respectively.

Entergy 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.

Any interested parties and/or agencies desiring to express their views concerning the consistency of the above proposed activities with the enforceable State coastal policies may do so by filing their comments, in writing, no later than 4:30 p.m., 45 days from the date of publication of this notice, or October 12, 2013. The State coastal policies can be found on the internet at <http://www.dos.ny.gov/communitieswaterfronts/pdfs/CoastalPolicies.pdf> or by writing to the Department at the address shown below.

Comments should be addressed to: Department of State, Division of Coastal Resources, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464, email: cr@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2013-0426

Date of Issuance – August 28, 2013

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-2013-0426, Locusts on Hudson LLC, is proposing the installation of a seasonal floating dock assembly in the Hudson River at 88 Penny Lane, Town of Hyde Park, Dutchess County, NY. The 8' wide dock would be in a 'T' formation, with a 72' base and an 88' outer perpendicular segment, a 30' by 4' ramp attached to an existing concrete buttress, and four 6' sq. blocks for stability placed in the waterway.

The stated purpose is to "provide access to the Hudson River for seasonal, recreational use."

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities 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 12, 2013.

¹ Risk assessment tools currently used in acute care payment methodologies have similar r-squared values between 15 and 30%

For further information and to review and comment, please contact: Donna Cater, Department of Health, Bureau of Mental Hygiene Services Rate Setting, One Commerce Plaza, Rm. 1209, Albany, NY 12210, (518) 486-7164, e-mail: dmc24@health.state.ny.us

Comments should be addressed to: Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464

Comments can also be submitted electronically via e-mail at: CR@dos.ny.gov.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

New York State and Local Retirement System

Pursuant to Retirement and Social Security Law, the New York State and Local Employees' Retirement System hereby gives public notice of the following:

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 517-a of the Retirement and Social Security Law on or before July 31, 2012. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St, in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Grzybowski, Jessica A - Lackawanna, NY

Lewis, Richard M - Ogdensburg, NY

Pisarski, Judith M - Schenectady, NY

For further information contact: Mary Ellen Kutey, New York State Retirement Systems, 110 State St., Albany, NY 12244, (518) 474-3502

PUBLIC NOTICE

New York State and Local Retirement System

Pursuant to Retirement and Social Security Law, the New York State and Local Employees' Retirement System hereby gives public notice of the following:

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 613 of the Retirement and Social Security Law on or before July 31, 2012. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St., in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by

filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Aaron, Kelly F - Ft Covington, NY

Abramson, Deborah N - Port Washington, NY

Agakpe, Peter K - Jamaica, NY

Aldrich, Timothy A - Sherman, NY

Altamar, Esperanza C - Buffalo, NY

Alvernaz, Sarah J - Livingston, CA

Aragones, Rosemary - Ocala, FL

Awuah, Agatha D - Syracuse, NY

Baitinger, Susan E - Greenfield Ctr, NY

Baker, Ross R - Rockville Ctr, NY

Banker, Jennifer M - Brentwood, NY

Becker, Alison S - Wantagh, NY

Becker, Julia A - Forest Hills, NY

Behan, Maurice C - Malverne, NY

Bell, Tyffani P - Dix Hills, NY

Benzant, Manuel F - Bronx, NY

Berbenich, Susan P - Huntington, NY

Bergey, Nicole P - Coram, NY

Biber, Andrew W - Summit, NJ

Bolyer, Maurice Y - Lancaster, PA

Bongiorno, Michael J - Nottingham, MD

Borden, Michael L - Matthews, NC

Boycott, Dudley S - Walton, NY

Bradley, Michael T - Madison, NJ

Brand, Constance E - Killeen, TX

Brenner, Karen P - Johnstown, NY

Britz, Lisa M - Armonk, NY

Brown, Elizabeth B - Niskayuna, NY

Brown, Suzanne E - Schenectady, NY

Bruce, Cassandra M - Troy, NY

Buchanan, Anne Marie - Havre De Grace, ND

Bui, Tina - Redondo Beach, CA

Bullard, Dennis E - Cicero, NY

Bulley-Tagoe, Jemima A - Bethlehem, PA

Burch, William F - Walden, NY

Burns, Jessie M - Fresh Meadows, NY

Cacciatore, Susan A - Johnson City, NY

Calhoun, India N - White Plains, NY

Cameron, Michael B - Hempstead, NY

Cameron, Nikialine A - Brooklyn, NY

Cappello, Diana R - Shirley, NY

Cardenas, Teresa - Culver City, CA

Carreras, Hogla - Dunkirk, NY

Cartagena, Barbara E - Bronx, NY

Cates, Gina M - Brookline, NH

Centonze, Dina M - Pound Ridge, NY

Cerniglia, Nancy M - Craryville, NY

Charles, Royston E - Brooklyn, NY

Chebatar, Steven M - Saranac Lake, NY

Coe, Mary Anne - Mattituck, NY

Comaianni, Lisa A - N Patchogue, NY

Connors, Deborah A - Ridge, NY

Cooks, Lavertta Fay - Niles, OH

Cordero, Judith - Huntington, NY

Corrodus, Faith M - Brooklyn, NY
Crapotta, Joseph A - Garden City, NY
Cummings, Kelly J - Middlesex, NY
Dasher, Skyler F - New Windsor, NY
Davey, Molly F - New York, NY
Day, Cybele C - Binghamton, NY
De Gregory, Carole D - Schuylerville, NY
De Stefano, Frances A - Massapequa, NY
Decanio, Adiela - Brentwood, NY
Deraco, Michael A - Binghamton, NY
Dibartolomeo, Lynn M - Buffalo, NY
Doughty, Michael R - Hyde Park, NY
Duerr, Kimberly A - Otego, NY
Dwyer, William G - Juneau, AK
Eck, Krystal M - Buffalo, NY
Eliacin, Betty - Binghamton, NY
English, Darlene F - Brentwood, NY
Eshbaugh, Megan H - Birmingham, AL
Evans, Kelley A - Geneva, NY
Farr, Leyna J - High Point, NC
Fasano, Suzanne L - Valley Stream, NY
Ferro, Angela J S - Phoenix, AZ
Flack, Melissa B - Delphos, OH
Foote, Rodney R - Susquehanna, PA
Ford, Lauraleen R - New York, NY
Freedman, Corrina G - Los Angeles, CA
Freeman, Daniel W - Bedford, VA
Friedl, Amanda D - Waltham, MA
Gabriel, Patrick J - Fort Hood, TX
Gaekwar, Shakuntala M - Wichita, KS
Gaines, Bridget C - Brooktondale, NY
Geary, Christine A - Nyack, NY
Gelder, Matthew S - Brooktondale Ny, NY
Gerner, Christina M - Sag Harbor, NY
Gervasio, Susan - Lindenhurst, NY
Geuss, Audra A - Cornwall, NY
Gilligan, Jennifer A - Phoenix, AZ
Gilmore, Darren W - Glens Falls, NY
Giroux, Jennifer A - Groton, NY
Glaisek, Christopher E - Canada M4j1b8,
Gleason, Sheila A - Bay Shore, NY
Goldberg, Michael H - Westbury, NY
Gottlieb, Jill S - Saint James, NY
Grady, Susan L - Kingman, AZ
Griffin, Amy B - Woodside, NY
Groff, Melissa S - Pulaski, NY
Haeussler, Polly B - North Tonawanda, NY
Hafner, Melisa A - Henrietta, NY
Hahn, Julie C - Kingston, NY
Hall, Steven P - Syracuse, NY
Halloway, Dorene A - Jacksonville, FL
Halter, James W - New York, NY
Hamilton, Gregory M - King George, VA
Hammond, Pamela E - Clinton, CT
Handy, Velma J - Rochester, NY
Hartnagel, Benjamin C - Marion, NY
Hehir, Isabel - Sound Beach, NY
Hennings, Lorraine A - Newport, NY
Hertvik, Nicole M - Gathersburg, MD
Hicks, Eric - Bronx, NY
Hilaire, Fitzgerald - Brentwood, NY
Hofer, Ann M - Minneapolis, MN
Hogan, Karen A - Hudson Falls, NY
Hoopes, Melanie A - Chatham, NY
Horn, Lynn K - Delmar, NY
House, Krystal D - Middletown, NY
House, Lee A - Port Washington, NY
Hyde, Corinne E - Saint Gabriel, LA
Illes, Anya E - Madison, WI
Ing, Francis - Palm City, FL
Jennings, Suzanne A - Fort Huachuca, AZ
Joazeus, Beatta - Elmont, NY
Jones-Odell, Sara J - New Rochelle, NY
Joseph, Adam L - Woodcliff Lake, NJ
Karcher, Wendy A - Orchard Park, NY
Kaur, Baljit - Jackson Heights, NY
Kawalick, Debra S - Bronx, NY
Kemmett-Shanahan, Veronica M - Roslyn Heights, NY
Kirker, Tara R - Delmar, NY
Knieriemen, Nancy S - Lakewood, NJ
Kramer, Nancy C - Ardley, NY
Kulakowski, Margaret M - Jamestown, NY
Kulesza, Joseph W - Buffalo, NY
Lalley, Margaret M - Buffalo, NY
Lam, Chun-Kit - Mamaroneck, NY
Latuga, Michael J - Syracuse, NY
Leight, Jonathon S - Phelps, NY
Lentz, Ralph J - Carthage, NY
Leventhal, Jennifer E - Bronx, NY
Lindroth, Shaun W - Freeport, NY
Litto, Joseph W - West Hampton Beach, NY
Lopez, Nephthali - Pomona, NY
Macdonald, Rebecca J - Eagle, ID
Maggiore, Toni L - Ruby, NY
Majeed, Tauseef - Melville, NY
Manchester, Randall B - Johnstown, NY
Manney, Stephanie L - Schuylerville, NY
Marion, Sandra J - Hornell, NY
Martinez, Juanita L - Syracuse, NY
Mason, Carrie M - Adams, NY
Massi, Sunny L - Bronx, NY
Maypole, Nathan E - Cranberry Township, PA
Mc Carthy, Matthew T - Angola, NY
Mc Carthy, Stacy A - White Plains, NY
Mc Culloch, Robert J - Staten Island, NY
Mc Knight, Anna L - Rochester, NY
Melita, Jeremy M - Niskayuna, NY
Meller, Patricia M - Fairport, NY
Menezes, Selwyn E - Cortlandt Manor, NY
Meyer, Marc A - Newark, NJ
Meyer, Susan S - Inver Grove, MN
Moehr-Ellis, Corinna D - Gloversville, NY
Montes, Luz A - Bronx, NY
Moore, Kelly M - Clifton Park, NY
Muff, Thomas W - Kingston, NY
Myers, Barbara A - Milton, FL
Naylor, Crystal L - San Manuel, AZ
Norman, Anna L - Lyons, NY

Norsworthy,Irene J - Ballston Lake,NY
 O'Brien,Courtney L - Holbrook,NY
 O'Brien,Sean C - Rochester,NY
 O'Neil,Katie J - Westfield,NY
 O'Neill,James D - Islip,NY
 Oliver-Rice,Maria - Youngsville,NC
 Olivier,Rose A - Hempstead,NY
 Osborn,Frank F - Brooklyn,NY
 Osenbach,Margaret - Penfield,NY
 Palmer,Vivian G - Altamont,NY
 Parker,Daniel J - Thiells,NY
 Pasacrita,Michael R - Yorktown Heights,NY
 Patel,Rajnikant R - Richardson,TX
 Peterson,Jodi-Ann - Pleasant Valley,NY
 Phillips,Tyrone - Schenectady,NY
 Pieri,Lisa J - Erie,PA
 Poehmel,Anthony W - Tannersville,NY
 Pomeranz,Noah H - Goodlettsville,TN
 Potts-Laverde,Colette A - Verplanck,NY
 Priolo,Victoria L - Central Square,NY
 Ragonese,Anna L - Baldwinsville,NY
 Ramasubbu,Ellappan - Brooklyn,NY
 Ramirez,Lesley G - Portland,OR
 Ramos,Christopher - Albany,NY
 Ramos,Jose A - Brentwood,NY
 Ransbury,Jackie M - Voorheesville,NY
 Rapper,James - Brooklyn,NY
 Regazzi,Jean Pierre - Delhi,NY
 Rehak,Robert L - Centereach,NY
 Rehberg,Jenny L - Waterport,NY
 Reid,Deadra L - Elmira,NY
 Reinstein,Donna R - Dix Hills,NY
 Restrepo,Silvia - Ithaca,NY
 Revette,Erica L - Central Square,NY
 Riel,David A - Jamestown,NY
 Rinebold,Patricia A - Milan,PA
 Rivera,Pedro A - Port Chester,NY
 Rojas,Edward - New York,NY
 Ryan,Mary D - Moscow,PA
 Saidenberg,Silvio - Wausau,WI
 Scala-Tutino,Olivia - Bronx,NY
 Schraenkler,Nichole M - Adams,NY
 Schwager,Diane M - West Point,NE
 Sconocchia,Giuseppe - Williamsville,NY
 Seeds,Christopher J - Brooklyn,NY
 Sexton,Kathy A - Middleport,NY
 Sheehy,Kathleen A - Owego,NY
 Sheldon,Margaret M - Silver Creek,NY
 Sherman,Michelle K - Nesconset,NY
 Sistrunk,Michelle M - Arkport,NY
 Skinner,Kevin D - Camden,NY
 Smith,Emerson J - West Falls,NY
 Smoke,Shanna Jo - Albion,NY
 Smythe,Ishmael - Peekskill,NY
 Sniderman,Glenda L - Rochester,NY
 Springfield,Angelique D - Huntington Sta,NY
 Stefano,Anne C - Fairport,NY
 Stephens,Erin L - Johnson City,NY
 Stewart,Amy J - Troy,NY

Stewart,Michelle A - Staten Island,NY
 Stickney,Nicole L - Richland,WA
 Stillson,Joel B - Windsor,NY
 Stocker,Heather M - Port St Lucie,FL
 Sukhram,Chulmati - Mount Vernon,NY
 Taylor,Andrea C - Brooklyn,NY
 Torok,Lauren - Walden,NY
 Torres,Melissa - Rochester,NY
 Tribunella,Frank J - Penfield,NY
 Tripp,Bryan T - Cheektowaga,NY
 Urbiaco,Jessica A - Port Washington,NY
 Van Dorn,John P - Clifton,NJ
 Vancol,Marie G - Spring Valley,NY
 Vandenberg,Megan R - Rochester,NY
 Vasquez,Sara I - Bay Shore,NY
 Vette,Carol M - Newburgh,NY
 Villaherrera,Pedro - Bay Shore,NY
 Wakefield-Smith,Yvonne M - Oxford,NY
 Wheatcraft,Julie A - Addison,NY
 Williams,Lynn A - Redwood,NY
 Wilson,Maryjane - Binghamton,NY
 Wohl,Heather A - Congers,NY
 Zaia,Heather Y - Deruyter,NY
 Zielinski,Cheryl A - Hilton,NY

For further information contact: Mary Ellen Kutey, New York State Retirement Systems, 110 State St., Albany, NY 12244, (518) 474-3502

PUBLIC NOTICE

**Department of Taxation and Finance
 Interest Rates**

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of October, November, December, 2013 pursuant to sections 697(j) and 1096(e) of the Tax Law, as follows:

For purposes of section 697(j) the overpayment rate of interest is set at 2 percent per annum, and the underpayment rate of interest is set at 7.5 percent per annum. For purposes of section 1096(e), the overpayment rate of interest is set at 2 percent per annum, and the underpayment rate of interest is set at 7.5 percent per annum. (The underpayment rates set pursuant to sections 697(j) and 1096(e) may not be less than 7.5 percent per annum.) Pursuant to section 1145(a)(1) of the Tax Law, the underpayment rate for State and local sales and use taxes administered by the Commissioner of Taxation and Finance is 14.5 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law is 15 percent.

For the interest rates applicable to overpayments (refunds) and underpayments (late payments and assessments) of the following taxes administered by the Commissioner of Taxation and Finance for the period October 1, 2013 through December 31, 2013, see the table below:

10/1/13 - 12/31/13
 Interest Rate Per
 Annum
 Compounded Daily

Commonly viewed tax types	Refunds	Late Payments & Assessments
Income **	2%	7.5%
Sales and use	2%	14.5% *
Withholding	2%	7.5%
Corporation **	2%	7.5%
All other tax types	Refunds	Late Payments & Assessments

Alcoholic Beverage	2%	7.5%
Beverage Container Deposits	2%	7.5%
Boxing & Wrestling	2%	7.5%
Cigarette	NA	7.5%
Diesel Motor Fuel	2%	7.5%
Estate	2%	7.5%
Fuel Use Tax	5%	5%
Generation-Skipping Transfer	2%	7.5%
Hazardous Waste	2%	15%
Highway Use	2%	7.5%
Metropolitan Commuter Transportation Medallion Taxicab Ride	2%	7.5%
Metropolitan Commuter Transportation Mobility Tax	2%	7.5%
Mortgage Recording	2%	7.5%
Motor Fuel	2%	7.5%
Petroleum Business	2%	7.5%
Real Estate Transfer	2%	7.5%
Tobacco Products	NA	7.5%
Waste Tire Fee	2%	7.5%

* The Tax Law requires the interest rate on sales tax assessments or late payments to be set at 14-1/2% for this quarter. However, if the Commissioner determines that the failure to pay or the delay in payment is due to reasonable cause and not willful neglect, the Commissioner may impose interest at the corporation tax late payment and assessment rate. That rate is 7.5% for this quarter.

** There are a number of state and local governmental bodies that have interest rates tied to the overpayment and underpayment rates contained in either section 697(j) (Income Tax) or section 1096(e) (Corporation Tax) of the Tax Law. For purposes of section 697(j) and section 1096(e) of the Tax Law, the overpayment rate for this period is 2%. For purposes of section 697(j) of the Tax Law, the underpayment rate for this period is 7.5%. For purposes of section 1096(e) of the Tax Law, the underpayment rate for this period is also 7.5%.

For further information contact: John W. Bartlett, Taxpayer Guidance Division, Department of Taxation and Finance, W. A. Harriman Campus, Albany, NY 12227, (518) 530-4145

For rates for previous periods, visit the Department of Taxation and Finance website: www.tax.ny.gov/taxnews/int_curr.htm

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 Brian Tollsen, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2013-0320 Matter of Levittown Fire District, 120 Gardiners Ave, Levittown, NY 11756 for an appeal and or variances concerning safety requirements, including the replacement of a 1,000 gallon above ground fuel tank.

Involved are location of the tank with respect to a buildings, located at 2 Hickory Lane, Town of Hempstead, Nassau County, State of New York.

2013-0356 Matter of Jewish Home Life Westchester, 106 W 106th Street, NY, NY 10025 for a variance concerning various building and fire code requirements, including corridors in group I2 occupancy.

Involved is the "Green House" at Sarah Neuman Center, I-2 occupancy classification, located at 845 Palmer Avenue, Village of Mamaroneck, County of Westchester, State of New York.

2013-0357 Matter of Jewish Home Life Westchester, 106 W 106th Street, NY, NY 10025 for a variance concerning various building and fire code requirements, including corridors in group I2 occupancy.

Involved is the Pavilion renovation at Sarah Neuman Center, I-2 occupancy classification, located at 845 Palmer Avenue, Village of Mamaroneck, County of Westchester, State of New York.

2013-0358 Matter of PNM PV REALTY LLC, 59 Marble Avenue, Pleasantville, NY 10570 for a variance concerning fire code requirements, including open-flame outdoor propane heaters.

Involved is the A'Mangiare Restaurant, A2 occupancy classification, located at 59 Marble Avenue, Village of Pleasantville, County of Westchester, State of New York.

2013-0363 Matter of Erik Mandelberg, 4523 Belmont Road, Great Neck, NY 11020 or an appeal and or variances concerning safety requirements, including the ceiling heights in a basement and the requirement for an emergency escape and rescue opening.

Involved is an existing one family dwelling, located at 4523 Belmont Road, Town of North Hempstead, Nassau County, State of New York.

2013-0367 Matter of David Shteierman, 32 Broadway, Suite 114, New York, NY 10004 for an appeal and or variances concerning safety requirements, including the installation of an automatic sprinkler system.

Involved is an existing one family dwelling, located at 830 Bryant Street, Town of Hempstead, Nassau County, State of New York.