

# MISCELLANEOUS NOTICES/HEARINGS

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## 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](http://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 March 2004 will be conducted on March 22 commencing at 10:00 a.m. and March 23 commencing at 10:00 a.m. This meeting will be conducted in the Commission Conference Rm., 2nd Fl., Dept. of Civil Service, Bldg. 1, State Campus, Albany, NY.

*For further information contact:* Office of Commission Operations, Department of Civil Service, State Campus, Bldg. 1, Albany, NY 12239, (518) 457-2575

## PUBLIC NOTICE Department of Health

Pursuant to, but not required by, 42 CFR section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend Title XIX State Plan for personal care programs. The proposed amendments institute a two percent penalty for late filing of personal care cost reports; will establish a thirty day notice of the rate prior to January 1st of each rate year and will allow programs an additional thirty days to submit any

rate appeal of the initial January 1 Medicaid rate. Current regulations mandate that programs file the annual cost reports by a specific date. Approximately twenty percent of programs or 100 cost reports are not filed in a timely manner and 50 cost reports are not filed at all. This creates a significant amount of additional processing time and results in rates being issued well after the start of the effective period.

By instituting the late filing penalty, the Department can streamline its rate setting process and will be able to promulgate rates in a more timely and accurate manner. The amendments will also establish that personal care providers will receive notice of their initial rates thirty days prior to the effective date of the rate. This will allow programs to perform more accurate budget projections for their operations.

If 100 personal care providers in the state do not file a Medicaid cost report in a timely manner, the maximum penalty is estimated to be \$163,625 in annual aggregate Medicaid savings. In the event fewer reports are filed late, the penalty will be less than such maximum amount.

Copies of the proposed regulation are on file in each local (county) social services district and are available for public review.

For the New York City district, copies are 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

The public is invited to review and comment on these proposed regulations.

*For further information and to review and comment, please contact:* William Johnson, Department of Health, Division of Legal Affairs, Office of Regulatory Reform, Corning Tower, Rm. 2415, Empire State Plaza, Albany, NY 12237, (518) 473-7488, fax: (518) 486-4834, e-mail: [regsqna@health.state.ny.us](mailto:regsqna@health.state.ny.us)

## PUBLIC NOTICE

Rockland County Solid Waste Management Authority  
Final Request for Proposals for  
Materials Recovery Facility Contractor

Rockland County Solid Waste Management Authority is issuing a Final Request For Proposals (FRFP) for a Materials Recovery Facility Contractor. The Contractor shall (1) furnish all labor, materials, supplies, and equipment, as detailed in the RFP, (2) produce recovered materials in accordance with specifications set forth in the RFP by separately processing commingled containers and commingled paper, (3) operate and maintain all equipment (except the scale system), (4) accept, account for, store and market the recovered material, and dispose of residue and rejects at the adjacent Transfer Station, (5) complete certain retrofits during a transfer period, and (6) secure, renew, and comply with all required permits and registrations.

The RFP will be available beginning on February 26, 2004 from: Ronald C. Delo, P.E., Executive Director, Rockland County Solid Waste Management Authority, 420 Torne Valley Road, Hillburn, New York 10931, (845) 753-2200.

The deadline for the receipt of Proposals at the Authority offices is Thursday, April 8, 2004 at 4 p.m. Proposals will be The RFP is being made available to Proposers in compliance with New York State Municipal Law, Section 120-w.

## PUBLIC NOTICE

Department of State  
F-2003-0751

Date of Issuance - March 10, 2004

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 41 State Street in Albany, New York.

**In F-2003-0751, the New York City Department of Parks and Recreation, The Arsenal, Central Park, New York, NY 10021,** is proposing to create a new shoreline park at the site of a former concrete batch manufacturing plant. The site, located on the western bank of the Bronx River, north of the Brucker Boulevard, has been abandoned and is now zoned parkland. Work associated with the proposed Concrete Plant Park would include the proposed construction of a waterfront promenade, a multi-use pedestrian greenway, and a kayak/canoe launch. Environmental work will include the enhancement of the exiting tidal wetland, stabilizing and replanting upland slopes (where needed), expanding the existing beach, and freeing up the existing shoreline from all concrete debris. Prior to park construction the site will undergo remediation which will include removal of Underground Storage Tanks (USTs); removal of Above Ground Storage Tanks (ASTs); removal of an existing transformer; and removal of contaminated soil. The activity will also include groundwater remediation. Concrete debris will be removed from the shoreline and from within the park. Several silos and structures will be left to function as centerpieces and as visual reminders of the site's industrial past. The greenway will connect all elements within the park including the connecting the north entrance to the south entrance. The NYC

DPR's Natural Resources Group has already established an onsite plant nursery for native wetland plants. These plants will be planted along the Bronx River, including the shoreline of the Concrete Plant Park. Bulkheading construction will be done to protect the shoreline. Tidal enhancement would include the cleaning and re-nourishing of an existing sand beach along the southern part of the park.

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 April 9, 2004.**

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  
F-2004-0010

Date of Issuance - March 10, 2004

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 41 State Street in Albany, New York.

**In F-2004-0010, the New York State Department of Transportation, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101,** is proposing replacement of the northbound Whitestone Expressway (I-678) bridge over the Flushing River and associated highway surface improvements from the new span, north to the Whitestone Bridge. The proposed work entails the placement of cofferdam structures within the Flushing River and the excavation of sediment prior to bridge pier construction. Excavated material, unsuitable for open-water disposal, would be drained and stabilized before encapsulation in a permitted landfill. The project is located over the Flushing River, Borough of Queens City of New York, New York County.

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., **15 days from the date of publication of this notice, or March 25, 2004.**

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  
F-2004-0094 DA

Date of Issuance - March 10, 2004

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 U.S. Military Academy 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 41 State Street in Albany, New York.

**In F-2004-0094 DA- the U. S. Military Academy Directorate of Housing & Public Works, Building 667, Ruger Road, West Point, NY 10996,** is proposing to construct a new potable water facility for the Stony Lonesome Community at the top of the West Point Ski Slope. This project would consist of the construction and operation of a proposed 1,000,000 gallon water tank to service the Stony Lonesome community of the USMA at West Point, including work areas and associated water lines that will connect the new water tank to the existing water line system. Although the current anticipated need is for a 500,000 gallon water tank, the USMA is proposing the larger 1,000,000 gallon water tank to accommodate future development at the USMA, particularly at the Stony Lonesome area. The new water tank will initially be filled half way and then filled further as needed. The additional water supply will allow service to the USMA from the Stony Lonesome community east to the Kimsey Center. Four alternate locations were evaluated and the final site selection was made based upon proximity of the proposed site to an existing water tank, and existing water infrastructure, thereby limited ground excavation and reducing costs. A laydown and equipment preparation area would be located on the north side of Patrick Trail, in a large gravel area that has been subjected to prior disturbance.

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 March 25, 2004.**

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 Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

**PUBLIC NOTICE**

Department of State  
F-2004-0097

Date of Issuance - March 10, 2004

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 U.S. Military Academy 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 41 State Street in Albany, New York.

**In F-2004-0097 DA- the U. S. Military Academy Directorate of Housing & Public Works, Building 667, Ruger Road, West Point, NY 10996,** is proposing to rehabilitate Building 693 (School Age Services Facility), Washington Road, USMA. Building 693 was originally constructed in 1875 by the USMA as an Enlisted Men's School. The building has had two significant alternations -addition of a third classroom and 1896 and additions of a Grammar School with

wooden addition in 1937. Three major changes in use and three minor alterations also occurred at this building between 1937 and 1988. By 1988 this building was used as the USMA Youth Activities Center. The building is a contributing element to the USMA National Historic Landmark District. In 1995 the building was seriously damaged by a fire that destroyed the 1937 addition and caused substantial smoke and water damage throughout the remainder of the structure. The USMA has obtained funding to demolish the portions of the building destroyed by the fire, repair fire damage throughout the structure, reconstruct the portion of the building destroyed by the fire, and rehabilitate the building to serve as a School Age Services facility. No ground disturbance is currently planned in association with this rehabilitation project.

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 March 25, 2004.**

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 Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

**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 Roy Scott, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2004-0098 Matter of Todd Jaworski, 151 South Main Street, Angola, NY 14006 representing Thomas Kam, for a variance concerning fire-safety requirements, including garage floor construction.

Involved is an addition to an existing residence, located at 8346 Holly Hill Court, Town of Eden, County of Erie, State of New York.

2004-0099 Matter of Sear Brown, 40 La Riviere Drive, Suite 300, Buffalo, NY 14202 representing Alden Central School for a variance concerning fire-safety requirements, including fire area.

Involved are additions to an existing school, known as the Alden Intermediate/Middle School, located on Crittenden Road, Town of Alden, County of Erie, State of New York.

**SALE OF FOREST PRODUCTS**

NOTICE OF SALE

Cattaraugus Reforestation Area No. 7  
Contract No. X005065

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for 234.3 MBF more or less of Int. ¼Ored pine and 1,675 standard cords more or less of red pine located on Cattaraugus Reforestation Area No. 7, Stand(s) 80, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 25, 2004.

*For further information (including billing) contact:* Darrin Bierfeldt, Department of Environmental Conservation, Lands and Forests, Region 9, 182 E. Union St., Suite 3, Allegany, NY 14706-1328, (716) 372-0645

**SALE OF  
FOREST PRODUCTS  
NOTICE OF SALE  
Livingston Reforestation Area No. 1  
Contract No. X004971**

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for 265 MBF more or less of softwood sawtimber, and 291 tons more or less of softwood pulp located on Livingston Reforestation Area No. 1, Stand(s) B-3, 6, 13, 14, C-2, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 25, 2004.

*For further information (including billing) contact:* Joel Fiske, Department of Environmental Conservation, Lands and Forests, Region 8, 7291 Coon Rd., Bath, NY 14810-9728, (607) 776-2165