

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 7:00 a.m. to 5:00 p.m., at:

1-800-221-9311 (In New York State)
(518) 270-2200 (Outside New York State)

or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236

PUBLIC NOTICE

Department of Agriculture and Markets

Pursuant to Article 25 of the Agriculture and Markets Law and section 201.13 of Title One of the Official Compilation of Codes, Rules and Regulations of the State of New York (1NYCRR), the Department of Agriculture and Markets hereby gives notice of the following:

PLEASE TAKE NOTICE OF A REFERENDUM to be conducted by the Commissioner of Agriculture and Markets of the State of New York, pursuant to Article 25 of the Agriculture and Markets Law and section 201.13 of Title One of the Official Compilation of Codes, Rules and Regulations of the State of New York (1 NYCRR), as to whether the New York State Apple Marketing Order should be continued.

Any person who produced or caused to be produced apples for market in the State of New York during 2004 is a grower entitled to vote in the referendum. Each grower is entitled to one vote. Continuation of the Order is subject to the approval of not less than fifty percent of the growers participating in the referendum vote. To be considered, a ballot must be received in the Department of Agriculture and Markets' office at 10B Airline Drive, Albany, NY 12235, no later than the close of business on April 15, 2005.

Any grower may receive a copy of the Apple Marketing Order by contacting Mr. Steven Greenberg, the Program's Administrator. Mr. Greenberg may be reached by mail at Department of Agriculture and

Markets, 10B Airline Drive, Albany, New York 12235; by e-mail at steve.greenberg@agmkt.state.ny.us or by telephone at (518) 457-7076.

For further information, contact: Steven Greenberg, Department of Agriculture and Markets, 10B Airline Dr., Albany, NY 12235, (518) 457-7076, email: steve.greenberg@agmkt.state.ny.us

PUBLIC NOTICE

ENVIRONMENTAL FACILITIES CORPORATION NOTICE OF FINAL DESCRIPTION OF ELIGIBLE PROJECT CATEGORIES FINANCIAL ASSISTANCE TO BUSINESS WATER PROGRAM

I. BACKGROUND, SCOPE AND APPLICABILITY

The New York State Environmental Facilities Corporation (EFC), through its Financial Assistance to Business (FAB) Water Program, proposes to provide funding; 1) to businesses and to water suppliers on behalf of businesses for all projects that will create, improve or extend water supply facilities that are designed to comply with applicable federal laws and state drinking water supply requirements; and 2) to businesses and municipalities on behalf of business for projects that will create, improve or extend wastewater treatment facilities that are designed to comply with applicable federal and state water quality requirements. This funding will be made pursuant to the Financial Assistance to Business (FAB) Water Program that was created by Governor George E. Pataki's Clean Water/Clean Air Bond Act of 1996, and implementing regulations (21 NYCRR Part 2606). **All eligible projects must demonstrate an environmental or public health benefit.**

The FAB Water Program was established to help businesses and water suppliers on behalf of businesses, increase the availability and improve the quality of water supplies and to help businesses and municipalities on behalf of business increase the availability and improve the quality of wastewater treatment facilities.

Assistance from the FAB Water Program will be available only to projects that are located in villages, towns, and cities with a population of less than one million people.

II. PURPOSE OF THIS NOTICE

As required by Part 2606, this notice describes eligibility requirements for the FAB Water Program, the time period during which EFC will accept applications for funding, and certain other eligibility criteria.

III. DEFINITIONS

Unless defined herein, terms used in this notice shall have the meanings set forth in Section 56-0101 of the environmental conservation law, or 21 NYCRR Part 2606. Terms used in this notice have the following meanings:

"Water supply project" means the planning, design, construction, improvement, or acquisition of facilities, equipment, sites, or buildings for the supply, control, treatment, distribution, and transport of water supplies to ensure the integrity and quality of such water including compliance with the federal Safe Drinking Water Act and other applicable federal and State drinking water supply standards.

"Wastewater Treatment Facility" means the planning, design, construction, improvement, or acquisition of facilities, equipment, sites, or buildings needed to reduce or prevent water pollution including compliance with the federal Clean Water Act and other applicable federal and State water quality standards.

IV. DESCRIPTION OF ELIGIBLE PROJECTS

Projects eligible for funding under the FAB Water Program must demonstrate an environmental or public health benefit, and may include investments to construct, upgrade, improve or replace infrastructure which will provide to businesses: 1) water supplies which meet the requirements of the federal Safe Drinking Water Act and other applicable federal and State water supply requirements; or, 2) wastewater treatment facilities which meet the requirements of applicable federal and State water quality requirements. Some other examples include:

Water Supply Projects

- rehabilitation or development of new water sources by or on behalf of business to replace contaminated supplies;
- installation or upgrades of facilities that provide water to businesses if the project is needed to comply with primary or secondary standards or treatment/performance criteria or enable a public drinking water system to become viable;
- installation or upgrading of storage facilities, including finished water reservoirs, to prevent microbiological contamination;
- installation or replacement of transmission and distribution mains to prevent contamination caused by inadequately sized or constricted or failing mains;
- funding and/or construction to promote the consolidation of water supply services, particularly in circumstances where individual businesses or water systems generally have an inadequate quantity of water, the public water system is not viable, the water supply is contaminated, or the system is unable to ensure compliance; and
- the purchase of a portion of another system's capacity, if the purchase is part of a consolidation plan to bring the system(s) into compliance.

Wastewater Treatment Projects

- construction of new, expanded or rehabilitated wastewater treatment plants;
- construction or upgrade of sludge treatment and disposal facilities, including biosolids reuse;
- construction and rehabilitation of sewers; and
- construction of septage handling and marine vessel pumpout and treatment facilities.

V. PROJECT SELECTION

All complete applications will be evaluated based upon characteristics of each proposed project. This evaluation will be based upon factors including, but not limited to:

- the reliability and viability of the proposed system to provide a water supply or wastewater treatment to businesses;
- the need to improve the water supply for public health reasons, including reducing exposure to microbiological contamination such as E-coli, toxins, and other contaminants;
- any sanitary code violations, including inadequate source capacity, inadequate distribution pressures or uncovered finished water storage;

- any water quality violations and threats to public health or the environment;

Once a decision to fund a project is made, EFC will notify successful project owners, and execute a contract describing the rights and responsibilities of the parties. EFC will then begin processing the State Assistance Payments. No funds will be disbursed until all necessary permits and approvals for the project (including, DOH approval to create, construct or modify a public water system, any SEQRA requirements, and, if necessary, a DEC water supply permit) have been received.

VI. PROJECT COMPLETION DATE

All approved project applicants for which FAB Water money is awarded must enter into and fully execute an Agreement with EFC for a State Assistance Payment within three (3) years of the date of the FAB Water eligibility approval letter. In addition, all approved projects must commence within four (4) years of the date of this letter.

VII. AMOUNT OF FUNDING

EFC will make State Assistance Payments for not more than 75% of the cost of an eligible project on a reimbursement basis. EFC may award less than 75% of the cost of a project based upon a determination that the amount of the award will allow the project to proceed, given other sources of funding.

VIII. APPLICATION SCHEDULE

EFC will accept applications for State Assistance Payments under the FAB Water Program through April 18, 2005. Applications are available at the address listed below or on EFC's website, www.nysefc.org.

IX. ADDITIONAL REQUIREMENTS

(1) Project Limitations.

All recipients must pledge not to remove from the State any assets purchased with funds received from the FAB Water Program.

(2) Application Procedure

The procedures for administering the FAB Water Program, including the submission, review and approval of requests for State Assistance, will be governed by 21 N.Y.C.R.R. Part 2606.

X. INFORMATION AVAILABILITY

Any person seeking additional information or application material should contact EFC at: Environmental Facilities Corporation, Financial Assistance to Business Program, 625 Broadway, Albany, NY 12207-2997, (800) 200-2200, Fax (518) 486-9248, www.nysefc.org

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 457.65, the Department of Health hereby gives notice of the following:

The Department of Health proposes to amend the Title XXI (State Child Health Insurance Program) State Plan to reflect State legislation enacted as part of the 2004-05 Budget. The State Budget for SFY 2004-05 repealed the Medicaid expansion enacted in 2000 which provided Medicaid eligibility for children ages 6 through 18 with household net incomes between 100 and 133 percent of the federal poverty level (FPL).

Effective April 1, 2005, applications for Child Health Plus A (CHPlus A) and Child Health Plus B (CHPlus B) received from or on behalf of children ages 6 through 18 with net household incomes between 100 and 133 percent of the FPL shall be processed for CHPlus B eligibility. In addition, children ages 6 through 18 with net household incomes between 100 and 133 percent of the FPL enrolled in

CHPlus A prior to April 1, 2005 shall have their CHPlus A eligibility redetermined upon their annual recertification dates and, if applicable, be transferred to CHPlus B at that time. The Department has created a simplified process to redetermine eligibility and promptly transfer children into CHPlus B who are no longer eligible for CHPlus A.

The fiscal impact associated with this proposal is minimal as most children who will be transitioned to CHPlus B are already enrolled in a managed care plan, and the capitation payments for CHPlus A and CHPlus B are comparable for similar services.

For further information, contact: Ralph Bielefeldt, Assistant Director, Child Health Plus Program, Corning Tower, Rm. 1656, Empire State Plaza, Albany, NY, 12237-0004, (518) 473-4672, Fax: (518) 402-5409, e-mail: rmb01@health.state.ny.us

PUBLIC NOTICE

Department of Health

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

To conform to 2004 legislatively-mandated changes, the Department of Health proposes to amend the Title XIX (Medicaid) State Plan on recipient cost sharing charges.

Pursuant to the change in State law, effective April 1, 2005, pharmacy co-payments will be applied to recipients who are enrolled in Medicaid managed care plans. These co-payments will be consistent with Medicaid co-payments applicable to recipients who are not enrolled in a Medicaid managed care plan. The co-payments are \$2.00 for each brand-name prescription drug dispensed, \$0.50 for each generic prescription drug dispensed, and \$0.50 for each ordered over-the-counter medication.

The estimated annual decrease in Medicaid expenditures is estimated to be \$2.2 million dollars per State fiscal year.

Copies of the proposed state plan amendment 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 this proposed state plan amendment.

For further information or to review and comment on this proposed state plan amendment, please contact or write: 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

PUBLIC NOTICE

Office of Mental Health

Pursuant to Section 7.17(e) of the Mental Hygiene Law, notice is hereby given of the following actions anticipated to be taken at Middletown Psychiatric Center:

The 2005-06 Executive Budget submitted to the Legislature by the Governor proposes the closure of Middletown Psychiatric Center on or after April 1, 2006. If this provision is passed by the Legislature, all inpatient wards at Middletown Psychiatric Center will be closed, and all such wards will be relocated to Rockland Psychiatric Center, in Orangeburg, New York.

The savings attributed to the closure will be reinvested into expanded OMH-operated outpatient services in the former Middletown Psychiatric Center's catchment area. It is anticipated that all facility outpatient programs will remain in the communities they currently serve. No significant service reductions in the outpatient programs are anticipated. Further, Community Residence and Family Care programs will continue to operate in their current communities.

In the absence of legislation authorizing the closure of the facility, it is anticipated that significant service reductions would occur at Middletown Psychiatric Center on or after April 1, 2006.

The above actions will impact upon the state workforce at Middletown Psychiatric Center. However, OMH will develop strategies which attempt to minimize the impact on the state workforce, by providing assistance in obtaining state employment in OMH-operated inpatient and community-based services or other employment opportunities. Accordingly, please also be advised that one or more public meetings will be scheduled to address any questions, issues or concerns that you might have about these actions, and to discuss possible strategies which might minimize such impacts.

For further information, contact: Keith Simons, Deputy Commissioner, Office of Public Affairs and Planning, Office of Mental Health, 44 Holland Avenue, Albany, NY 12229, (518) 474-6567

SALE OF FOREST PRODUCTS

NOTICE OF SALE

Allegany Reforestation Area No. 23
Contract No. X005317

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 1,144.5 MBF more or less of softwood sawtimber and 1,667 cords more or less of softwood cordwood located on Allegany Reforestation Area No. 23, Stand(s) 52, 79, 116, 121, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 31, 2005.

For further information (including billing) contact: Ronald Abraham, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 5425 County Rte. 48, Belmont, NY 14813-9758, (585) 268-5392

SALE OF FOREST PRODUCTS

NOTICE OF SALE

Delaware Reforestation Area No. 7
Contract No. X005577

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 362.5 MBF more or less of red pine and spruce sawtimber and 95 cords more or less of softwood pulp located on Delaware Reforestation Area No. 7, Stand(s) A-18, 19, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 31, 2005.

For further information (including billing) contact: Ben Peters, 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

**SALE OF
FOREST PRODUCTS
NOTICE OF SALE
Dutchess Multiple Use Area No. 1
Contract No. X005489**

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 116.463 MBF more or less of hardwood sawtimber, and 424 cords more or less of hardwood firewood located on Dutchess Multiple Use Area No. 1, Stand(s) A-1, 4, 8, 11, 14, 15, 16, 19, 29, 39, 47, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 31, 2005.

For further information (including billing) contact: Barbara Lucas-Wilson, Sr. Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 3, 79 Farmstead Lane, Wappingers Falls, NY 12590, (845) 831-8780 ext. 309

**SALE OF
FOREST PRODUCTS
NOTICE OF SALE
Schuyler Reforestation Area No. 6
Contract No. X005294**

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 218.4 MBF more or less hardwood sawtimber, and 476 tons more or less hardwood pulp located on Schuyler Reforestation Area No. 4, Stand(s) D-14, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 31, 2005.

For further information (including billing) contact: Mark Keister, Sr. Forester, Department of Environmental Conservation, Division of Lands and Forests, 7291 Coon Rd., Bath, NY 14810-9728, (607) 776-2165