

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.

NOTICE OF PUBLIC HEARING Department of State

PURSUANT to 42 U.S.C. § 9908(a)(2)(B), the Department of State hereby gives public notice that on Wednesday, June 16, 2010, the New York State Legislature will hold a public hearing on the Community Services Block Grant (CSBG) Program and the 2011-2012 draft CSBG Management Plan.

The hearing will be held at 10:30 a.m. in Roosevelt Hearing Room C, Legislative Office Building, 2nd Floor, Albany, New York.

The CSBG Draft Management Plan will be available prior to the hearing on the Department of State website at <http://www.dos.state.ny.us/dcs/forms.htm> or by contacting: Dolores Franco, Esq., Director, Department of State, Division of Community Services, One Commerce Plaza, 99 Washington Ave., Suite 640, Albany, NY 12231-0001, (518) 474-5741

PUBLIC NOTICE Town of Babylon Waste Collection Services Draft Request for Proposals: DRFP No. 10G28

This notice is issued pursuant to Subdivision 4 of Section 120-w of the General Municipal Law and is a notice of a Draft Request for Proposals for the financing, provision of collection means and services and the facilities, having to do with the collection of municipal solid waste from commercial, industrial and institutional establishments within the unincorporated areas within the Town of Babylon, Suffolk County, New York. The means, services and facilities are expected to include: the routing; containers; vehicles; central yard and facilities; administrative management; maintenance support; and customer service support to perform services as specified in the Request for Proposals.

Copies of the Draft Request for Proposals may be obtained at the

Town of Babylon, Town Hall, Division of Purchasing Office, 200 E. Sunrise Hwy., Lindenhurst, NY 11757 between the hours of 9:00 a.m. and 4:30 p.m., except Saturdays, Sundays and Holidays, on and after June 2, 2010 for a fee of ONE HUNDRED FIFTY DOLLARS (\$150.00), until Aug. 2, 2010.

Comments on the Draft Request for Proposals must be received in quintuplicate (6 copies) at the office of Ms. Patricia Kaphan, Commissioner of General Services, at the above address no later than 11:00 a.m. on Aug. 2, 2010.

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 June 2010 will be conducted on June 17 commencing at 10:00 a.m. This meeting will be conducted at New York Network, Suite 146, South Concourse, Empire State Plaza, Albany, NY. Directions and parking information available at (www.nyn.suny.edu).

For further information, contact: Office of Commission Operations, Department of Civil Service, Alfred E. Smith State Office Bldg., Albany, NY 12239, (518) 473-6598

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 the Early Intervention Program (EIP) to comply with recently proposed revisions to State regulations. The following significant changes are proposed effective June 3, 2010:

- A definition of "applied behavior analysis" is created, consistent with the definition used by Medicare Military Health plan. Applied behavior analysis (ABA) means the design, implementation, and evaluation of systematic environmental changes to produce socially significant change in human behavior through skill acquisition and the reduction of problematic behavior. ABA includes direct observation and measurement of behavior and the identification of functional relations between behavior and the environment. These include contextual factors such as establishing operations, antecedent stimuli, positive reinforcers, and other consequences that are used to produce the desired behavior change.

- The list of qualified personnel will be revised to reflect changes that have been made to teacher certifications and professional licenses. To enhance capacity to deliver services to children with vision impairment, optometrists and vision rehabilitation specialists have been added as qualified personnel.

- Continuing eligibility criteria for the program are established and criteria for initial eligibility are revised for children with a delay only in the communication domain. For children with a delay only in the communication domain, the criteria are a score of 2.0 standard deviations below the mean in the area of communication. If no standardized test is available or appropriate for the child, or the tests are inadequate

to accurately represent the child's developmental level in the informed clinical opinion of the evaluator, a delay in the area of communication is determined by specific qualitative criteria articulated in clinical practice guidelines issued by the Department and regulation. Early intervention officials are allowed to require a determination be made of the child's continuing eligibility if there is an observable change in the child's developmental status that indicates a potential change in eligibility. Continuing eligibility will be established by a multidisciplinary evaluation and can include: a delay consistent with the criteria for initial eligibility, a delay in one or more domains such that the child is not within the normal range expected for his or her age, a score of 1.0 standard deviation below the mean in one or more domain or the continuing presence of a diagnosed condition with a high probability of delay.

- Enhanced standards for the approval of providers are established, including a requirement that agencies enroll as Medicaid providers and that they submit consolidated fiscal reports on a periodic basis to the Department upon request. For individual providers who are able to deliver services as independent contractors in the program, a minimum amount of past clinical experience is required serving children under five years of age. Agency providers are required to submit a quality assurance plan for each service offered; employ a program director and a minimum of two qualified personnel or qualified service coordinators; and employ professionals who hold a license, certification, or registration in the type of service offered by the agency to monitor and oversee implementation of the quality assurance plan.

- Criteria for the approval of agencies to employ and use paraprofessional applied behavior analysis (ABA) aides to assist in the provision of ABA services will be established, under the direct supervision of qualified personnel with required experience in ABA service delivery.

- Agencies approved to deliver ABA intervention services with the assistance of employed ABA aides are required to coordinate all services in a child's individualized family service plan (IFSP).

- The minimum requirements and responsibilities for supervisors of ABA aides are established, respectively. Supervisors must be employed and must be licensed or certified in one of the following professions: psychiatry; psychology; licensed clinical social work; special education, or speech language pathology. Supervisors must meet education, training, and experience requirements established in regulation. The supervision of ABA aides must include a minimum of six hours per month in the first three months of employment, and a minimum of four hours per month thereafter, of direct on-site observation and a minimum of two hours per month of indirect supervision for each aide assigned to assist with service delivery to the child. Supervisors are required to convene a minimum of two team meetings per month with all personnel delivering services to the child.

- The minimum qualifications and allowable activities for ABA aides are established. Individuals employed as ABA aides shall meet the following minimum qualifications:

(1) A minimum level of education, as established by meeting at least one of the following requirements:

(i) a high school diploma or its equivalent; and,

(a) two years of full-time direct, supervised work experience providing services to children with disabilities under the age of five years; or,

(b) current matriculation in a degree program in psychology, early childhood development, early childhood education, speech language pathology, special or elementary education, or in a degree program necessary for a license, registration, or certification in a profession designated as qualified personnel in section 69-4.1(ak) of this Subpart;

(ii) an Associate's or higher level degree in psychology, early childhood development, early childhood education, speech language pathology, special or elementary education, or in a discipline necessary for license, registration, or certification in a profession designated as qualified personnel in section 69-4.1(ak) of this subpart;

(iii) certification as a teaching assistant;

(iv) board certification as a behavior analyst credentialed by the

Behavior Analyst Certification Board, Inc. for individuals who are not otherwise licensed, registered, or certified by the New York State Education Department in a discipline included in the list of qualified personnel as defined in 69-4.1(ak); or,

(v) assistant behavior analyst credentialed by the Behavior Analyst Certification Board, Inc., for individuals who are not otherwise licensed, registered, or certified by the New York State Education Department in a discipline included in the list of qualified personnel as defined in 69-4.1(ak), and when supervised by a behavior analyst credentialed by the Behavior Analyst Certification Board, Inc.

(2) Prior to the provision of services to any child without direct, on-site supervision, ABA aides shall:

(i) Complete a child abuse and neglect identification and reporting workshop.

(ii) Complete a minimum of 20 hours of training or in-service in behavior interventions using ABA techniques within the past five years, including at a minimum;

(a) basic principles of behavior analysis;

(b) the application of these principles in behavior intervention, including collection of data as needed for monitoring child progress;

(c) ethical issues related to the delivery of applied behavior interventions; and,

(d) overview of autism and pervasive developmental disorder.

(3) ABA aides shall complete a minimum of ten hours of additional training or in-service annually in topics pertaining to ABA intervention programs, and autism spectrum disorders or other disabilities for whom such interventions have been proven effective.

(i) Matriculation in a degree program that may be used to meet this training requirement.

(4) Under the supervision and direction of a supervisor, ABA aides shall:

(i) assist the supervisor and qualified personnel with the implementation of individual child ABA intervention programs;

(ii) assist in the recording and collection of data needed to monitor child progress;

(iii) participate in required team meetings, and

(iv) complete any other activities as directed by his or her supervisor and as necessary to assist in the implementation of individual child ABA intervention program plan.

(5) Qualified personnel who are employed or under contract with agencies approved to deliver ABA services using ABA aides, and who are providing ABA and/or other early intervention services included in a child's and family's IFSP shall:

(i) participate in the ongoing, systematic measurement, data collection, and documentation of the child's progress;

(ii) conduct data reviews on an ongoing basis to identify modifications that may be needed to individual child ABA intervention program plans as appropriate;

(iii) provide direction and support to ABA intervention program aides as needed and appropriate to assist such aides with the implementation of individual child ABA intervention program plans;

(iv) train and support the child's parent and/or caregivers to assist the parent and/or caregiver in follow-through with the child; and,

(v) collaborate with other qualified personnel and ABA intervention program aides in implementing individual child ABA intervention program plans and IFSPs, including participating in team meetings convened by supervisors of ABA intervention program plans.

- Clarification is made in the intent for frequency, intensity, length, duration, location and the method of delivering services. Frequency, intensity, length, duration, location and method shall be defined as follows: frequency shall mean the number of days or sessions per week the service will be provided; intensity shall mean whether the service is provided on an individual or group basis; length shall mean the number of minutes of actual time spent delivering services during each session; duration shall mean the start date and end date the service is to be provided; location shall mean the actual place or places where the service will be delivered; method shall mean how a service is provided.

- The rates for ABA paraprofessional services will be based on an average of New York State Education Department-reported teaching assistant salaries and contain additional pricing components for team meetings, supervision, and travel.

- A price for services provided by an ABA aide to be billed by the day in 60 minute increments is established.

The estimated annual decrease to gross Medicaid expenditures as a result of the proposed amendments for state fiscal year 2010/2011 is \$8,000,000.

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

The public is invited to review and comment on this proposed state plan amendment.

For further information and to review and comment, please contact: Philip N. Mossman, Department of Health, Bureau of HCRA Operations & Financial Analysis, Corning Tower Bldg., Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (FAX), e-mail: PNM01@health.state.ny.us

PUBLIC NOTICE **Henrietta Fire District**

The Henrietta Fire District is soliciting proposals from administrative service agencies relating to trust service, administration and/or funding of a Deferred Compensation Plan for the employees of Henrietta Fire District. They must 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 the Henrietta Fire District, Barbara Sharp, Secretary/Treasurer, 850 Bailey Rd., West Henrietta, NY 14586. (585-359-7190).

All proposals must be received no later than 30 days from the date of publication in the New York State Register.

PUBLIC NOTICE **Oneida-Herkimer Solid Waste Authority** **Draft Request for Proposals** **Single Stream Recyclables Processing System Project**

The Oneida-Herkimer Solid Waste Authority desires to procure an agreement (pursuant to Section 120-w of New York State Municipal Law) with a firm for a Single Stream Recyclables Processing System Project at its Recycling Center, Utica, NY. Comments on the Draft RFP are welcome. Copies of the Draft RFP may be obtained through the contact below:

The Oneida-Herkimer Solid Waste Authority does not discriminate because of race, creed, color, national origin, sex, age, disability, or marital status. All qualified respondents will be afforded equal opportunities without discrimination.

For further information, contact: Michael Wolak, Director of Engineering, Oneida-Herkimer Solid Waste Authority, 1600 Genesee St., Utica, NY 13502, (315) 733-1224 Ext. 1300, e-mail: mikew@ohswa.org

PUBLIC NOTICE **Department of State** **F-2010-0331**

Date of Issuance – June 2, 2010

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 Department of the Navy has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting 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-2010-0331, the Department of the Navy is proposing quaywall repairs and bridge replacement at the Naval Operations Support Center, located in the Black Rock Canal, in the City of Buffalo, Erie County, New York. The bridge replacement involves the removal and replacement of an existing 90-foot long two-span steel truss pedestrian bridge with a 100-foot long single span steel truss bridge. The quaywall repairs and improvements include the construction of a new steel H-pile and concrete lagging panel wall in front of the failed section of stone masonry quaywall. The steel H-piles will be inserted and anchored between the H-pile flanges, spanning between the H-piles, to support fill behind the wall. Other proposed improvements include the placement of a 190-foot long fixed or floating dock secured by 5 to 10 treated timber piles, construction of a concrete block retaining wall, construction of a rip-rap quaywall, installation of an access pier and gangway, jet dock power supply, grouting of the north end quaywall foundation, north end masonry quaywall shoring, timber fender wale and chock replacement, and fender pile and cap replacement.

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, June 17, 2010.

Comments should be addressed to the New York State Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite 1010, Albany, NY 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 **Urban Development Corporation** **Invitation for Public Comment**

The Urban Development Corporation has recently been designated as one of the state agencies selected to participate in the process established by Governor Paterson's Executive Order No. 25 (http://www.state.ny.us/governor/executive_orders/xeorders/eo_25.html) to evaluate existing regulations for opportunities to appropriately reduce regulatory burdens.

As part of that process, the Urban Development Corporation hereby invites comments from regulated entities and interested parties to identify existing regulations that impose unnecessary, burdensome or excessive costs, paperwork, reporting or other requirements.

Comments should describe and quantify the burden and suggest appropriate remedies that the agency may undertake to eliminate or amend regulations that are unnecessary, unbalanced, unwise, duplicative or unduly burdensome.

Any comments must be received on or before July 18, 2010 and may be submitted in writing to Antovk Pidedjian, Senior Counsel, Urban Development Corporation, 633 Third Ave., New York, NY 10017 or electronically at apidedjian@empire.state.ny.us and the Governor's Office of Regulatory Reform at EO25@gorr.state.ny.us.

**SALE OF
FOREST PRODUCTS**
Cattaraugus Reforestation Area No. 7
Contract No. X007807

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 393.3 MBF more or less of sawtimber and 6 cords more or less of pulpwood, located on Cattaraugus Reforestation Area No. 7, Stand 27, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, June 17, 2010.

For further information, contact: Daniel Shaffer, Forestry Technician III, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 182 E. Union St., Suite 3, Allegany, NY 14706-1328, (716) 372-0645

**SALE OF
FOREST PRODUCTS**
Erwin Wildlife Management Area
Contract No. X007847

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 red oak sawtimber, 270.4 MBF more or less; white oak sawtimber, 38.4 MBF more or less; black oak sawtimber, 25.1 MBF more or less; aspen sawtimber, 3.7 MBF more or less and hardwood pulp and dead oak, 912 tons more or less, located on Erwin Wildlife Management Area, Stand A-5, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, June 17, 2010.

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