

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

Office of Parks, Recreation and Historic Preservation

OPRHP, as lead agency, has determined that the adoption and implementation of a Draft New York Statewide Trails Plan may have a significant effect on the environment. As a result a Draft Plan / Draft Generic Environmental Impact Statement (DGEIS) has been prepared. Pursuant to Parks, Recreation and Historic Preservation Law section 3.15 and Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) gives notice of a public hearing:

Time and Date: Tuesday, October 19, 2010, 7:00 p.m.

Place: Gideon Putnam Room
Administration Building
Saratoga Spa State Park
Saratoga Springs, NY

Purpose: Offer the public an opportunity to provide comments on the Draft New York Statewide Trails Plan / Generic Environmental Impact Statement (GEIS).

Brief description of action: In addition to providing existing information on trails in the state, the New York Statewide Trails Plan lays out the overall vision, goals and objectives for the creation of a statewide trails system. Through this vision, the Plan sets out to: provide statewide policy direction; develop a framework for the statewide trails system; identify trail related issues and provide strategies to address them; provide standards and guidelines and resources for development of sustainable trails statewide; establish a Statewide Trails Clearinghouse; and define roles and responsibilities for implementation. Potential environmental impacts associated with adoption and implementation of the plan as well as mitigation measures that could be taken to reduce potential impacts, are included as a part of the Plan which, in its entirety, constitutes a DGEIS.

SEQR classification: Pursuant to 6NYCRR Part 617 of the implementing regulations pertaining to Article 8, this is a Type I action.

Availability of Draft Plan: The online version of the plan is available at the following publicly accessible web site: <http://www.nysparks.state.ny.us/inside-our-agency/public-documents.aspx>. Copies of the plan are available for review at Office of Parks, Recreation and Historic Preservation and Department of Environmental Conservation regional offices, and CDs of the plan are available by contacting the agency contact below. A listing of regional offices may also be obtained from the agency contact.

Written comments on the Draft New York Statewide Trails Plan will be accepted until November 1, 2010 and can be submitted to the agency contact below or emailed to StatewideTrailsPlan@oprhp.state.ny.us.

Pre-hearing webinars will be offered on Wednesday, October 13, 2010 at 7:00 - 8:00 pm and Thursday, October 14, 2010 at 1:00 - 2:00 pm. The webinars will include a presentation of the Draft Statewide Trails Plan and offer an opportunity for questions and answers. People wishing to participate will need to email notification of interest to: StatewideTrailsPlan@oprhp.state.ny.us or call 518-474-5578. Instructions for access to the webinar will be emailed to those interested a couple of days prior to the webinar dates. Participation requires access to the Internet and a telephone.

For further information, contact: Nancy Stoner, Trails Planner, Bureau of Resource and Facility Planning, Office of Parks, Recreation & Historic Preservation, Agency Bldg. 1, 17th Fl., Empire State Plaza, Albany, NY 12238, 518-474-5578, 518-474-7013 (Fax)

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 October 2010 will be conducted on October 14 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 institutional services to comply with enacted statutory provisions. The following clarifications are proposed:

Institutional Services

- For days of services associated with admissions occurring on or after October 1, 2010, and thereafter, per diem rates for Article 28 exempt psychiatric hospitals and hospital exempt units will reflect certain 2005 operating costs as reported by each facility to the Department prior to December 1, 2009. The rates will be computed based on the case mix neutral statewide per diem base price applicable to each

rate period, excluding adjustments for direct graduate medical education, electroconvulsive therapy (ECT), and capital. Such statewide base prices will be periodically adjusted to reflect changes in provider coding patterns, case mix, and such other factors determined by the Commissioner. Rates of payment and case mix factors will reflect 2005 costs relating to services provided to Medicaid psychiatric inpatients as determined by the applicable ratio of costs to charge methodology. Rates will reflect the application of hospital specific wage equalization factors reflecting differences in wage rates, and will be based on the All Patient Refined (APR) case mix methodology, utilizing diagnostic related groups with assigned per diem weights that incorporate differing levels of severity of patient condition and associated risk of mortality, periodically updated by the Commissioner. The rates of payment will reflect an aggregate net statewide increase in reimbursement for services of up to \$25 million for the period October 1, 2010 through March 31, 2011 and \$25 million for annual periods thereafter.

- Regulations will be proposed by the Commissioner of Health, establishing the methodology for the computation of Article 28 psychiatric hospital and hospital exempt unit inpatient per diem psychiatric rates. Such regulations will also contain criteria for adjustment based on length of stay and for readmissions to the same facility within 30 days of discharge.

- Regulations will provide for administrative rate appeals, only with regard to the correction of computational errors or omissions of data, including hospital specific computations relating to direct graduate medical education, wage equalization factor adjustments and capital cost reimbursement.

- Inpatient psychiatric rates of payment will continue to reflect trend factor adjustments based on the consumer price index adjustment factor as provided in and otherwise modified by any applicable statute.

- Per diem psychiatric rates of payment for teaching general hospitals will include reimbursement for direct graduate medical education as defined and calculated in accordance with the regulations.

- Effective October 1, 2010, and thereafter, such psychiatric per diem rates for a general hospital or distinct unit of a general hospital will exclude physician's costs. Claims for Medicaid fee-for-service payments for such physician's services may be submitted separately.

- Effective October 1, 2010 and thereafter, such psychiatric per diem rates for a general hospital or distinct unit of a general hospital will exclude the costs related to electroconvulsive therapy. Claims for Medicaid fee-for-service payments for such electroconvulsive therapy treatments may be submitted separately.

- For general hospital or distinct unit of a general hospital without adequate cost experience, the operating cost component of the applicable psychiatric per diem will be based on the statewide base price plus budgeted direct graduate medical education costs, adjusted to actual.

- Effective October 1, 2010, the psychiatric operating per diem rates will be adjusted by payment factors for the service intensity weight, rural designation, age (17 and under), the presence of mental retardation and one co-morbidity. If more than one co-morbidity is present during the patient stay, the co-morbidity with the highest payment factor will be used.

- There is no change to the capital cost reimbursement methodology used to determine such psychiatric per diem rates.

- For payment of alternate level of care (ALC) days of care, the operating component for inpatient psychiatric services with regard to ALC, will be computed based on the 1987 regional average operating cost component of rates of payment for hospital-based residential health care facilities and trended to the rate period, in accordance with existing methodology.

- The base period costs and statistics used for inpatient psychiatric per diem rate setting operating cost components, including the weights assigned to diagnostic related groups, will be updated no less frequently than every four years and the new base period will be no more than four years prior to the first applicable rate period that utilized such new base period. The payment factors for rural designation, age,

certain defined comorbidities, and the presence of mental retardation may also be updated to reflect more current data.

- In accordance with the regulations, funds will be set aside to provide facilities with financial support to transition to the new inpatient psychiatric reimbursement methodology based in part upon 50% revenue loss and 50% costs. These transition funds will be reduced over a four-year period with excess funds added to the statewide base price in subsequent years.

- Transition funds may fund a one-year Medicaid rate add-on for assisting providers with the absorption of closed behavioral health services.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this proposed initiative for state fiscal year 2010/2011 is \$25 million.

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), PNM01@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:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for inpatient services to comply with enacted statutory provisions. The following significant changes are proposed:

Institutional Services

- For periods on and after October 1, 2010, additional adjustments to the inpatient rates of payment to eligible general hospitals may be made to facilitate improvements in hospital operations and finances, in accordance with the following:

- General hospitals eligible for distributions will be public and non-public hospitals with Medicaid discharges equal to or greater than 17.5 percent for 2007.

- Funds distributed will be allocated to eligible hospitals pursuant to a formula such that, no hospital's reduction in Medicaid inpatient revenue as a result of the applicable rate-setting methodology

gies in effect for such periods exceeds a percentage reduction as determined by the Commissioner. Funding will be available in aggregate payments of up to \$33.5 million for the period October 1, 2010 through March 31, 2011; up to \$75 million for the period April 1, 2011 through March 31, 2012; up to \$50 million for the period April 1, 2012 through March 31, 2013; and up to \$25 million for the period April 1, 2013 through March 31, 2014.

— Payments made will be funded through a commensurate reduction to the Statewide Base Price for the applicable period, and will not be subject to retroactive adjustment or reconciliation.

There is no estimated annual change to gross Medicaid expenditures as a result of the proposed amendments.

Copies of the proposed state plan amendments will be on file in each local (county) social services district and available for public review.

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

Queens County, Queens Center
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PUBLIC NOTICE

Department of Health

Request for Information (RFI)

The Utility of Pesticide Sales and Use Reporting in New York State (FAU# 1008160333)

Purpose:

The purpose of this Request for Information (RFI) is to gather feedback from researchers and other interested parties regarding the utility of pesticide sales and use reporting in New York State. The information gathered as a result of this RFI may be used by the Health Research Science Board to inform its upcoming recommendations to the Legislature.

The detailed Request for Information can be found at:
<http://www.health.state.ny.us/funding/rfi/1008160333/>

Responses:

Responses are required by 4:00 PM Eastern Daylight Savings Time on October 15, 2010 at pestdata@health.state.ny.us.

Results:

Information from the responses to this RFI may be used by the Department of Health, Department of Environmental Conservation and the Health Research Science Board to inform its upcoming recommendations to the Legislature. THIS IS NOT A SOLICITATION FOR APPLICATIONS.

PUBLIC NOTICE

Ontario County

Ontario County is requesting proposals from qualified administrative services agencies, and/or financial organizations relating to administration, trustee services and/or funding of a deferred compensation plan for employees of Ontario County meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law and a 401a Savings match plan, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained, by emailing: Julie.Hoffman@co.ontario.ny.us or calling (585) 396-4465

All proposals must be submitted no later than 30 days from the date of publication in the New York State Register no later than 4:30 p.m.

PUBLIC NOTICE

Department of State

F-2010-0526

Dates of Issuance - September 29, 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 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-2010-0526, the Webb Institute of Naval Architecture is proposing the construction of a 385' long rock revetment with a 1' to 1.5' slope no more than 10' seaward of existing bulkhead along the Long Island Sound shoreline in the City of Glen Cove, Nassau County, New York. The proposed revetment is located within a State-designated Coastal Erosion Hazard Area.

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, October 29, 2010.

Comments should be addressed to the Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000; Fax (518) 473-2464.

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

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

2010-0408 Matter of Safespan Platform Systems; Paul Apostopoulos, 252 Filmore Ave., Tonawanda, NY 14150 for a variance concerning requirements for location of hydrants from the property.

Involved is the construction of additions to an existing one-story storage building of non-combustible construction, located at 237 Filmore Ave., City of Tonawanda, County of Erie, State of New York.

2010-0418 Matter of Emanuel Miller Residence - 3844 County Road, West Almond, NY 14709 for a variance concerning relief from New York State Residential Code Sections R313.1 Smoke Detectors, R313.4 Carbon Monoxide Detector, and R310.1.1 Minimum Opening area for egress windows.

Involved is an addition to an existing single-family dwelling two-story height, located at 3844 County Road 16, Town of West Almond, County of Allegany, State of New York.

2010-0422 Matter of Felton Burns, VFW Post 5260 - 650 East Main Street, Springville, New York 14141 for a variance concerning relief from New York State Part 1225 Fire Code Sections 903.2.1.2 Group A-2 Sprinklers and 907.2.1 Group A Fire Alarm.

Involved is a new building, one-story height, Type VB construction, gross area 2,304 square feet, public assembly A-2, located at 650 East Main Street, Village of Springville, County of Erie, State of New York.

2010-0424 Matter of Bonnie D. Johnson, P.O. Box 335, 20 Meadow Brook Drive, Canaseraga, NY 14822-0335, for a variance concerning safety requirements, including swimming pool barriers, located at 20 Meadow Brook Drive, Village of Canaseraga, County of Allegany, State of New York.

2010-0428 Matter of Stephen R. Cotler, Cotler Architecture, 950 Loudon Rd., Latham, NY 12110 for a variance concerning code requirements associated with access for the physically handicapped.

Involved is the construction of a bus garage with an internal mezzanine and the code requirement for access to the mezzanine by the physically handicapped. The building contains S-1 (moderate hazard storage) occupancy. The building is one story in height of Type IIB (non-combustible) construction having a cumulative gross floor area of 37,540 square feet. The building is located in the WJ Grande Industrial Park, Duplainville Road-CR 46, City of Saratoga Springs, Saratoga County, State of New York.

SALE OF FOREST PRODUCTS Chautauqua Reforestation Area No. 12 Contract No. X007974

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following:

Sealed bids for 74.9 MBF more or less of sawtimber and 653 cords more or less hardwood cordwood located on Chautauqua Reforestation Area No. 12, Harris Hill State Forest, Stands 35, 38, and 39, 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, Oct. 7, 2010.

For further information, contact: Keith Carrow, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 215 S. Work St., Falconer, NY 14733, (716) 665-6111

SALE OF FOREST PRODUCTS Chenango Reforestation Area Nos. 5 and 22 Contract No. X007942

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following:

Sealed bids for 541 tons more or less red pine, 539 cords more or less Norway spruce, 0.8 MBF more or less black cherry, and 45 cords more or less hardwood firewood, located on Chenango Reforestation Area No. 5, Stands A-3.1 and 3.2, and Chenango Reforestation Area No. 22, Stands C-22, 27, and 36, will be accepted at the Department of

Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m. on Thursday, Oct. 7, 2010.

For further information, contact: Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036

SALE OF FOREST PRODUCTS Cortland Reforestation Area No. 6 Contract No. X007929

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 154.8 MBF more or less of sawtimber and 160 cords more or less of hardwood/firewood/pulpwood, located on Cortland Reforestation Area No. 6, Cuyler Hill State Forest, Stands I-19 and 23, 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, Oct. 7, 2010.

For further information, contact: Mark Zupal, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095

SALE OF FOREST PRODUCTS Lewis Reforestation Area Nos. 1, 4 and 13 Contract No. X007910

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 190.5 MBF more or less red pine sawtimber, 22.9 MBF more or less white pine sawtimber, 61.5 cords more or less pine pulp, 9 cords more or less spruce pulp, and 5.6 cords more or less firewood, located on Lewis Reforestation Area No. 1, Stands A-6 and 18; Lewis Reforestation Area No. 4, Stands B-69, 70, 71, C-1, 2, 3, D-11, 22 and 23; and Lewis Reforestation Area No. 13, Stands F-60, 61 and 64, 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, Oct. 7, 2010. The sale will be shown on Sept. 23, 2010 at 10:00 a.m. sharp. Interested parties please meet at the intersection of Rte. 812 and Dutton Rd., Indian River, Town of Diana, Lewis County.

For further information, contact: Andrea Mercurio, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 6, 7327 State Rte. 812, Lowville, NY 13367, (315) 376-3521