

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 January 2012 will be conducted on January 10 and January 12 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 non-institutional services to comply with enacted State statute. The following provides clarification to a provision previously noticed on March 30, 2011:

Non-Institutional Services

To clarify and expand upon the previously noticed provision, effective April 1, 2012, Medicaid payments for services provided by Certified Home Health Agencies (CHHAs), except for such services provided to children under 18 years of age and other discrete groups as may be determined by the Commissioner of Health, will be based on episodic payments.

- To determine such episodic payments, a statewide base price will be established for each 60-day episode of care, with adjustments for regional wage differences, patient case mix, and high and low utilization cases.

- Low utilization cases will be defined as episodes in which the total cost of care, based on weighted average statewide rates, is \$500 or less for a 60-day period. Outlier cases are those in which the total cost of care, based on weighted average statewide rates, exceeds the unique outlier threshold which has been established for each patient case mix group.

- A regional wage index factor will be calculated for each of the 10 labor market regions defined by the NYS Department of Labor, utilizing wage data compiled by the Federal Bureau of Labor Statistics.

- In determining case mix, each patient shall be classified using a system based on measures which may include, but are not limited to, clinical and functional measures as reported on the federal Outcome and Assessment Information Set (OASIS).

- Episodic payments for the period of April 1, 2012 through March 31, 2013, will be based on Base Year 2009 Medicaid paid claims, as determined and adjusted by the Commissioner to achieve fiscal savings comparable to those achieved by CHHA cost containment measures in the prior state fiscal year. Episodic payments for periods beginning April 1, 2013 and subsequent may be based on a Base Year subsequent to 2009, and the Base Year must be changed not less frequently than every three years.

- The Commissioner may require agencies to collect and submit any data necessary to implement this provision.

The estimated annual net aggregate savings in gross Medicaid expenditures for state fiscal year 2012/2013 as a result of this proposed initiative is \$140 million.

Copies of the proposed state plan amendments will be available for public review on the Department's website at: http://www.health.ny.gov/regulations/state_plans/status

In addition, copies will be on file in each local (county) social services district. 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 or to submit a comment, please contact: Department of Health, Bureau of HCRA Operations & Financial Analysis, Corning Tower Building, Rm. 984, Empire State Plaza, Albany, NY, 12237, (518) 474-1673, (518) 473-8825 (fax), spa_inquiries@health.state.ny.us

PUBLIC NOTICE

Department of Health

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

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan with respect to the provision of targeted case management services in accordance with the Deficit Reduction Act of 2005 and regulations promulgated by the Centers for Medicare and Medicaid Services (CMS). The following changes are proposed:

Non-Institutional Services

- Case management services include assessment, development of a care plan, referral to needed services and monitoring. The proposed amendment will ensure that targeted case management services are provided in accordance with the statutory definition of case management adopted in the Deficit Reduction Act of 2005.
- The proposed amendment adds the county of Onondaga to the First-time Mothers/Newborns targeted case management program.
- The proposed amendment clarifies the requirement that all RNs are required to possess a Bachelor of Science in Nursing (BSN) degree for employment in the First-time Mothers/Newborns program, but adds that in limited circumstances, an RN who does not have a BSN but has a specific language competency may be hired to provide care to an under-served population with specific language needs. Specific criteria for this exception are described in this amendment.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this proposed initiative for State fiscal year 2011/2012 is \$6 million.

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

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

For further information and to review and comment, please contact: Department of Health, Bureau of HCRA Operations & Financial Analysis, Corning Tower Building, Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (fax), spa_inquiries@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 long-term care services to comply with enacted statutory provisions. The following provides clarification to provisions previously noticed on April 27, 2011, and notification of new significant changes:

Long-Term Care Services

- The statewide pricing methodology for inpatient services provided by non-specialty residential health care facilities will be effective on January 1, 2012.
- The statewide pricing methodology for the non-capital component of the rates of payment for inpatient services provided by non-specialty residential health care facilities shall reflect a direct statewide price, an indirect statewide price and a facility-specific non-comparable component, determined as follows:
 - A direct statewide price component, which shall consist of a blended price, to be determined as follows:
 - o 50% of the direct price component that is based upon 2007 allowable costs for all non-specialty facilities; and
 - o either 50% of a direct price component that is based upon 2007 allowable costs for hospital-based facilities and facilities with 300 or more beds, or 50% of a direct price component that is based upon 2007 allowable costs for all non-specialty facilities, excluding hospital-based facilities and facilities with 300 or more beds, as applicable.
 - o The direct statewide price shall be adjusted by a wage equalization factor which shall be a blend of 50% of a facility-specific wage equalization factor and 50% of regional wage equalization factor as determined by the Commissioner by regulation. As defined by regulation, there shall be 16 regions used to determine the regional wage equalization factor, and the facility-specific and regional wage equalization factor adjustments shall use data reported for 2009.
 - o The direct statewide price shall also be adjusted by a Medicaid-only case mix. The prices effective January 1, 2012 shall utilize case mix data for January 1, 2011. Thereafter, the direct statewide price shall be updated for a Medicaid-only case mix in July and January of each year, using the case mix data applicable to the previous period (e.g., July 2012 case mix adjustment shall use the January 1, 2012 case mix data, the January 1, 2013 case mix shall use the July 2012 case mix data, etc.).
 - An indirect statewide price component, which shall consist of a blended price, to be determined as follows:
 - o 50% of the indirect price component that is based upon 2007 allowable costs for all non-specialty facilities; and
 - o either 50% of an indirect price component that is based upon 2007 allowable costs for hospital-based facilities and facilities with 300 or more beds or 50% of an indirect price component that is based upon 2007 allowable costs for non-specialty facilities, excluding hospital-based facilities and facilities with 300 or more beds, as applicable.
 - o The indirect statewide price shall be adjusted by a wage equalization factor which shall be a blend of 50% of a facility-specific wage equalization factor and 50% of regional wage equalization factor as determined by the Commissioner by regulation. As defined by regulation, there shall be 16 regions used to determine the regional wage equalization factor, and the facility-specific and regional wage equalization factor adjustments shall use data reported for 2009.
- The rate shall be adjusted to reflect per diem add-ons for dementia, bariatric, and traumatic brain injury patients, as defined by regulation, of \$8 per day, \$17 per day, and \$36 per day, respectively. Such adjustments will be made using case mix data and will be made at the same time that the direct component of the rate is adjusted for case mix as described above.
- The non-comparable component of the rate shall be based upon facility-specific 2007 allowable costs as determined by regulation.

- The statewide pricing methodology described above will reflect a six-year transition period.
- As determined by regulation, the Commissioner shall also establish an annual quality pool. In 2012, the rate shall include an adjustment for the reporting by facilities of data related to established quality indicators and benchmarks. Beginning in 2013, the Commissioner will develop regulations to annually distribute quality pool funds to facilities that improve or maintain quality against the indicators and benchmarks.
- The non-capital component of the "specialty" rates for AIDS facilities or discrete AIDS units within facilities; discrete units for residents receiving care in a long-term inpatient rehabilitation program for traumatic brain injured persons; discrete units providing specialized programs for residents requiring behavioral interventions; discrete units for long-term ventilator dependent residents; and facilities or discrete units within facilities that provide extensive nursing, medical, psychological and counseling support services solely to children shall be the rates in effect on January 1, 2009 and adjusted for applicable rate appeals. Such rates shall not be subject to case mix adjustments. The AIDS rates in effect January 1, 2009 shall be adjusted to reflect the elimination of the AIDS occupancy factor enacted in 2009.
- The Commissioner may promulgate regulations, including emergency regulations, to implement the provisions of the methodology.

The non-capital component of the rates described for non-specialty facilities under the statewide pricing methodology and for specialty facilities shall be subject to the residential health care facility cap, thus there is no increase or decrease in gross Medicaid expenditures for state fiscal year 2011-12.

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 amendments will also 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, Corning Tower Building, Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (fax), spa_inquiries@health.state.ny.us

PUBLIC NOTICE

Monroe County

Notice of Draft Request for Proposals (RFP)

NOTICE IS HEREBY GIVEN, that sealed proposals are sought and requested by the County of Monroe for the performance of the following contract, according to terms of the RFP:

PROPOSAL FOR THE OPERATION AND MAINTENANCE OF

THE MONROE COUNTY RECYCLING CENTER AND PROGRAM

Monroe County is soliciting proposals for the Operation and Maintenance of the County Recycling Center and Program for a Contract with a minimum term of approximately six (6) years, unless Respondents can justify a longer-term Contract, such as by capital investment, up to a maximum of twenty-five (25) years. These operations include the receiving, processing, marketing and residual disposal associated with residential-generated recyclables collected by private and public haulers. Prospective Respondents must offer a proposal that will meet the scope of services, qualifications and general description of work activities identified in the Request for Proposals (RFP).

Prior to release of the final version of the RFP, the RFP will be available in draft form on December 30, 2011. This draft RFP is issued pursuant to the provisions of New York General Municipal Law (NY GML) § 120-w.

The draft RFP will be available for download from the Monroe County website, at <http://www.monroecounty.gov/bid/rfps>. Individuals must register through the Monroe County website to obtain the PDF version of the draft RFP. In addition, the draft RFP will be on file at the Monroe County Clerk's Office, 39 West Main Street, Room 101, Rochester, NY, 14614.

Monroe County is soliciting comments and questions on the draft RFP by February 28, 2012. All comments and questions regarding the draft RFP from prospective Respondents and the public are due to the RFP Coordinator in accordance with the requirements listed in the draft RFP, and will be incorporated as appropriate into the final RFP, or filed with the final RFP, as set forth in the draft RFP. Any verbal or other communication sent or made to anyone other than to the RFP Coordinator will not be considered and may be cause for rejection of the Respondent's proposal.

A pre-proposal meeting and site tour will be conducted on January 24, 2011 at 1:00 PM. Individuals who would like to attend the tour must RSVP by January 20, 2011. Details regarding RSVPs and the pre-proposal meeting and site tour will be available in the draft RFP.

The final Request for Proposals (RFP) will be released in accordance with the timeline and regulations set forth in New York General Municipal Law (NY GML) § 120-w. Final RFP submissions from Respondents must be received in accordance with the specifications contained within the final RFP.

PUBLIC NOTICE

Village of Old Westbury

The Village of Old Westbury is soliciting 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 the Village of Old Westbury meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the New York State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from: Kenneth Callahan, Village Administrator, Village of Old Westbury, One Store Hill Road, Old Westbury, NY 11568

All proposals must be submitted not later than thirty (30) days from the date of publication in the New York State Register by 4:30 p.m.

PUBLIC NOTICE

Department of State

F-2011-0833a - Rescinding Public Notice F-2011-0833

Date of Issuance - December 28, 2011

The New York State Department of State (DOS) is rescinding the public notice issued December 14, 2011, 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-2011-0833, John D. and Eunice P. Benfield are proposing to: Remove an upper retaining wall, stairs & remains of wood deck. Remove remains of 135' of bh & stairs to beach. Remove & relocate lower portion of drain line & install new catch basin. Construct 147' of new bh (ip) of existing. Backfill w/190 cyds of clean fill. Construct 8'x11' wood deck & new stairway to beach. The project is located at 50 Blue Marlin Drive Southold, Suffolk County.

Effective immediately, no further comments will be accepted or reviewed in connection with the F-2011-0833 notice published December 14, 2011.

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.

2011-0408 Matter of: Dave and Melissa Acton, 26 Woodward Ave, Buffalo, NY 14214 for an appeal/variance concerning requirements for determination of the number of stories in the building and requirements for a sprinkler system.

Involved is the additions and alterations to an existing three story building of non-protected wood frame construction for permanent multiple dwelling occupancy with approximate gross floor area of 4300 square feet, located at 26 Woodward avenue, City of Buffalo, County of Erie, State of New York.

2011-0409 Matter of Mark Schweickert, 13499 Grove Street, Chaffe, NY 14030 for a variance concerning the NYS Residential Code 2007 edition, section P2602.1 disconnect from existing public distribution system.

Involves is the requirement of having the water distribution system of the residential home connected to the public water system (private owner disconnected from public water source and is using a private well). The subject property consists of a 2 Story Residential Home, of Type VB (wood frame) construction classification, having a cumulative gross floor area of 2700 square feet. The building is known as the Residence of Mark Schweickert, located at 13499 Grove Street, Chaffe, Erie County, State of New York.

2011-0410 Matter of Presbyterian Church of Wellsville, 83 Chamberlain Street, Wellsville, New York, 14895, for a variance Concerning NYS Existing Building Code 2010 edition, code Section EB 903.2.1 an automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies.

Involved is the requirement of Automatic Sprinkler System in the existing basement (1st floor is designed to have sprinklers) of the structure. The subject property consists of a 1 Story Building Occupancy Group A-3, Type III-B Construction, having a cumulative gross floor area of 30,462 square feet, The building is known as the Presbyterian Church of Wellsville, located at 83 Chamberlain Street, Wellsville, Allegany County, State of New York.

2011-0413 Matter of David Cramoy, Director, Brant Lake Camp, 7586 State Rte. 8, Brant Lake, NY 12915 for a variance concerning access for the physically handicapped.

Involved is the construction of a summer camp bunk house and the code requirement for accessibility for the physically handicapped. The

proposed building contains an R-1 (residential) occupancy, of Type VB (combustible) construction, 1 story in height having a gross floor area of 1,600 square feet. The building is located at 7586 State Route 8, Town of Horicon, Warren County, State of New York.

2011-0414 Matter of Neil Pelone, Principal Architect, NPARCH, 153 Madison St., Troy, NY 12180 for a variance concerning public safety issues including the requirement for 2 exits in a multi-story building.

Involved is the alteration of an existing building containing a R-2/A-2 (residential/assembly) occupancy, 5 stories in height of Type IB (fire resistive) construction having a cumulative gross floor area of 38,400 square feet. The building is located at 60 State Street, City of Albany, Albany County, State of New York.

2011-0415 Matter of Adam D. Richter for T. Y. Lin International, 255 East Avenue, Rochester, New York, 14604, for a variance concerning fire safety requirements including relief from requirements to maintain free egress. The building is classified as an S2 (Storage occupancy) parking garage, 2 stories in height, of Type Ia (Fire resistive) construction, approximately 530,724 square feet in gross area, and is located at 51 South Fizhugh Street, in the City of Rochester, Monroe County, State of New York.

2011-0419 Matter of Jeff Parkman, 35 Buffalo Street, Churchville, New York, 14428, for a variance concerning fire safety requirements including relief from requirements to maintain an exterior egress stairway. The building is classified as a mixed-use building containing two B (business occupancies) retail stores on the first story and four R2 (permanent occupancy) apartments on the second story, and is 2 stories in height, of Type V b (unprotected wood frame) construction, approximately 6,000 square feet in gross area, and is located at 17 North Lake Road, in the Village of Bergen, Genesee County, State of New York.

2011-00420 Matter of Christopher Costanza for R.A 9X 3 Design, Architecture, LLP, 62 Westland Avenue, Rochester, New York, 14618, for a variance concerning fire safety requirements including relief from requirements to provide code compliant egress stairs. The building is classified as a mixed-use building containing an A2 (assembly occupancy), U (Utility occupancy), and R 2 (permanent occupancy) apartments, and is 5 stories in height, of Type III b (unprotected ordinary) construction, approximately 39,850 square feet in gross area, and is located at 1 Capron Street/228 South Avenue, #5D, in the City of Rochester, Monroe County, State of New York.

SALE OF FOREST PRODUCTS

Chautauqua Reforestation Area No. 3 Contract No. X008488

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 344.5 MBF more or less of Norway spruce and 18 cords more or less of Norway spruce pulp, located on Chautauqua Reforestation Area No. 3, Stands 14.1 and 14.2, 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, Jan. 5, 2011.

For further information, contact: Keith Carrow, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 178 Point Dr. N, Dunkirk, NY 14048, (716) 363-2052

SALE OF FOREST PRODUCTS

Chautauqua Reforestation Area No. 10 Contract No. X008487

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 605.4 MBF, more or less, of Norway spruce, located on Chautauqua Reforestation Area No. 10, Stands 7 & 11, 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, Jan. 5, 2012.

For further information, contact: Keith Carrow, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 178 Point Dr. N, Dunkirk, NY 14048, (716) 363-2052

