

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

The New York State Real Estate Board will hold a public hearing on general real estate issues on Wednesday, November 16, 2011 at 10:30 a.m. at Department of State, Division of Licensing Services, Alfred E. Smith State Office Building, 80 South Swan Street, 10th Floor Conference Room, Albany, NY and 123 William Street, 19th Floor Conference Room, New York, NY. The Board will hold an open board meeting immediately following the public hearing at the same locations (via video-conference and web cast live).

Should you wish to participate in the public hearing or attend the board meeting, please contact Carol Fansler at carol.fansler@dos.state.ny.us or 518-486-3857. If you plan to attend in Albany, please consult our web site (<http://www.dos.state.ny.us/licensing/contact.html#Visit>) for instructions on pre-registering in order to gain access to the building.

Please always consult the Department of State website (<http://www.dos.ny.gov/programguide/webcast.jsp>) prior to the meeting to be sure the meeting has not been rescheduled.

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 November 2011 will be conducted on November 16 and November 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 Building, Albany, NY 12239 (518) 473-6598

PUBLIC NOTICE

Division of Criminal Justice Services

Motor Vehicle Theft & Insurance Fraud Prevention Board

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Motor Vehicle Theft & Insurance Fraud Prevention Board:

DATE: November 15, 2011
TIME: 10:30 a.m.
PLACE: Division of Criminal Justice Services
Four Tower Place
Albany, NY 12203

If you have any questions regarding the meeting, please contact: Paula Raiti, Division of Criminal Justice Services, Office of Program Development and Funding, Albany, NY 12203, (518) 457-8404

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 statutory provisions. The following clarifying changes are proposed:

Non-Institutional Services

The following clarifications are to the March 30, 2011 noticed provision for Health Home Services.

Effective January 1, 2012, the Department of Health, in collaboration with the Office of Mental Health, the Office for Alcohol and Substance Abuse Services, and the Office of People with Developmental Disabilities will be authorized to begin Medicaid coverage for Health Home Services to high-cost, high-need enrollees. The previous effective date was October 1, 2011.

Payment for Health Homes service will be a per-member, per-month (PMPM) care management fee that is adjusted based on 1) region, 2) enrollment volume, and 3) case mix (from 3M™ Clinical Risk Groups (CRG) method). This fee will eventually be adjusted by (after the data is available) patient functional status. As a result, reimbursement will be reflective of cost-associated adjustments in the intensity and frequency of intervention based on patient's current condition and needs (from tracking to high touch).

This care management fee will be paid in two increments based on whether a patient is in 1) the case finding group, or 2) the active care management group. The case finding group will receive a PMPM that is a reduced percentage (80 percent) of the active care management PMPM. The case finding PMPM is only available for up to the first three months after a patient has been assigned to a given Health Home, and this PMPM is intended to cover the cost of outreach and engagement. Once a patient has been assigned a care manager and is actively engaged in the Health Home program, the active care management PMPM will be billed.

The active care management PMPM will be paid in two

installments. The first installment may be billed up front, and the second installment will automatically be paid once the Health Home provider meets certain pre-set state quality metrics. In the first year, a percentage (90 percent) of the PMPM will be paid up front and the remaining percentage (10 percent) will be reserved against meeting the quality benchmarks.

If the State achieves overall savings from the implementation of this program, Health Home providers will be eligible to participate in a shared savings pool. The pool will be developed at the end of the first year of health home operation and will consist of a percentage (15 percent) of the documented State share savings derived from Health Home operation. The State will use a method to adjust savings for regression to the mean before setting up the pool. If the federal portion of savings becomes eligible for shared savings with providers, then a portion of those savings will be included in the pool based on any federal conditions that may be applied to such savings. Under federal rules, some shared savings incentive payments cannot exceed 105 percent of the aggregate payment for Medicaid services received.

The estimated net aggregate decrease in gross Medicaid expenditures attributable to this initiative for the period January 1, 2012 through September 30, 2012 is \$13.6 million and for the period October 1, 2012 through September 30, 2013 is \$48.3 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

In addition, copies of the proposed state plan amendment will be on file and available for public review 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

For further information and to review and comment, please contact: 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: spa_inquiries@health.state.ny.us

PUBLIC NOTICE Office of Mental Health

As a result of the enacted 2011-2012 State Budget, the New York State Office of Mental Health will be amending its State Medicaid Plan to reflect the continuation of the 2011 rates for the 2012 calendar rate year, effective January 1, 2012, for freestanding psychiatric hospitals licensed under Article 31 of the Mental Hygiene Law.

PUBLIC NOTICE

Department of State
F-2011-0872

Date of Issuance - November 9, 2011

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-2011-0872, Harbor One Marina, located at 26 Bridge Street, Old Saybrook, Middlesex County, CT, has applied to the U.S. Army Corps of Engineers, New England District, under the Connecticut Programmatic General Permit to perform maintenance dredging of the existing marina facility, with subsequent disposal of approximately 24,471 cubic yards of dredged material at the Cornfield Shoals Disposal Site (CSDS) within Long Island Sound. The CSDS is located within Long Island Sound, approximately 3.3 nautical miles south of Cornfield Point, Old Saybrook, CT and approximately 4.1 nautical miles north of East Marion, Town of Southold, Suffolk County, NY.

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, by November 24, 2011.

Comments should be addressed to: Department of State, Division of Coastal Resources, One Commerce Plaza, Suite 1010, 99 Washington Ave., 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

Department of Taxation and Finance
Tax Law Article 13-A Rates

Pursuant to the provisions of subdivisions (e), (f), (g) and (h) of section 301-a, subdivision (b) of section 301-d, subdivisions (b) and (c) of section 301-e, subdivisions (a) and (c) of section 301-j and subdivision (a) of section 308 of the Tax Law, the Commissioner of Taxation and Finance hereby gives public notice regarding the petroleum business tax (Tax Law, Article 13-A) rate adjustment calculation and the resulting rates effective January 1, 2012 (effective March 1, 2012 for quarterly filers) as follows: The motor fuel and highway diesel motor fuel rate is adjusted from \$.102 to \$.107; the non-highway diesel motor fuel rate is adjusted from \$.093 to \$.097; the residual petroleum product rate is adjusted from \$.071 to \$.074; the kero-jet fuel rate is adjusted from \$.068 to \$.071; the aviation gasoline rate is adjusted from \$.102 to \$.107; the rate of the supplemental tax on aviation gasoline is adjusted from \$.068 to \$.071; and the rate of the supplemental petroleum business tax is adjusted from \$.068 to \$.071. The separate rate of supplemental petroleum business tax with respect to highway diesel motor fuel is adjusted from \$.0505 to \$.0535; it is computed by subtracting one and three-quarters cents from the adjusted rate of the supplemental petroleum business tax. The railroad diesel rate is adjusted from \$.089 to \$.094; it is computed by subtracting one and three-tenths cents from the motor fuel and highway diesel motor fuel rate.

The utility credit (or reimbursement) rate with respect to residual petroleum product is adjusted from \$.0567 to \$.0595 and the utility credit (or reimbursement) rate with respect to non-highway diesel product is adjusted from \$.0571 to \$.0599. The utility credit (or reimbursement) rates are further adjusted by adding one-half of one cent to the adjusted rates of the utility credits (or reimbursements); the utility credit (or reimbursement) rate with respect to residual petroleum product is further adjusted from \$.0617 to \$.0645, and the utility

credit (or reimbursement) rate with respect to non-highway diesel product is further adjusted from \$.0621 to \$.0649.

The adjusted petroleum business tax rates are obtained by multiplying the existing rates by a fraction, the numerator of which is the sum of the monthly producer price indices (unadjusted) for refined petroleum products for the twelve consecutive months ending with the month of August 2011, and the denominator of which is the sum of the monthly producer price indices (unadjusted) for refined petroleum products for the twelve consecutive months ending with the month of August 2010. Such monthly producer price indices for the twelve consecutive months ending with the month of August 2011, are 219.8, 231.7, 237.4, 245.6, 255.9, 266.3, 298.8, 319.6, 332.4, 314.2, 313.9, and 300.0, which total 3335.6. Such monthly producer price indices for the twelve consecutive months ending with the month of August 2010, are 194.4, 194.0, 209.2, 203.7, 222.7, 205.8, 222.5, 231.6, 229.0, 216.8, 217.0, and 222.7, which total 2569.4. The producer price index for the category of commodities designated as refined petroleum products is published monthly by the Bureau of Labor Statistics of the U.S. Department of Labor. As required by law, the adjusted rates, except the utility credit (or reimbursement) rates and the rate of supplemental petroleum business tax with respect to highway diesel motor fuel, have been rounded to the nearest tenth of one cent. The utility credit (or reimbursement) rates and the rate of supplemental petroleum business tax with respect to highway diesel motor fuel have been rounded to the nearest hundredth of one cent. Section 301-a of the Tax Law does not allow the rates to change by more than 5 percent of the rates in effect on December 31. The computed rate change was increased by 30 percent; all of the above rates were subject to the 5 percent limitation.

For further information contact: Jacqueline Trembley, Department of Taxation & Finance, Taxpayer Guidance Division, W.A. Harriman Campus, Albany, NY 12227, (518) 457-5541, e-mail: jacqueline.trembley@tax.ny.gov

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.

2011-0250 Matter of James J. Draga, 97 Wahl Avenue, Inwood, NY 11096 for an appeal and or variances concerning safety requirements, including flood construction.

Involved is an existing dwelling, located at 97 Wahl Avenue, Town of Hempstead, Nassau County, State of New York.

2011-0273 Matter of Jeannette Stevens, 219 Ocean Avenue, Brentwood, NY 11717, for a variance concerning fire-safety requirements for an opening for emergency escape and rescue in conjunction with alterations to a basement in a single family dwelling.

Involved is a single family dwelling, one story in height of type VB construction, located at, 219 Ocean Avenue, Brentwood, Town of Islip, Suffolk County, State of New York.

2011-0310 Matter of Alberta S. Libbey, 2035 Park Street, Atlantic Beach, NY 11509 for an appeal and or variances concerning safety requirements, including the issuance of a stop work order.

Involved is an existing Building, located at 2035 Park Street, Incorporated village of Atlantic Beach, Nassau County, State of New York.

2011-0325 Matter of Michelle Quantrale, 255 Hagerman Avenue, East Patchogue, NY 11772, for a variance concerning fire-safety requirements for the 2 foot freeboard requirement for substantial alterations to an existing single family dwelling.

Involved is substantial alterations to an existing single family dwell-

ing, two stories in height of type VB construction, located at, 89 Teal Walk, Fire Island Pines, Town of Islip, Suffolk County, State of New York.

2011-0329 Matter of Roger P. Smith, A.I.A., BBS Architecture and Engineering, 244 East Main Street, Patchogue, NY 11772, for a variance concerning fire-safety requirements for required fire apparatus roads and fire hydrant locations for athletic equipment storage buildings.

Involved are two storage buildings of an S-2 (Storage) occupancy, approximately 1,200 & 800 square feet in area, one story in height of type IIB construction, located at, West Islip High School, Higbie Lane, West Islip, Town of Islip, Suffolk County, State of New York.

2011-0338 Matter of Angelo S. Nicosia, 42 Haywood Avenue, Mt. Sinai, NY 11766, for a variance concerning fire-safety requirements for a required second exit from a basement and protruding objects into a walking surface within a basement.

Involved is a newly constructed restaurant, approximately 6,106 square feet in area, one story in height of type IIB construction, located at, 4 Patchogue Drive, Rocky Point, Town of Brookhaven, Suffolk County, State of New York.

2011-0350 Matter of Maria J. D'Onofrio, 203 Gotham Ave, Elmont, NY for an appeal and or variances concerning safety requirements, including fire separation distance.

Involved is an existing one family dwelling, located at 203 Gotham Avenue, Town of Hempstead, Nassau County, State of New York.

2011-0351 Matter of St.Lawrence Lumber Inc. attn: Greg Hoppel, 8765 Co. Rt. 8 Cape Vincent New York 13618. The petitioner requests a variance to allow a single story, S1 occupancy building of type VB construction with out a fire sprinkler system as required by section 903.2.8 of the Building Code of New York State, located at 3264 St Rt 58. Town of Fowler, County of St Lawrence, State of New York.

2011-0357 Matter of Frank Sylvestro, 3476 Riverside Dr, Ocean-side, NY 11572 for an appeal and or variances concerning safety requirements, including flood construction.

Involved is an existing dwelling, located at 3645 Naomi Street, Town of Hempstead, Nassau County, State of New York.

2011-0367 Matter of Michael and Jennifer Yingling, 513 Westmore Street, Utica, NY for a variance related to the fire rating of the cellar ceiling and cellar stairs in accordance with the New York State Multiple Residence Law.

Involved is an existing three story building located at 513 Wetmore Street, City of Utica, Oneida County, State of New York.

SALE OF

FOREST PRODUCTS

Chenango Reforestation Area No. 1

Contract No. X008450

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 22+/- tons red pine, 58.4+/- MBF white ash, 110.5+/- MBF black cherry, 28.9+/-MBF red maple, 12.4+/- MBF sugar maple, 0.3+/- MBF yellow birch, 1.0+/- MBF basswood, 0.1+/- MBF aspen, 16.6+/- MBF hemlock, 38+/- cords hemlock pulp, 4+/- cords spruce pulp, 378+/- cords firewood, located on Chenango Reforestation Area No. 1, McDonough State Forest, Stands C-6, 11, 16, 21, 27; D-25 and 28, 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, Nov. 17, 2011.

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
Chenango Reforestation Area No. 3
Contract No. X008439

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 4,635 tons+/- red pine, 70 cords+/- Norway spruce, 29 cords+/- larch, 14 cords+/- white pine, 39 cords+/- hardwood firewood, 5.2 MBF+/- white ash, 0.4 MBF+/- black cherry, 0.2 MBF+/- red maple, 0.1 MBF+/- red oak, located on Chenango Reforestation Area No. 3, Stands B-2.1, 2.3, 4, 5, 6.3, 8.1, 8.3, 15 & 17, 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, Nov. 17, 2011.

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
Montgomery Reforestation Area No. 1
Contract No. X008431

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 140.2 MBF, more or less, of miscellaneous softwood and 8 cords, more or less, of spruce, pine pulp, and miscellaneous hardwood firewood, located on Montgomery Reforestation Area No. 1, Charleston State Forest, Stands A-14 and 16, 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, Nov. 17, 2011.

For further information, contact: Jason Drobnack, 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
Steuben Reforestation Area No. 12
Contract No. X008350

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 pine sawtimber, 710 MBF more or less; red pine pulpwood, 3,711 tons more or less, hardwood pulpwood, 2 cords more or less, located on Steuben Reforestation Area No. 12, Rock Creek State Forest, Stand A-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, Nov. 17, 2011.

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