

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 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 changes are proposed:

Institutional Services

The All Patient Refined (APR) case mix methodology utilizes diagnosis related groups with assigned weights that incorporate differing levels of severity of patient condition. Based on previously enacted legislation and adopted regulation, these service intensity weights (SIWs) are updated annually by the Commissioner. The table of SIWs and statewide average lengths of stay (LOS) for each effective period is published on the New York State Department of Health website at: <http://www.health.ny.gov/nysdoh/hospital/drg/index.htm> and reflects the cost weights and LOS assigned to each All-Patient Refined (APR) diagnosis related group (DRG) patient classification category. For the period January 1, 2013 through December 31, 2013, the SIW and statewide average LOS table shall be computed using the Statewide Planning and Research Cooperative System (SPARCS) and reported cost data from the 2008, 2009 and 2010 calendar years as submitted to the Department no later than September 30, 2012.

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

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 Amendments 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, 99 Washington Ave. – One Commerce Plaza, Suite 810, Albany, NY 12210, (518) 474-1673, (518) 473-8825 (FAX), e-mail: spa_inquiries@health.state.ny.us

PUBLIC NOTICE

Monroe County, New York

Notice of Official Action of a Contract Award

Pursuant to New York State General Municipal Law Section 120-w(6)(b), the County of Monroe hereby gives notice of the following:

On November 13, 2012, the County of Monroe awarded a contract to Waste Management of New York, L.L.C. pursuant to section one hundred twenty-w (120-w) of the General Municipal Law for the Operation and Maintenance of the Monroe County Recycling Center and Program. The validity of this contract or the procedures which led to its award may be hereafter contested only by action, suit or proceeding commenced within sixty (60) days after the date of this notice and only upon the ground or grounds that: (1) such award or procedure was not authorized pursuant to that section, or (2) any of the provisions of that section which should be complied with at the date of this publication have not been substantially complied with, or (3) a conflict of interest can be shown in the manner in which the contract was awarded; or by action, suit or proceeding commenced on the grounds that such contract was awarded in violation of the provisions of the Constitution.

PUBLIC NOTICE

Office of the State Comptroller

Pursuant to General Municipal Law §§ 216-c(9)(a), 219-h(8)(a), and 219-p(8)(a), the New York State Office of the State Comptroller (OSC) hereby gives notice of the following:

OSC will be issuing two Requests for Proposals (RFP) with regard to services required for Defined Contribution and Defined Benefit Length of Service Award Programs for volunteer ambulance workers and volunteer firefighters as described below. The RFPs will be issued on or about December 5, 2012 and will be posted to the OSC website at www.osc.state.ny.us/procurement/index.htm. Potential Proposers should review the OSC website prior to submission of proposals to ensure that they have all information required to submit a complete and responsive proposal.

RFP #12-10 for Administrative and Actuarial Services for Length of Service Award Programs for Volunteer Ambulance Workers and Volunteer Firefighters:

OSC will solicit proposals from administrative service agencies wishing to act as the Program Administrator to provide administrative and actuarial services for the Defined Contribution and Defined Benefit Length of Service Award Programs for volunteer ambulance workers and volunteer firefighters. All proposals must be submitted by an "administrative service agency", as defined in the statutory requirements of §§ 219-c(13) and 219-k(18) of the General Municipal Law.

The duties of the Program Administrator are set forth in the Service Award Statute (Articles 11-A, 11-AA and 11-AAA of the General Municipal Law [GML]), and the rules and regulations promulgated by the Comptroller (NYCRR Part 150, Service Award Programs for Volunteer Ambulance Workers; NYCRR Part 152, Defined Benefit Service Award Programs for Volunteer Ambulance Workers; NYCRR Part 154, State-Administered Defined Contribution Service Award Programs for Volunteer Firefighters; and NYCRR Part 155, State Administered Defined Benefit Service Award Programs for Volunteer Firefighters). The services to be provided by the Program Administrator shall in all instances be subject to the approval of OSC and are described more fully in the RFP, the GML, the Regulations, the Program Agreements, and the Trust Agreements.

RFP #12-11 for Financial Organization (Trustee) Services for Length of Service Award Programs for Volunteer Ambulance Workers and Volunteer Firefighters:

OSC will solicit proposals from financial organizations wishing to serve as Trustee for the Defined Contribution and Defined Benefit Service Award Programs for volunteer ambulance workers and volunteer firefighters. All proposals must be submitted by a "financial organization". A "financial organization" must satisfy the statutory requirements of §§ 219-c(14) and 219-k(19) of the General Municipal Law. In general, the duties of the Trustee include, but are not limited to:

The selected Proposer shall serve as Trustee of the Trusts and shall exercise and perform all of the powers and duties vested in the Trustee by the GML, the Regulations, the Program Agreements, and the Trust Agreements. The Trustee will enter into Trust Agreements for Programs adopted pursuant to Article 11-A, Article 11-AA, and Article 11-AAA of the GML. The services to be provided by the Trustee shall in all instances be subject to the approval of OSC and are described more fully in the RFP, the GML, the Regulations, the Program Agreements, and the Trust Agreements:

These procurements are subject to, and shall be conducted in accordance with, the OSC Executive Order on Procurement Integrity and OSC Procurement Integrity Procedures, both of which are available in full in the RFPs.

For further information, note that all inquiries concerning this procurement must be addressed to Brian Matthews as Contracting Officer, Director of Financial Administration, or his designee(s) at OSC, via email (preferred) to RFP@osc.state.ny.us or via hard copy mail to: Brian C. Matthews, Director of Financial Administration, Office of the State Comptroller, 110 State St., Stop 13-2, Albany, NY 12236-0001.

PUBLIC NOTICE

Department of State
Routine Program Change

STATEWIDE - Pursuant to 15 CFR 923.84(b)(4), the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on July 12, 2012 on the incorporation of an amendment to the Town of Hamburg Local Waterfront Revitalization Program (LWRP) into the State's Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM's concurrence on this action on March 28, 2012 and in a previous notice in the New York State Register, which further described the content of the action.

The Town prepared an amendment to its LWRP in partnership with DOS and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The Town amended its LWRP to better reflect proposed land uses to be accommodated within the Local Waterfront Revitalization Area in accordance with revised zoning controls adopted by the Town, and based on the Town's recently completed Comprehensive Plan. The zoning amendments include adoption of the Route 5 Overlay District, the Lakeview Overlay District, and the Park/Recreation Lands District. The Route 5 Overlay District includes measures to improve the quality of development and aesthetics along Route 5, a major thoroughfare within the waterfront area. The Lakeview Overlay District supports the renewal of existing commercial development areas in an effort to revitalize the Lakeview hamlet and provides for diversification of the land uses in this area. The Park/Recreation Lands District promotes a variety of passive and active recreation uses. These zoning changes serve to strengthen the ability of the Town to implement the policies and uses set forth in the LWRP. Also, to more effectively manage and protect land uses and environmental resources in the waterfront area, the amendment proposes a modification of the current State Coastal Boundary. The LWRP serves as a long term comprehensive coastal management program for the Town's Erie Lake waterfront resources, and is based on the policies of the New York State Coastal Management Program.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the amendment to the Town of Hamburg LWRP was adopted by the Town Board on May 23, 2011 and approved by the New York State Secretary of State on March 9, 2012. Federal consistency with the Town of Hamburg amended LWRP applies as of the date of this notice.

OCRM's concurrence includes the following approved changes to the Town of Hamburg LWRP:

Name/Description of State or Local Law Regulation/Policy/ Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
ADDED:			
*Town of Hamburg LWRP	*Sections I, II, IV, V, VI, VII, and Appendices A-E	3/9/2012	3/9/2012
Town of Hamburg LWRP Policies	Section III, Policies 1-13 with the exceptions of Policy "6.2, 3 Eighteen Mile Creek," and Policy 13.2, 13.3(b) and 13.6 which are not approved for application as enforceable policies for CZMA federal consistency review purposes.	3/9/2012	3/9/2012
DELETED:			
Town of Hamburg LWRP (1989)	Town of Hamburg LWRP (1989)	6/3/1989	6/3/1989

Changes marked with an asterisk (*) are incorporated into the NEW YORK COASTAL MANAGEMENT PROGRAM, but do not contain enforceable policies that can be used for Federal Consistency.

The Town of Hamburg amended Local Waterfront Revitalization Program is available at http://www.dos.ny.gov/communitieswaterfronts/WFRvitalization/LWRP__status.html, the website of the Department of State. If you have any questions, please contact Kevin Millington, Department of State, One Commerce Plaza, Suite 1010, Albany, NY 12231, (518) 473-2479.

PUBLIC NOTICE
Department of State
Routine Program Change

STATEWIDE—Pursuant to 15 CFR 923.84(b)(4), the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on July 12, 2012 on the incorporation of an amendment to the City of Rochester Local Waterfront Revitalization Program (LWRP) into the State’s Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM’s concurrence on this action on March 28, 2012 and in a previous notice in the New York State Register, which further described the content of the action.

The City prepared an amendment to its LWRP in partnership with DOS and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The amendment incorporates recent plans put forth by the City to redevelop the Port of Rochester, an economically distressed area located at the confluence of the Genesee River and Lake Ontario, which propose a variety of water-related, housing, and other public uses intended to revitalize the area. The City of Rochester LWRP amendment does not propose any changes to the State coastal area boundary. The LWRP serves as a long term comprehensive coastal management program for the City’s Genesee River and Lake Ontario waterfront resources, and is based on the policies of the New York State Coastal Management Program.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the amendment to the City of Rochester LWRP was adopted by the City Council on March 22, 2011, and approved by the New York State Secretary of State on December 15, 2011. Federal consistency with the City of Rochester amended LWRP applies as of the date of this notice.

OCRM’s concurrence includes the following approved changes to the City of Rochester LWRP:

Name/Description of State or Local Law Regulation/Policy/ Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
MODIFIED:			
*General information about the history of the LWRP and the changes	*Executive Summary, pp. i-ii	12/15/2011	12/15/2011
*Uses and redevelopment activities and constraints for the 22-acre port site and surrounding area	*Section II - Historical Analysis, C; Water-Dependent and Water-Enhanced Uses, C; Recreational Opportunities and Public Access, A; Flood Hazard Areas, B; Erosion Hazard Areas, B; Transportation Network; Table II-5; and, Development Opportunities and Constraints, B and C.	12/15/2011	12/15/2011

Revisions to several policies to support the redevelopment of the port site and the redevelopment or relocation of the public boat launch facility; deletion of the reference to the construction of an erosion protection structure	Section III - Policies 1A, 1F, and Explanation of Policies; Policies 5A and 58, and Explanation of Policies; Policy 9B; Policy 13A and Explanation of Policies; Policy 19C and Explanation of Policies; Policy 20A; Policy 21 A; Policy 22A; Policy 23B; and, Policy 25 Explanation of Policies	12/15/2011	12/15/2011
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*Description of area and existing uses of the area that contains the port site and recommended land uses, projects, and design objectives within that area	*Section IV - Description of LWRP Subareas, Subarea D; Recommended Land Uses for each LWRP Subarea D table; and, Recommended projects within the LWRP, A, B, and C.	12/15/2011	12/15/2011
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*Revisions to reflect changes to local laws, including the establishment of the Harbortown Village zone	*Section V - Policies 1, 13, 16, and 22 information	12/15/2011	12/15/2011
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Changes marked with an asterisk (*) are incorporated into the NEW YORK COASTAL MANAGEMENT PROGRAM, but do not contain enforceable policies that can be used for Federal Consistency.

The City of Rochester amended Local Waterfront Revitalization Program is available at http://www.dos.ny.gov/communitieswaterfronts/WFRvitalization/LWRP__status.html, the website of the New York State Department of State. If you have any questions, please contact Kevin Millington, Department of State, One Commerce Plaza, Suite 1010, Albany, NY 12231, (518) 473-2479.

PUBLIC NOTICE
Department of State
Routine Program Change

STATEWIDE — Pursuant to 15 CFR 923.84(b)(4), the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on July 12, 2012 on the incorporation of an amendment to the Village of Sodus Point Local Waterfront Revitalization Program (LWRP) into the State’s Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM’s concurrence on this action on March 28, 2012 and in a previous notice in the New York State Register, which further described the content of the action.

The Village prepared an amendment to its LWRP in partnership with DOS and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The Village amended its LWRP to include a harbor management plan for Sodus Bay, which establishes the local means for better managing boating activities, such as docks, and avoid conflicts associated with water uses. In addition, the amendment identifies several projects to enhance public access opportunities along the waterfront. The LWRP serves as a long term comprehensive coastal management program for the Village’s Sodus Bay and Lake Ontario waterfront resources, and is based on the policies of the New York State Coastal Management Program.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the amendment to the Village of Sodus Point LWRP was adopted by the Village Board of Trustees on July 21, 2011, and approved by the New York State Secretary of State on March 9, 2012. Federal consistency with the Vil-

lage of Sodus Point amended LWRP applies as of the date of this notice.

OCRM's concurrence includes the following approved changes to the Village of Sodus Point LWRP:

Name/Description of State or Local Law Regulation/Policy/ Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
MODIFIED:			
*LWRP boundary extended 1,500 feet from the shoreline into Lake Ontario and Sodus Bay	*Section I - Water-front Revitalization Boundary	3/9/2012	3/9/2012
*Numerous changes, mainly including harbor management information on water uses	*Section II - 1.A, D, and E; 2.A, B, D, E, and G; 3.B, C, E, F, and G; 4.B and C; 5; 6; and 7	3/9/2012	3/9/2012
Focus on protecting and restoring ecological quality; explanations for how the harbor management elements and projects implement the policies	Section III - Policy 6.1; and, Explanation of Policy for Policies 1, 1.1, 1.2, 1.3, 2.1, 2.2, 3, 4, 6, 6.1, 6.2, 8.1, 9.1, 9.2, and 10.5	3/9/2012	3/9/2012
*Revised and additional proposed projects	*Section IV - A; B; C, C.2- 15 and 19-31; and, D, D.1, D.2, D.4	3/9/2012	3/9/2012
*Revisions to reflect minor zoning changes, included the deletion of the planned residential zone, and recommended changes to laws	*Section V - A.1 and 2; B; C; and E	3/9/2012	3/9/2012

Changes marked with an asterisk (*) are incorporated into the NEW YORK COASTAL MANAGEMENT PROGRAM, but do not contain enforceable policies that can be used for Federal Consistency.

The Village of Sodus Point amended Local Waterfront Revitalization Program is available at http://www.dos.ny.gov/communitieswaterfronts/WFRvitalization/LWRP_status.html, the website of the Department of State. If you have any questions, please contact Kevin Millington, Department of State, One Commerce Plaza, Suite 1010, Albany, NY 12231, (518) 473-2479.

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.

2006-0384 Matter of Ervin Detweiler. The petitioner requests a variance concerning a smoke alarms and carbon monoxide alarms in a single-family dwelling of wood framed construction. The property located at 11123 Chautauqua Road, Cattaraugus, Cattaraugus County, State of New York.

2006-0416 Matter of Eli Kurtz. The petitioner requests a variance concerning smoke alarms and carbon monoxide alarms in a single-family dwelling of wood framed construction. The property located at

4360 Swamp Road, Randolph, Cattaraugus County, State of New York.

2012-0447 Matter of New York State Office of Parks, Recreation and Historic Preservation, Allegany State Park 2373 ASP#1, Suite 3, Salamanca, New York. The Petitioner requests a variance to not install sprinkler system in a R-1 residential – transient occupancy. The Building Code section 903.2.7 requires a sprinkler system. The property located at Allegany State Park, Town of Salamanca, County of Cattaraugus, State of New York.

2012-0507 Matter of Cradle Beach c/o Kevin Connors, 2495 Main Street, Suite 431, Buffalo, NY 14214 for a variance concerning requirements for sprinkler system in assembly space and requirements of stage vestibules.

Involved is the new construction of A-1 Occupancy, one story, Type IIIB construction building, located at 8038 Old Lakeshore Road, Town of Evans, County of Erie, State of New York.

SALE OF FOREST PRODUCTS
Cayuga Reforestation Area No. 2
Contract No. X008863

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 184.6 MBF more or less of sawtimber and 205 cords more or less of hardwood/spruce/aspens/pine pulp, located on Cayuga Reforestation Area No. 2, Summer Hill State Forest, Stand(s) A-13 and 39, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5023 until 11:00 a.m., Thursday, Dec. 13, 2012.

For further information, contact: Mark Zubal, 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
Oswego Reforestation Area No. 8
Contract No. X008866

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

Sealed bids for 180.8 MBF more or less of sawtimber, 351 tons more or less of softwood pulpwood, and 110 cords more or less of hardwood cordwood, located on Oswego Reforestation Area No. 8, Salmon River State Forest, Stands A-3, 4, 7, 9, B-4.1 and B-9, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5023 until 11:00 a.m., Thursday, Dec. 13, 2012.

For further information, contact: Daniel Sawchuck, Forester 1, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2133 County Rte. 22, Altmar, NY 13302, (315) 298-7467