

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 Columbia County

Issuance of Final RFP

For Solid Waste Recycling Services for Columbia County

A copy of the Final RFP for Solid Waste Recycling Services for Columbia County can be viewed on the Columbia County Government website – www.columbiacountyny.com by following the link to the "Solid Waste Department". Those who download the RFP and wish to be placed on a list to receive information for this proposal as it is released must register with the Columbia County Solid Waste Department by sending an email to Gennifer Westover at gennifer.westover@columbiacountyny.com. A return email acknowledging this registration will be transmitted.

Proposal packages can be obtained by any bidder at the Columbia County Department of Central Services, 401 State Street, Hudson, NY.

All proposals must be received by Wednesday, May 16, 2012 no later than 3:00 p.m. and addressed as follows: Jolene D. Race, Director of Solid Waste, Columbia County Solid Waste Department, c/o Columbia County Central Services, 401 State St., Hudson, NY 12534, (518) 828-2737, jolene.race@columbiacountyny.com

PUBLIC NOTICE Division of Criminal Justice Services

Pursuant to the terms and conditions of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program regarding New York State's application for such funding, the NYS Division of Criminal Justice Services (Division) hereby gives notice of the following:

On May 14th, 2012 the Division will submit a funding application requesting New York State's federal fiscal year (FFY) 2012 award of \$9,771,691 appropriated under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The application generally describes the proposed program activities for the 4-year grant period and the types of programs for which funding will be used.

This application is required to be made available for a 30-day period for public review and comment. Requests for copies may be made via e-mail to: funding@dcjs.ny.gov Requests may also be made in writing or by calling the Division offices during regular business hours. If a paper copy of the application is requested, a payment of \$0.25 per page will be due to the Division in accordance with Public Officer Law § 87.

For further information, contact: Anne Marie Strano, Director, Office of Program Development & Funding, Division of Criminal Justice Services, Four Tower Place, Albany, NY 12203, (518) 457-8462, e-mail: funding@dcjs.ny.gov

PUBLIC NOTICE Deferred Compensation Board

The New York State Deferred Compensation Board, which is responsible for the State's Deferred Compensation Plan pursuant to Section 457(b) of the Internal Revenue Code and Section 5 of the State Finance Law, beginning on May 9, 2012, is seeking formal written proposals from law firms to act as General Counsel to provide legal services to the Board and the New York State Deferred Compensation Plan. The general scope of services include: general legal representation subject to the statutory responsibility of the State Attorney General; preparation of amendments to the State and model plans in compliance with the applicable statutory and regulatory framework; amendment of the Board's rules and regulations; the securing of tax qualification approval from the Internal Revenue Service; respond to inquiries from local governments; and, the negotiation and preparation of the Board's contracts with providers of financial products, auditing, trustee and administrative services.

A copy of the request for proposals may be obtained from the Board's website: www.goer.ny.gov/nysdcp or by contacting Sharon DiMura, Associate Director, New York State Deferred Compensation Plan, Empire State Plaza Station, P.O. Box 2103, Albany, NY 12220-2103, (518) 473-6619. All proposals must be received no later than the close of business on June 20, 2012.

PUBLIC NOTICE Department of Financial Services

11 NYCRR Part 16 (Insurance Regulation 86)

Introduction

This Part implements Article 63 of the Insurance Law. Article 63 authorizes special risks that are jumbo in dimension, exotic in nature, or issued to a large commercial insured to be written in the "free trade zone." Insurance companies generally do not have to file the rates and forms with the Department of Financial Services for risks written in the "free trade zone" unless the Superintendent reimposes filing or approval requirements.

However, the rates and policy forms used for the special risks must comply with the governing standards set forth in the Insurance Law and regulations promulgated there under.

Pursuant to section 16.1(j) of part 16 of title 11 of the New York Compilation of Codes, Rules and Regulations ("Regulation 86"), "special risks" are specifically identified and categorized into three groups: Class (1), Class (2) and Class (3). Class (2) includes coverages that are:

(i) of an unusual nature, a high loss hazard, or difficult to place; and

(ii) identified on the list set forth in section 16.12(e) of Regulation 86 or additions thereto made pursuant to section 16.8(f) of Regulation 86.

Section 16.8(f) establishes procedures for applying to the Superintendent to add a class to the list of eligible Class 2 risks enumerated in section 16.12(e). If the Superintendent, after review of the application, determines that it should be added to the list, it is published in the State Register, pursuant to section 16.8(f)(3).

Additions to Class 2 risks are effective on the date specified in the Public Notice that is published in the State Register. The text of Regulation 86 is periodically amended to incorporate the Class 2 risks added via publication in the State Register.

Notice of Additions

Pursuant to Article 63 of the Insurance Law and section 16.8(f)(3) of Regulation 86, the Department of Financial Services hereby gives notice of the following additions to Section 16.12(e), Class 2 Risks, effective upon publication in the State Register.

The Statistical Code designation 2-50002 has been assigned to the classification, "Cyber Risks." The classification description is as follows: First and third party commercial lines coverage for loss or liability arising out of or relating to cyber risks, including data privacy breaches and other privacy risks, networks security risks, electronic advertising, intellectual property infringement and virus risks.

The Statistical Code designation 2-50003 has been assigned to the classification, "Directors and Officers Liability Insurance-Private Package Policies." The classification description is as follows: Directors and Officers, Employment Practices Liability, Fiduciary, Crime, and Kidnap and Ransom containing primary liability limits of at least \$5,000,000.

The Statistical Code designation 2-50004 has been assigned to the classification, "Mergers and Acquisitions." The classification description is as follows: Mergers and Acquisitions Liabilities - insurance for claims arising from merger and acquisition transactions, including all related coverages that are permissible pursuant to the New York Insurance Law.

The Statistical Code designation 2-50005 has been assigned to the classification, "Product Liability for Fire Extinguishers and Accessories." The classification description is as follows: Lead and Wire Seal, Hose, Horn and Nozzle Assemblies, Foam, Buckets, Reducer, Calcium Chloride, Sodium Bicarbonate, and Fire Hats.

The Statistical Code designation 2-50006 has been assigned to the classification, "Attorney's Errors and Omissions." The classification description is as follows: Coverage for attorneys that are employed as lawyers by a business entity (not a law firm).

The Statistical Code designation 2-50007 has been assigned to the classification, "Aviation Liability Insurance." The classification description is as follows: Coverage against third party liability or passenger liability arising out of occupancy, operation or use of owned or non-owned aircraft. Coverage also may include liability arising out of the insured's use, ownership or maintenance of helipads and aviation buildings or premises.

The Statistical Code designation 2-50008 has been assigned to the classification, "Aviation Hull Insurance." The classification description is as follows: Coverage for loss or damage to aircraft.

The Statistical Code designation 2-50009 has been assigned to the classification, "Property Insurance for Highly Protected Risks (HPR)." The classification description is as follows: Highly protected risks are properties that are subject to a substantially lower than normal probability of loss by virtue of superior construction, special fire protection equipment/procedures, and management commitment to loss prevention.

Notice of Changes

Pursuant to Article 63 of the Insurance Law and section 16.8(f)(3) of Regulation 86, the Department of Financial Services hereby gives notice of the following changes of definition for statistical code designations 2-14177 Directors and Officers Liability Insurance,

2-14183 Fiduciary Liability, 2-14076 Investment Counselors and Asset Managers and Venture Capital Professional and Management Liability, and 2-14194 Product Liability Insurance. The classification descriptions are as follows:

2-14177 Directors and Officers Liability Insurance - Certain Commercial Risks (a) A policy providing liability coverage for directors and officers of a corporation that: (1) has a net worth of at least \$7,500,000 as of the insured's fiscal year end immediately preceding the policy's effective date, as determined by an independent certified public accountant; or (2) has gross assets exceeding \$25,000,000 and a net worth of at least \$1,500,000 as of the insured's fiscal year end immediately preceding the policy's effective date, as determined by an independent certified public accountant; or (3) is a for-profit business entity that generates annual gross revenues exceeding \$25,000,000, and has a net worth of at least \$1,500,000 as of the insured's fiscal year end immediately preceding the policy's effective date, as determined by an independent certified public accountant; or (4) is a for-profit business entity that has gross assets exceeding \$25,000,000 and generates annual gross revenues exceeding \$25,000,000 as of the insured's fiscal year end immediately preceding the policy's effective date, as determined by an independent certified public accountant; or (5) is a not-for-profit organization or public entity with an annual budget exceeding \$25,000,000 for each of its three fiscal years immediately preceding the policy's effective date; or (b) Policies containing primary liability limits of at least \$5,000,000.

2-14183 Fiduciary Liability - Liability coverage for fiduciaries.

2-14076 Investment Counselors, Asset Managers and Venture Capital Professional and Management Liability.

2-14194 Product Liability Insurance - Product liability coverage for the following classes of risk only: aircraft parts manufacturers; distributors, servicers or installers; automobile parts manufacturers; bioengineered products; farm equipment parts manufacturers; firearms manufacturers; helmet manufacturers; pharmaceutical products manufacturers.

For further information contact: Hoda Nairooz at hoda.nairooz@dfs.ny.gov, Department of Financial Services, Property Bureau, 25 Beaver St., New York, NY 10004, (212) 480-5587

PUBLIC NOTICE

Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation on Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the Milton Fire District No. 1, County of Saratoga.

Pursuant to section 176-b of the Town Law, the non-resident membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such waiver should not be granted, and shall be submitted to: Bryant D. Stevens, State Fire Administrator, State of New York, Office of Fire Prevention and Control, 99 Washington Ave., Suite 500, Albany, NY 12210-2833

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

For further information, please contact: Deputy Chief Donald Fischer, State of New York, Office of Fire Prevention and Control, 99 Washington Ave., Suite 500, Albany, NY 12210-2833, (518) 474-6746, e-mail: Dfischer@dhses.ny.gov

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 July 1, 2012, the Department of Health, in collaboration with the Office of Mental Health, the Office for Alcoholism 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 in the counties of Albany, Alleghany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Columbia, Cortland, Delaware, Fulton, Genesee, Greene, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Ontario, Oneida, Onondaga, Orleans, Otsego, Rensselaer, Saratoga, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates. 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 region and 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 may be billed.

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 (up to 30 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.

The estimated net aggregate decrease in gross Medicaid expenditures attributable to this initiative for the period July 1, 2012 through September 30, 2012 is \$ 500,000 and for the period October 1, 2012 through September 30, 2013 is \$16.6 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

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 Parks, Recreation and Historic Preservation

Pursuant to section 14.07 of the Parks, Recreation and Historic Preservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives notice of the following:

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the State Review Board will be considering nomination proposals for listing of properties in the State Register of Historic Places at a meeting to be held on Thursday, June 14, 2012 at 10:15 AM, at Pebbles Island State Park, Waterford, New York, 12188.

The following properties will be considered:

1. James C. Beecher House, Owego, Tioga Co.
2. Big Moose Community Chapel, Eagle Bay, Herkimer Co.
3. Grindstone Island Schoolhouse, Clayton, Jefferson Co.
4. Fort Plain Historic District, Fort Plain, Montgomery Co.
5. Pike's Cantonment, Plattsburgh, Clinton Co.
6. St. Patrick's Church Complex, Syracuse, Onondaga Co.
7. First Presbyterian Church, Jefferson, Schoharie Co.
8. Dorchester & Rose Building, Geneva, Ontario Co.
9. Holy Rosary Church, Rochester, Monroe Co.
10. Exchange Street Historic District, Attica, Wyoming Co.
11. Downtown Warsaw Historic District, Wyoming Co.
12. Randolph Historic District, Cattaraugus Co.
13. Montour Falls Union School, Schuyler Co.
14. St. James Episcopal Church, Watkins Glen, Schuyler Co.
15. Usonia Historic District, Pleasantville Vicinity, Westchester County
16. Mary A. Whelan, Red Hook, Kings County
17. AnSCO Company Charles Street Factory Buildings, Binghamton, Broome County
18. General Cigar Company-AnSCO Camera Factory Building, Binghamton, Broome County
19. The White House, Hartwick Vicinity, Otsego County
20. Hartsdale Pet Cemetery, Hartsdale, Westchester County
21. St. Mathias Roman Catholic Church Complex, Queens, Queens County
22. Putnam Camp, St. Huberts, Essex Co.
23. North Chatham Historic District, North Chatham, Columbia Co.

24. Talichito, Schroon Lake, Essex Co.
 25. Van Rensselaer High School, Rensselaer, Rensselaer Co.
 26. Brownell Farm, Pittstown, Rensselaer Co. [Historic Farmsteads of Pittstown MPDF]
 27. Cornell Farm, Pittstown, Rensselaer Co. [Historic Farmsteads of Pittstown MPDF]
 28. Thomas Farm, Pittstown, Rensselaer Co. [Historic Farmsteads of Pittstown MPDF]
 29. Loew's King Theatre, Brooklyn, Kings County

Comments may be submitted to Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, attention Historic Preservation Field Services Bureau, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than Wednesday, June 13 or may be submitted in person at the meeting by contacting Ruth L. Pierpont at the same address no later than June 13, 2012.

For further information, contact: Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, (518) 237-8643

PUBLIC NOTICE

Department of State

The New York State Appearance Enhancement Advisory Committee will hold an open board meeting on Monday, May 14, 2012 at 10:30 a.m. at the New York State Department of State, 99 Washington Avenue, 5th Floor Conference Room, Albany, NY and 123 William Street, 19th Floor Conference Room, New York, NY.

Should you require further information, please contact Carol Fansler at carol.fansler@dos.ny.gov or 518-486-3857.

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.

2012-0094 Matter of The Osborn, 101 Theall Road, Rye, NY 10580 for a variance concerning various building code requirements, including exiting, handicapped accessibility, and fire separations.

Involved is an existing institutional building, I1 occupancy classification, located at 101 Theall Road, City of Rye, County of Westchester, State of New York.

2012-0203 Matter of Charles B. Smith, RA, for Design Works Architecture, PC, Suite 117, 3300 Monroe Avenue, Rochester, New York 14618, for a variance concerning fire safety requirements including relief from requirements to provide a fire hydrant on a residential driveway, located at 6924 Valentown Road, in the Town of Victor, Ontario County, New York.

2012-0205 Matter of Peter Kowalczyk, 109 South Transit Hill Drive, Cheektowaga, NY 14043 for appeal/variance concerning: requirements for minimum separation between swimming pools and over head electric cables.

Involved is the construction of a new swimming pool in a one-family dwelling, located at 109 South Transit Hill Drive, Town of Cheektowaga, County of Erie, State of New York.

2012-0208 Matter of Peter Kowalczyk, 109 South Transit Hill Drive, Depew, Erie County, New York 14227. The petitioner requests a variance concerning an overhead conductor clearances from an above ground swimming pool as required by part E4103.6 of the Residential Code. The property located at 109 South Transit Hill Drive, Town of Cheektowaga, County of Erie, State of New York.

2012-0209 Matter of Maryvale Union Free School District, 1050 Maryvale Drive, Cheektowaga, Erie County, New York 14225. The petitioner requests a variance concerning an swimming pool alarm requirement as required by part 3109.7 of the Building Code. The property located at 1050 Maryvale Drive, Town of Cheektowaga, County of Erie, State of New York.

2012-0214 Matter of Sam Fattah, Simon Property Group, Inc., 225 W. Washington St., Indianapolis, IN 46204 for a variance concerning various building code requirements, including height, area, and distance separation.

Involved are new and existing mixed use buildings, A and M occupancy classifications, located at 75 W. Route 59, Nanuet, Town of Clarkstown, County of Rockland, State of New York.

SALE OF FOREST PRODUCTS

Madison Reforestation Area No. 1

Contract No. X008609

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 201.0 MBF +/- Japanese larch, 132 tons +/- red pine, 11.3 MBF +/- white ash, 1.0 MBF +/- red maple, 0.7 MBF +/- black cherry, 18 cords +/- misc. firewood, located on Madison Reforestation Area No. 1, Charles E. Baker State Forest, Stand A-51, 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, May 17, 2012.

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

Onondaga Reforestation Area No. 90

Contract No. X008608

Pursuant to Section(s) 11-2101 and 11-2305 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice of the following:

Sealed bids for 132.9 MBF more or less of sawtimber, 58.0 tons more or less of softwood pulpwood, and 168.0 cords more or less of hardwood cordwood, located on Onondaga Reforestation Area No. 90, Three Rivers Wildlife Management Area, Stands C-27, 39, 52, 53, 55 and 56, 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, May 17, 2012.

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