

# 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](http://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 non-institutional services to comply with enacted statutory provisions. The following changes are proposed for Medicaid transportation services:

Effective on or after May 1, 2014, a supplemental medical assistance payment shall be made on an annual basis to providers of emergency medical transportation services in an aggregate amount not to exceed \$6,000,000 for the period May 1, 2014 through March 31, 2015.

For each ambulance provider that receives medical assistance payments, the Department shall determine the ratio of such provider's State-processed reimbursements to the total of such reimbursements made during each quarter of the calendar year, expressed as a percentage. The Department shall multiply the percentage of medical assistance reimbursements made to each ambulance provider by the aggregate amount. The result of such calculation shall represent the "emergency medical transportation service supplemental payment."

The amount to be disbursed to providers whose area of operation is within the City of New York will be twenty-five percent of the applicable aggregate amount, with the remaining seventy-five percent to be disbursed to all other ambulance providers.

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](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

*For further information and to review and comment, please contact:*  
Department of Health, Bureau of Federal Relations & Provider Assessments, 99 Washington Ave. – One Commerce Plaza, Suite 1430, Albany, NY 12210, (518) 474-1673, (518) 473-8825 (FAX), e-mail: [spa\\_inquiries@health.state.ny.us](mailto:spa_inquiries@health.state.ny.us)

## PUBLIC NOTICE Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Sections 441.304(e), the New York State Office for People with Developmental Disabilities (OPWDD) and the New York State Department of Health give notice of proposed changes to the methods and standards for setting Medicaid payment rates for Pathway to Employment Services.

These changes will be effective July 1, 2014.

Pathway to Employment is a new service and the methodology will be new. The proposed methodology will be an hourly fee. The fees will be as follows:

|  | Individual Fee | Group Fee |
|--|----------------|-----------|
| Region I- NYC  | \$43.04        | \$37.68   |
| Region II-Putnam, Rockland,<br>Westchester, Suffolk and Nassau<br>Counties | \$41.92        | \$35.64   |
| Region III- Rest of State  | \$39.70        | \$33.74   |

The reasons for these proposed changes are to promote equity in service delivery, to adequately fund the services and to satisfy commitments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services.

The State estimates that there will be no increase or decrease in annual aggregate expenditures as a result of these changes. A new service would normally result in an increase in aggregate Medicaid

expenditures. However, the State expects that individuals receiving Pathway to Employment will receive fewer other services (e.g. prevocational services and day habilitation services), and that the savings associated with the reduction in these other services will be approximately equal to the expenditures for Pathway to Employment.

Outside New York City, a detailed description of the changes is available for public review at the following addresses:

Albany  
Albany County Department of Mental Health  
175 Green St.  
Albany NY 12202

Allegany  
Allegany County Mental Health Department  
45 North Broad St.  
Wellsville NY 14895

Broome  
Broome County Mental Health Department  
229-231 State St., Fl 4  
Binghamton NY 13901-6635

Cattaraugus  
Cattaraugus County Community Services  
1 Leo Moss Dr., Suite 4308  
Olean NY 14760

Cayuga  
Cayuga County Mental Health Department  
146 North St.  
Auburn NY 13021

Chautauqua  
Chautauqua County Mental Health Services  
HRC Bldg., 7 N. Erie St., 1st Floor  
Mayville NY 14757

Chemung  
Chemung County Mental Health Hygiene Department  
425 Pennsylvania Ave.  
Elmira NY 14902

Chenango  
Chenango County Mental Hygiene Services  
County Office Bldg.  
5 Court St., Ste. 42  
Norwich NY 13815

Clinton  
Clinton County Mental Health/Addictions Services  
16 Ampersand Dr.  
Plattsburgh NY 12901

Columbia  
Columbia County Department of Human Services  
325 Columbia St.  
Hudson NY 12534

Cortland  
Cortland County Community Services  
7 Clayton Ave.  
Cortland NY 13045

Delaware  
Delaware County Mental Health Clinic  
1 Hospital Rd.  
Walton NY 13856

Dutchess  
Dutchess County Department of Mental Hygiene  
82 Washington St.  
Poughkeepsie NY 12601

Erie  
Erie County Department of Mental Health  
95 Franklin St., Rm. 1237  
Buffalo NY 14202

Essex  
Essex County Mental Health Services  
7513 Court St.  
Elizabethtown NY 12932

Franklin  
Franklin County Community Services  
70 Edgewood Rd., PO Box 1270  
No. Saranac Lake NY 12983

Fulton  
Fulton County Mental Health Clinic  
57 E. Fulton St., Rm. 106  
Gloversville NY 12078

Genesee  
Genesee County Mental Health Services  
5130 E. Main Rd., Suite 2  
Batavia NY 14020

Greene  
Greene County Department of Mental Health  
905 Greene County Office Bldg.  
Cairo NY 12413

Hamilton  
Hamilton County Community Services  
83 White Birch Lane  
Indian Lake NY 12842

Herkimer  
Herkimer County Mental Health Services  
301 North Washington St., Ste. 2470  
Herkimer NY 13350

Jefferson  
Jefferson County Community Services  
175 Arsenal St.  
Watertown NY 13601

Lewis  
Lewis County Mental Hygiene Department  
7714 Number Three Rd.  
Lowville NY 13367

Livingston  
Livingston County Community Services  
4600 Millennium Dr.  
Geneseo NY 14454

Madison  
Madison County Mental Health Department  
Veterans' Memorial Bldg.  
Wampsville NY 13163  
Monroe  
Monroe County Office of Mental Health

1099 Jay St., Bldg. J, Ste. 201A  
Rochester NY 14611

Montgomery  
Montgomery County Department of Community Services  
St. Mary's Hospital,  
427 Guy Park Ave.  
Amsterdam NY 12010

Nassau  
Nassau County Department of Mental Health,  
Chemical Dependency and Developmental Disabilities Services  
60 Charles Lindberg Blvd., Ste. 200  
Uniondale NY 11553

Niagara  
Niagara County Department of Mental Health  
5467 Upper Mountain Rd., Ste. 200  
Lockport NY 14094

Oneida  
Oneida County Department of Mental Health  
235 Elizabeth St.  
Utica NY 13501

Onondaga  
Onondaga County Department of Mental Health  
421 Montgomery St., 10th Fl.  
Syracuse NY 13202

Ontario  
Ontario County Mental Health Department  
3019 County Complex Dr.  
Canandaigua NY 14424

Orange  
Orange County Department of Mental Health  
30 Harriman Dr.  
Goshen NY 10924-2410

Orleans  
Orleans County Mental Health/Community Services  
14014 Route 31 West  
Albion NY 14411

Oswego  
Oswego County DSS, Division Mental Hygiene  
100 Spring St.  
Mexico NY 13114

Otsego  
Otsego County Mental Health Clinic  
242 Main St.  
Oneonta NY 13820

Putnam  
Putnam County Department of Social Services/Mental Health  
110 Old Route 6  
Carmel NY 10512

Rensselaer  
Rensselaer County Department of Mental Health  
1600 7th Av.  
Rensselaer Co. Off. Bldg., 3rd Fl.  
Troy NY 12180

Rockland  
Rockland County Department of Mental Health

50 Sanatorium Rd., Bldg. F  
Pomona NY 10970

Saratoga  
Saratoga County Mental Health Center  
211 Church St., Cramer House  
Saratoga Springs NY 12866

Schenectady  
Schenectady County Mental Health Dept.  
797 Broadway, Ste. 304  
Schenectady NY 12305

Schoharie  
Schoharie County Community Service and MH  
113 Park Pl., Ste. 1, Co. Annex Bldg.  
Schoharie NY 12157-0160

Schuyler  
Schuyler County Community Services  
Mill Creek Ctr., 106 S. Perry St., Ste. 4  
Watkins Glen NY 14891

Seneca  
Seneca County Mental Health Department  
31 Thurber Dr.  
Waterloo NY 13165

St. Lawrence  
St. Lawrence County Mental Health Clinic  
80 State Hwy. 310, Ste. 1  
Canton NY 13617-1493

Steuben  
Steuben County Community Mental Health Center  
115 Liberty St.  
Bath NY 14810

Suffolk  
Suffolk County Community Mental Hygiene  
No. County Complex, Bldg. C-928  
Hauppauge NY 11788

Sullivan  
Sullivan County Department of Community Services  
P.O. Box 716  
Liberty NY 12754

Tioga  
Tioga County Department of Mental Hygiene  
1062 State Rt. 38  
Owego NY 13827

Tompkins  
Tompkins County Mental Health Department  
201 E. Green St.  
Ithaca NY 14850

Ulster  
Ulster County Mental Health Department  
239 Golden Hill La.  
Kingston NY 12401

Warren  
Warren County Community Services  
230 Maple St., Suite 1  
Glens Falls NY 12801

Washington  
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Glens Falls NY 12801

Wayne  
Wayne County DMH/Behavior Health Network  
1519 Nye Rd.  
Lyons NY 14489

Westchester  
Westchester County Community Mental Health Department  
112 E. Post Rd., 2nd Fl.  
White Plains NY 10601

Wyoming  
Wyoming County Mental Health Department  
338 North Main St.  
Warsaw NY 14569

Yates  
Yates County Community Services  
417 Liberty St., Ste. 2033  
Penn Yan NY 14527

In New York City, a detailed description of the changes is available for public review at the following OPWDD Office locations:

Metro New York  
25 Beaver Street  
New York, New York 10004

Bernard M. Fineson  
80-45 Winchester Blvd.  
Administration Building  
80-00 Queens Village, New York 11427

Brooklyn  
888 Fountain Avenue  
Brooklyn, New York 11208

Metro New York  
2400 Halsey Street  
Bronx, New York 10461

Staten Island DDSO  
1150 Forest Hill Road  
Staten Island, New York 10314

*For further information and to review and comment, please contact:*  
Ceylane Meyers-Ruff, OPWDD, 44 Holland Avenue, Albany, NY  
12229, (518) 473-9697, e-mail: ceylane.meyersruff@opwdd.ny.gov

## PUBLIC NOTICE

Office for People with Developmental Disabilities and  
Department of Health

Pursuant to 42 CFR Sections 441.304(e) and 447.205, the New York State Office for People with Developmental Disabilities (OPWDD) and the New York State Department of Health give notice of proposed changes to the methods and standards for setting Medicaid payment rates for Intermediate Care Facilities for People with Developmental Disabilities (ICFs/DD), residential habilitation provided in community residences (including Individualized Residential Alternatives (IRAs)) and day habilitation.

The rate setting methods and standards will only be changed for

services that are not provided by OPWDD. These changes will be effective July 1, 2014. The proposed rate setting methodologies are described in detail in proposed regulations which can be viewed on OPWDD's website. Go to [www.opwdd.ny.gov/regulations\\_guidance/opwdd\\_regulations/proposed](http://www.opwdd.ny.gov/regulations_guidance/opwdd_regulations/proposed), and click on "Rate Setting for Non-State Providers - IRA/CR Residential Habilitation and Day Habilitation" and "Rate Setting for Non-State Providers - Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD)".

The proposed methodologies include the following elements:

- 1) The use of a base period Consolidated Fiscal Report (CFR) for the period of January 1, 2011 – December 31, 2011 for calendar year filers or the period of July 1, 2010 through June 30, 2011 for fiscal year filers;
- 2) The assignment of geographic location, based on CFR information and consistent with Department of Health regions;
- 3) Wage equalization factors;
- 4) A budget neutrality factor; and
- 5) A three year phase-in period for transition to the methodology.
- 6) Operating, facility and capital components.
  - a. The operating component recognizes a blend of actual provider costs and average regional costs.
  - b. The facility component recognizes actual provider costs.
  - c. There will be two significant changes to methodology for the capital component. First, initial capital reimbursement will only remain in the rate for two years from the date of site certification unless actual costs are verified with OPWDD. Second, the methodology includes maximum allowable amounts (thresholds).

The proposed methodology for ICFs/DD also includes day services components based on the existing units of service from the provider rate sheet in effect on June 30, 2014 and the July 1, 2014 rate for the service.

The methodology for supervised and supportive community residences (including IRAs) will include an acuity factor developed through a regression analysis and based on Developmental Disabilities Profile information.

The methodology for supervised community residences will incorporate the recognition of an evacuation score factor and a change in the unit of service from a month to a day. Commensurate with the unit of service change, the methodology will recognize retainer days, therapeutic leave days and vacant bed days.

The methodology for day habilitation programs will include the recognition of actual provider to-from transportation costs.

The reasons for these proposed changes are to satisfy commitments included in OPWDD's transformation agreement with the federal Centers for Medicare and Medicaid Services; to provide a clear and transparent method of reimbursement; to move toward consistency in rates across the system; to provide a more stable system of reimbursement, and to move the residential and day habilitation methodologies from budget to cost-based reimbursement.

The State estimates that there will be no increase or decrease in annual aggregate expenditures as a result of these changes.

Outside New York City, a detailed description of the changes is available for public review at the following addresses:

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Schoharie NY 12157-0160  
Schuyler

Schuyler County Community Services  
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Watkins Glen NY 14891

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St. Lawrence County Mental Health Clinic  
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Canton NY 13617-1493

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Suffolk County Community Mental Hygiene  
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Hauppauge NY 11788

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Sullivan County Department of Community Services  
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Liberty NY 12754

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Owego NY 13827

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Tompkins County Mental Health Department  
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Ithaca NY 14850

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Ulster County Mental Health Department  
239 Golden Hill La.  
Kingston NY 12401

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Warren County Community Services  
230 Maple St., Suite 1  
Glens Falls NY 12801

Washington  
Washington County Community Services  
230 Maple St., Suite 1  
Glens Falls NY 12801

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Wayne County DMH/Behavior Health Network  
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Lyons NY 14489

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Westchester County Community Mental Health Department  
112 E. Post Rd., 2nd Fl.  
White Plains NY 10601

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Wyoming County Mental Health Department  
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 Administration Building  
 80-00 Queens Village, New York 11427

Brooklyn  
 888 Fountain Avenue  
 Brooklyn, New York 11208

Metro New York  
 2400 Halsey Street  
 Bronx, New York 10461

Staten Island DDSO  
 1150 Forest Hill Road  
 Staten Island, New York 10314

For further information and to review and comment, please contact:  
 Donna Cater, Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237, (518) 486-7164, e-mail: donna.cater@health.state.ny.us

**PUBLIC NOTICE**  
 Department of Taxation And Finance  
 Interest Rates

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of July, August, September, 2014 pursuant to sections 697(j) and 1096(e) of the Tax Law, as follows:

For purposes of section 697(j) the overpayment rate of interest is set at 2 percent per annum, and the underpayment rate of interest is set at 7.5 percent per annum. For purposes of section 1096(e), the overpayment rate of interest is set at 2 percent per annum, and the underpayment rate of interest is set at 7.5 percent per annum. (The underpayment rates set pursuant to sections 697(j) and 1096(e) may not be less than 7.5 percent per annum.) Pursuant to section 1145(a)(1) of the Tax Law, the underpayment rate for State and local sales and use taxes administered by the Commissioner of Taxation and Finance is 14.5 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law is 15 percent.

For the interest rates applicable to overpayments (refunds) and underpayments (late payments and assessments) of the following taxes administered by the Commissioner of Taxation and Finance for the period July 1, 2014 through September 30, 2014, see the table below:

7/1/14 - 9/30/14  
 Interest Rate Per  
 Annum  
 Compounded Daily

| Commonly viewed tax types | Refunds | Late Payments & Assessments |
|---------------------------|---------|-----------------------------|
| Income **                 | 2%      | 7.5%                        |
| Sales and use             | 2%      | 14.5% *                     |

| All other tax types   | Refunds | Late Payments & Assessments |
|---|---------|-----------------------------|
| Alcoholic Beverage  | 2%      | 7.5%                        |
| Beverage Container Deposits                                 | 2%      | 7.5%                        |
| Boxing & Wrestling  | 2%      | 7.5%                        |
| Cigarette   | NA      | 7.5%                        |
| Diesel Motor Fuel   | 2%      | 7.5%                        |
| Estate  | 2%      | 7.5%                        |
| Fuel Use Tax  | ***     | ***                         |
| Generation-Skipping Transfer                                | 2%      | 7.5%                        |
| Hazardous Waste   | 2%      | 15%                         |
| Highway Use   | 2%      | 7.5%                        |
| Metropolitan Commuter Transportation Medallion Taxicab Ride | 2%      | 7.5%                        |
| Metropolitan Commuter Transportation Mobility Tax           | 2%      | 7.5%                        |
| Mortgage Recording  | 2%      | 7.5%                        |
| Motor Fuel  | 2%      | 7.5%                        |
| Petroleum Business  | 2%      | 7.5%                        |
| Real Estate Transfer  | 2%      | 7.5%                        |
| Tobacco Products  | NA      | 7.5%                        |
| Waste Tire Fee  | 2%      | 7.5%                        |

\* The Tax Law requires the interest rate on sales tax assessments or late payments to be set at 14-1/2% for this quarter. However, if the Commissioner determines that the failure to pay or the delay in payment is due to reasonable cause and not willful neglect, the Commissioner may impose interest at the corporation tax late payment and assessment rate. That rate is 7.5% for this quarter.

\*\* There are a number of state and local governmental bodies that have interest rates tied to the overpayment and underpayment rates contained in either section 697(j) (Income Tax) or section 1096(e) (Corporation Tax) of the Tax Law. For purposes of section 697(j) and section 1096(e) of the Tax Law, the overpayment rate for this period is 2%. For purposes of section 697(j) of the Tax Law, the underpayment rate for this period is 7.5%. For purposes of section 1096(e) of the Tax Law, the underpayment rate for this period is also 7.5%.

\*\*\* Under section 527(f) of the Tax Law, the interest rates relating to the Fuel Use tax are set pursuant to the International Fuel Tax Agreement (IFTA). For more information regarding IFTA interest rates, see www.iftach.org.

For further information contact: Michael W. Parada, Taxpayer Guidance Services, Department of Taxation and Finance, W. A. Hariman Campus, Albany, NY 12227, (518) 530-4158

For rates for previous periods, visit the Department of Taxation and Finance website: www.tax.ny.gov/taxnews/int\_curr.htm

**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 Brian Tollsen, Building Standards And Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2014-0239 Matter of Fox Creek Estates, LLC./o Nick Cutaiia, 1325 Millersport Highway, Suite 209, Williamsville, NY 14221, for a vari-

ance concerning requirements for turnaround area for fire apparatus when in a dead end road in excess of 50 feet.

Involved is the construction of 16 single story attached town houses, located at 5500 Transit Road, Town of Amherst, County of Erie, State of New York.

2014-0240 Matter of Ralph Wilson Stadium, c/o Joe Frandina, One Bills Drive, Orchard Park, NY 14127 for a variance concerning: requirements for drinking water fountains in areas of public assembly.

Involved is the alteration to an existing outdoor stadium facility to eliminate drinking water fountains, located at One Bills Drive, Town of Orchard Park, County of Erie, State of New York.

2014-0255 Matter of Plati Niagara, Inc.; Wingate Hotel, 7708 Niagara Fall Blvd, Niagara Falls, NY 14304 for a variance concerning: requirements for automatic standpipe system.

Involved is construction of a four story building of wood frame construction for transient multiple dwelling occupancy with approximate gross floor 73,500 square feet, located at 333 Rainbow Blvd., City of Niagara Falls, County of Niagara, State of New York.

2014-0256 Matter of Maria Rojas, 37-41 First Street, Jackson Heights, NY 11372 for a variance related to wood on walls of exit stairway, second means of egress, the fire rating of a cellar ceiling and cellar stairway in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 1448 Kemble Street, City of Utica, Oneida County, State of New York.

2014-0260 Matter of Yadira Altamirano Sobalbarro, 924 Lenox Avenue, Utica, NY 13502 for a variance to second means of egress, the fire rating of a cellar ceiling and cellar stairway in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 924 Lenox Avenue, City of Utica, Oneida County, State of New York.

2014-0261 Matter of Kelly Fuller, General Manager, Otis Elevator Company, 20 Loudonville Road, Albany, NY 12204 for a variance concerning public safety issues including the code requirements applicable to the suspensions systems associated with elevators.

Involved is the alteration of an existing building. Included in the alteration is the replacement of two elevators and the installation of three new elevators in the building. The building contains a B (office) occupancy, six stories in height, of Type 1B (fire resistive) construction, having a cumulative gross floor area of 203,000 square feet. The building is commonly known as Building #5 and it is located on the W. Averill Harriman, State Office Building Campus, 1220 Washington Ave., Albany, NY 12226.

2014-0262 Matter of Paul P. Gawrych, Rolf Jensen & Associates, PE, PC, 360 West 31st Street, Suite 900, New York, NY 10001, for a variance concerning requirements for automatic sprinkler protection under conveyors, gravity rollers and grated platforms.

Involved is the construction of a new building of an F-1 occupancy, one story in height, approximately 158,475 square feet in area and of type IIB construction, located at, 100 Orville Drive, Bohemia, Town of Islip, Suffolk County, New York.

2014-0263 Matter of Ocean Beach Volunteer Firefighting Benevolent Association, PO Box 462, Village of Ocean Beach, NY 11770, for a variance concerning requirements for fire separation distance from an interior lot line.

Involved is an addition and alterations to an existing A-2 occupancy, one story in height, approximately 1,900 square feet in area and of type VB construction, located at 480 Bayberry Walk, Village of Ocean Beach, Suffolk County, New York.