

# 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.

## NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD Hudson River Park Trust

Pursuant to the Hudson River Park Act, the Hudson River Park Trust ("Trust") hereby gives notice of a public hearing and public comment period regarding a proposed 10-year lease, with an option to renew for one 5-year term, for a maximum 15-year lease, between the Trust and City Vineyards & Wine Garden, LLC, a New York limited liability company, for the restaurant facility at Pier 26 of Hudson River Park. The issuance of the proposed lease is a significant action under the Hudson River Park Act.

Date and Time: July 7, 2015, 6:00 P.M. - 8:00 P.M.

Place: Manhattan Youth Community Center  
120 Warren Street (between West St. and Greenwich St.)  
Manhattan

Purpose: To allow the public to review and comment on a proposed significant action within the Park pursuant to the Hudson River Park Act.

The Trust is providing the public an opportunity to review and comment on a proposed lease (the "Lease") between the Trust and City Vineyards & Wine Garden, LLC, a New York limited liability company ("Tenant"). The proposed Lease has an initial term of 10 years, with an option to extend for a single five-year renewal term. Under the proposed Lease, Tenant will operate a restaurant facility in a portion of the Pier 26 restaurant/boathouse building in Hudson River Park, located on West Street, between North Moore Street and Hubert Street in Manhattan (the "Building"). The leased premises will include restaurant interior, kitchen, and storage spaces, rooftop seating, designated exterior terrace areas directly adjacent to the Building, and a trash room situated within the nearby Pier 26 utility building (the "Premises").

The proposed Lease requires Tenant to spend not less than one mil-

lion one hundred thousand dollars (\$1,100,000) to design, build-out and fixture the Pier 26 restaurant. It is anticipated that the restaurant will be open for business by not later than May 1, 2016. The restaurant would offer casual and fine dining year-round, with reduced operating hours off-season between November 1 and April 30 of each year at Tenant's option. The in-season (May 1 to October 31) operating hours are 10:00 am to 3 p.m. on weekdays and 10:00 am to 4:00 pm weekends for lunch, and 5:00 pm to 11:00 on weekdays and 4:00 pm to 12:30 am for dinner.

In addition to allowing for the operation of a public restaurant facility, the proposed Lease will permit Tenant to host a limited number of private and public restaurant events at the Premises including fundraising events for the Trust, social and charity functions, corporate or other business meetings, and sponsored food or wine tastings. Tenant is allowed to provide live music within the Building in connection with its restaurant operations provided, however, if music is audible outside the Premises it may not disturb Park patrons or residents of the adjacent neighborhood(s). In addition, and at the request of the Trust, Tenant may also host musical performances for the benefit of both Park patrons and restaurant customers, without cost to the public, with performers located outside of the Building but within the Premises (e.g., within an exterior terrace area). In such cases Tenant will, at the Trust's direction, control the noise level of the out-of-doors musical performances so as not to disturb non-attending Park patrons or residents of the adjacent neighborhood(s). All such performances, whether in-door or out-of-doors, will, in addition, be subject to the New York City Noise Code.

Tenant will pay the Trust a Fixed Minimum Rent of \$225,000 in the first Lease Year, with yearly escalations to an annualized \$358,216 in the final Lease Year of the ten-year initial term. The actual Fixed Minimum Rent payable in the 10th partial year (comprised of 8 months) will be \$268,662. If Tenant elects to renew its leasehold for one additional five-year renewal term, it will pay a Fixed Minimum Rent of \$394,037 in the first renewal term year, with annual escalations to \$443,492 in the final renewal term year. In addition, Tenant will pay the Trust a Percentage Rent in the amount of 5% of Tenant's gross revenue in excess of \$4,000,000 for each year, as applicable.

Tenant was selected pursuant to a competitive request for proposals procurement.

A copy of the proposed Lease can be found on the Trust's website at [www.hudsonriverpark.org](http://www.hudsonriverpark.org).

In addition to the public hearing, the public will have an opportunity to provide written comments to the Trust. Written and verbal comments will be accorded the same weight. The public comment period extends from June 5, 2015 to August 5, 2015. Comments may be sent by regular mail to William Heinzen, Esq., Hudson River Park Trust, Pier 40, 2nd Floor, 353 West Street, New York, N.Y. 10014 or by email to [Pier26RestaurantComments@hrpt.ny.gov](mailto:Pier26RestaurantComments@hrpt.ny.gov). The public hearing is being held in compliance with the requirements of the Hudson River Park Act regarding significant actions.

## PUBLIC NOTICE

### New York City Deferred Compensation Plan

The New York City Deferred Compensation Plan (the "Plan") is seeking qualified vendors to provide active and/or passive socially responsible investment management services for the Global Socially

Responsible Fund (the "GSRF") investment option of the Plan. The objective of the GSRF is to meet or exceed the Morgan Stanley Capital International World Index. The Plan may construct the Global Socially Responsible Fund investment option using a global equity strategy or from the combination of US and non-US equity strategies. To be considered, vendors must submit their product information to Mercer Investment Consulting. Vendors should input or update their product information, as applicable, on Mercer's Global Investment Management Database (GIMD). The address for the website is: [www.mercergimd.com](http://www.mercergimd.com). Vendors not already registered, please call (866) 657-6487 for a user I.D. and password to access the database. There is no fee for entering product information on the database. Please complete the submission of product information in the Mercer database no later than 4:30 P.M. Eastern Time on July 1, 2015.

### PUBLIC NOTICE

#### New York City Deferred Compensation Plan

The New York City Deferred Compensation Plan (the "Plan") is seeking qualified vendors to provide third party foreign exchange services for certain investment options of the Plan. To be considered, qualified vendors must contact Mercer Investment Consulting to obtain and complete a Third Party Foreign Exchange Provider Questionnaire. There is no fee for requesting or completing the Third Party Foreign Exchange Provider Questionnaire. Please complete and submit the Questionnaire to Mercer Investment Consulting no later than 4:30 P.M. Eastern Time on July 1, 2015. The Plan also recommends that vendors interested in this procurement visit the Plan's website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and download and review the applicable documents.

To request Mercer Investment Consulting's Third Party Foreign Exchange Provider Questionnaire or if you have any questions regarding the Questionnaire, please contact Mercer Investment Consulting. The primary contacts at Mercer Investment Consulting are: Paul G. Sachs (215) 982-4264 and Greg Cran (312) 917-0789.

The Third Party Foreign Exchange Provider Questionnaire should be submitted to Mercer via email at [paul.sachs@mercer.com](mailto:paul.sachs@mercer.com) and [greg.cran@mercer.com](mailto:greg.cran@mercer.com).

### 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:

Effective July 1, 2015 and each state fiscal year thereafter, the current authority to make supplemental payments for services provided by physicians, nurse practitioners and physician assistants has now been extended by the Commissioner of Health to include Erie County Medical Center's Physician practice.

The estimated annual net aggregate decrease in gross Medicaid savings attributable to this initiative for State fiscal year 2015-2016 is \$850,000.

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, Division of Finance and Rate Setting, 99 Washington Ave. – One Commerce Plaza, Suite 1460, Albany, NY 12210, or e-mail: [spa\\_inquiries@health.ny.gov](mailto:spa_inquiries@health.ny.gov)

### PUBLIC NOTICE

#### Office of Mental Health

Pursuant to 42 CFR Section 447.205, the Office of Mental Health hereby gives public notice of the following:

The Office of Mental Health proposes to amend the Title XIX (Medicaid) State Plan long term care services to comply with regulatory changes. The following changes are proposed:

A regulatory change will be made to the pharmaceutical policy for Residential Treatment Facilities for Children and Youth (RTFs) will allow providers to utilize fee-for-service pharmacies beginning with the date a child is determined to be Medicaid eligible, as opposed to the current practice of waiting 90 days or the date a child is determined to be eligible. This proposed change will permit RTF providers to access medically necessary drugs, including HIV/AIDS related drugs directly from the fee-for-service billing pharmacy sooner, thereby reducing the fiscal disincentive of admitting children requiring an RTF level of care that also may require expensive pharmaceutical therapies. The proposed effective date is July 1, 2015.

The estimated annual net aggregate decrease in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2015/2016 is (\$53,589).

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 of Health's website at [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status).

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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, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1460, Albany, NY 12210, spa\_inquiries@health.ny.gov

**PUBLIC NOTICE**  
Town of Southold

The Town of Southold is soliciting proposals from Administrative Service Agencies, Trustees, and Financial Organizations for services in connection with a Deferred Compensation Plan that will meet the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

*A copy of the proposal questionnaire may be obtained from:* Elizabeth A. Neville, Southold Town Clerk, Town of Southold, P.O. Box 1179, Southold, NY 11971-0959

All proposals must be submitted not later than 30 days from the June 24, 2015 date of publication in the New York State Register.

**PUBLIC NOTICE**  
Department of State  
F-2015-0370

Date of Issuance – June 24, 2015

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-2015-0370, Southfield Property, LLC - Davenport Landing Boatyard, 28 Southfield Avenue, Stamford Harbor, Stamford, CT; The applicant is proposing to perform dredging to create a new commercial marina facility/boat yard at a former oil and petroleum bulk storage and loading facility. A volume of approximately 13,000 cy of dredged material would be produced. The applicant proposes to mechanically dredge this material with subsequent confined open-water placement at either the Western Long Island Sound Disposal Site (WLIS) or the Central Long Island Sound Disposal Site (CLIS) within Long Island Sound.

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 Thursday, July 9, 2015.

Comments should be addressed to the New York State Department of State, ATTN: Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Comments can also be submitted electronically via e-mail at: CR@dos.ny.gov.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

**PUBLIC NOTICE**  
Department of State  
F-2015-0375

Date of Issuance – June 24, 2015

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-2015-0375, Oyster Landing Beach Club Association, Inc., 1-44 Old Oyster Dock Landing, Milford Harbor, Milford, CT; The applicant is proposing to perform maintenance and new dredging within the existing commercial marina facility. A volume of approximately 4,797 cy of dredged material would be produced. The applicant proposes to mechanically dredge this material with subsequent confined open-water placement at the Central Long Island Sound Disposal Site (CLIS) within Long Island Sound.

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 Thursday, July 9, 2015.

Comments should be addressed to the New York State Department of State, ATTN: Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Comments can also be submitted electronically via e-mail at: CR@dos.ny.gov.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

**PUBLIC NOTICE**  
Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollsén, Building Standards And Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2015-0317 Matter of: Rasheed Properties, LLC, c/o Ala Khalil, 39 Lyndale Ave., Tonawanda, NY 14223 for a variance concerning requirements for outdoor storage of tires.

Involved is the alterations to an existing two story auto-repair shop of wood frame construction, located at 2832 Bailey Avenue, City of Buffalo, County of Erie, State of New York.

