

# 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 Office of General Services

Pursuant to Section 30-a of the Public Lands Law the following described real property is declared to be surplus and no longer useful or necessary to the Office for People With Developmental Disabilities, and is hereby abandoned to the Office of General Services for sale or other disposition as Unappropriated State land.

All that piece or parcel of land situate in the Town of Brighton, County of Monroe, State of New York, being bounded and described as follows:

Beginning at a point on the southerly property line of St. Johns Home (reputed owner) (TA #136.14-1-2 &136.15-1-1.5) at its intersection with the division line between the property of the People of the State of New York (TA #136.18-1-1) on the west and the property of the Town of Brighton (reputed owner) (TA #136.15-1-33) on the east; thence South 86° 19' 10" West along the division line between the property of the People of the State of New York (TA #136.18-1-1) on the south and the property of St. Johns Home (reputed owner) (TA #136.14-1-2 &136.15-1-1.5) on the north, a distance of 669.76 feet to a point; thence through the property of the People of the State of New York (TA #136.18-1-1) the following thirteen (13) courses and distances: (1) South 50° 57' 28" East a distance of 75.41 feet to a point; (2) South 72° 19' 14" East a distance of 52.65 feet to a point; (3) North 86° 19' 10" East a distance of 190.67 feet to a point; (4) North 60° 42' 28" East a distance of 84.77 feet to a point; (5) South 88° 51' 39" East a distance of 44.31 feet to a point; (6) South 66° 17' 14" East a distance of 33.63 feet to a point; (7) South 43° 35' 49" East a distance of 31.29 feet to a point; (8) South 19° 10' 56" East a distance of 47.62 feet to a point; (9) South 03° 24' 21" East a distance of 201.20 feet to a point; (10) South 08° 35' 09" West a distance of 36.98 feet to a point; (11) South 20° 34' 39" West a distance of 843.32 feet to a point; (12) South 31° 01' 12" West a distance of 152.45 feet to a point; and (13) South 20° 45' 13" West a distance of 121.35 feet to a point on the jurisdictional boundary line between other property of the People of the State of New York (Under Jurisdiction of State Univer-

sity of New York) (TA #136.18-1-1); thence South 69° 25' 21" East along the last mentioned jurisdiction line a distance of 62.60 feet to a point on the easterly property line of the People of the State of New York (TA #136.18-1-1); thence North 20° 34' 39" East along the easterly property line of the People of the State of New York (TA #136.18-1-1) a distance of 1525.17 feet to the point or place of beginning, containing 2.56 acres of land, more or less.

All as shown on a map entitled "HCT-4, Fee Map" and filed in the New York State Office of General Services as OGS Map No. 2551.

## 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 long term care services to comply with enacted statutory provisions. The following provides clarification to the previously noticed provision on May 13, 2015.

The following is a clarification to the May 13, 2015 noticed provision for the Nursing Home Advance Training Initiative. Effective for periods June 1, 2015 through March 31, 2017, the Department of Health (DOH) will implement a new nursing home advanced training program aimed at teaching staff to detect early changes in a resident's physical and mental or functional status that could lead to hospitalization. Clinical findings show early detection of patient decline by front line workers, coupled with clinical care models aimed at fostering consistent and continuous care between care givers and patients/families results in better care outcomes. Similarly, nursing homes with higher staff retention rates correlate with better care outcomes and avoided hospital stays.

This training program will be developed in cooperation between Nursing Home providers and union representatives offering training opportunities for staff or other qualifying training programs.

These programs and their curricula will be submitted to DOH for review. In addition to offering a training program, eligible facilities must have direct care staff retention rates above the state median. However, hospital-based nursing homes and free standing nursing homes already receiving VAP payments would not be eligible to participate.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2015/2016 is \$46 million.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2016/2017 is \$46 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](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

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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

### 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:

Effective on or after April 1, 2016 the Department of Health proposes to extend the sunset date from June 30, 2016 to June 30, 2017 and revise a component of the formula used in calculating certified public expenditures (CPEs) for school-age and preschool school supportive health services.

School Supportive Health Services (SSHS) are provided to Medicaid-eligible students with disabilities in school districts and counties. SSHS are authorized under § 1903(c) of the Social Security Act and include: physical therapy, occupational therapy, speech therapy, psychological evaluations, psychological counseling, skilled nursing services, medical evaluations, medical specialist evaluations, audiological evaluations, and special transportation services.

The formula to determine the individualized education program ratio, a component of the reimbursement calculations under the existing CPE reimbursement methodology, will be adjusted to ensure that CPE reimbursement more closely aligns with Medicaid interim claiming.

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

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## PUBLIC NOTICE

### Madison County

Madison County has issued a Final Request For Proposals (RFP) dated February 4, 2016 to request comments from companies that are interested in developing a facility in the County's Agriculture and Renewable Energy (ARE) Park located in the Town of Lincoln at the County's landfill site on Buyea Road that will use non-recyclable plastic material and tires from Madison County and elsewhere to produce oil products. Interested companies should request a copy of the Final RFP from Kipp Hicks, Director, Madison County IDA. Comments received on the Draft RFP have been considered and incorporated into this Final RFP where appropriate. Proposals must be submitted in hard copy to the Madison County Purchasing Officer, Ms. Nicole Schafer-Farino, on or before 3:00 p.m. on April 1, 2016 (County Office Building, North Court Street, P.O. Box 635, Wampsville, New York 13163).

*Contact Person:* Kipp Hicks, Director, Madison County IDA, (315) 697-9817, Fax (315) 697-8169, e-mail: [director@madisoncountyida.com](mailto:director@madisoncountyida.com)

## PUBLIC NOTICE

### Department of State

#### F-2016-0135 (DA)

Date of Issuance – March 9, 2016

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 Agency has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The Agency's consistency determination 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-2016-0135 Amtrak is proposing the Positive Train Control Project at the Rhinecliff train station in Dutchess County, NY. Amtrak proposes to install two antennas on an existing 70 foot tower currently existing on the train station.

Any interested parties and/or agencies desiring to express their views concerning any of 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, March 24, 2016.

Comments should be addressed to the New York State Department of State, Office of Planning and Development, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. [cr@dos.ny.gov](mailto:cr@dos.ny.gov)

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

**PUBLIC NOTICE**  
Department of State

The New York State Real Estate Board will hold an open board meeting on February 24, 2016 at 11:30 a.m. at Department of State, 99 Washington Ave., Rm. 1112, Albany; 123 William St., Rm. 231, New York; and 65 Court St., Rm. 208, Buffalo.

Should you require further information, please contact Sharon Charland at sharon.charland@dos.ny.gov or 518-473-2733.

**PUBLIC NOTICE**  
Department of Taxation and Finance  
**INTEREST RATES**

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of April, May, June, 2016 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 3 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 3 percent per annum, and the underpayment rate of interest is set at 8 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 April 1, 2016 through June 30, 2016, see the table below:

4/1/16 - 6/30/16		
Interest Rate Per Annum		
Compounded Daily		
Commonly viewed tax types	Refunds	Late Payments & Assessments
Income **	3%	7.5%
Sales and use	3%	14.5% *
Withholding	3%	8%
Corporation **	3%	8%
All other tax types	Refunds	Late Payments & Assessments
Alcoholic Beverage	3%	8%
Beverage Container Deposits	3%	8%
Boxing & Wrestling	3%	8%
Cigarette	NA	8%
Diesel Motor Fuel	3%	8%
Estate	3%	7.5%
Fuel Use Tax	***	***
Generation-Skipping Transfer	3%	7.5%
Hazardous Waste	3%	15%
Highway Use	3%	8%
Medical Marihuana	3%	8%
New York City Taxicab and Hail Vehicle Trip Tax	3%	8%
Metropolitan Commuter Transportation Mobility Tax	3%	7.5%
Mortgage Recording	3%	8%

Motor Fuel	3%	8%
Petroleum Business	3%	8%
Real Estate Transfer	3%	8%
Tobacco Products	NA	8%
Waste Tire Fee	3%	8%

\* 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 8% 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 3%. 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 8%.

\*\*\* 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: Kathleen O'Connell, Office of Counsel, Department of Taxation and Finance, W. A. Harriman Campus, Albany, NY 12227, (518) 530-4153

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

2015-0574 In the matter of Free Spirit Fellowship, 1425 West High St., Town of Ballston, County of Saratoga, NY for a variance concerning fire safety provisions in a mixed use building.

Involved is a new mixed use building, located at 1425 West High St., Town of Ballston, County of Saratoga, NY.

2015-0582 In the matter of Brian Wood, 11 Fourth Ave, City of Schenectady, County of Schenectady, NY for a variance concerning fire safety provisions of the Multiple Residence Law.

Involved is an existing residential building, located at 11 Fourth Ave, City of Schenectady, County of Schenectady, NY.

2015-0585 In the matter of Rocky and Romanina Palma, 1113 Union Street, City of Schenectady, County of Schenectady, NY for a variance concerning fire safety provisions of the Multiple Residence Law.

Involved is an existing residential building, located at 1113 Union Street, City of Schenectady, County of Schenectady, NY.

2015-0616 In the matter of Max Used Tire, 609 Walden Ave., City of Buffalo, County of Erie, NY for a variance concerning the storage of tires.

Involved is a new mixed use building, located at 609 Walden Ave., City of Buffalo, County of Erie, NY.

2015-0619 In the matter of Anthony Popolizio, 10 Washington, City of Schenectady, County of Schenectady, NY for a variance concerning fire safety provisions of the Multiple Residence Law.

Involved is an existing residential building, located at 10 Washington, City of Schenectady, County of Schenectady, NY.

2016-0032 In the matter of Amir Arnautovic, 522 Milgate St., City of Utica, County of Onieda, NY for a variance concerning fire safety provisions of the Multiple Residence Law.

Involved is an existing residential building, located at 522 Milgate St., City of Utica, County of Onieda, NY.

2016-0041 In the matter of Philip Steppello, 1308 Lenox Ave., City of Utica, County of Onieda, NY for a variance concerning fire safety provisions of the Multiple Residence Law.

Involved is an existing residential building, located at 1308 Lenox Ave., City of Utica, County of Onieda, NY.

2016-0043 In the matter of Richard M. Bivone, 2526 Inglewood Street, Town of Hempstead, County of Nassau, NY for a variance concerning ceiling height in a residential building.

Involved is an existing residential building, located at 2526 Inglewood Street, Town of Hempstead, County of Nassau, NY.