



FTZ #121

# CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

TEL: 518/453-0850 FAX: 518/453-0856

WEB SITE AT <http://cdrpc.org>

E-MAIL: [cdrpc@cdrpc.org](mailto:cdrpc@cdrpc.org)

## 2012 Officers

- Chair  
Willard Bruce
- Vice Chair  
James Shaughnessy
- Secretary  
John Murray
- Treasurer  
Gary Hughes

## Members

- Albany County  
John J. Brown  
Willard A. Bruce  
Lucille M. McKnight  
Michael B. Whalen, Jr.  
Vacant
- Rensselaer County  
Judy H. Breselor  
Stan Brownell  
Leon B. Fiacco  
James D. Shaughnessy  
Michael Stammel
- Saratoga County  
Fred Acunto  
Philip Barrett  
Jason Kemper  
John Murray  
Paul Sausville
- Schenectady County  
B. Donald Ackerman  
Gary Hughes  
Barbara Mauro  
Angelo Santabarbara  
David Vincent

## Staff

- Executive Director  
Rocco Ferraro, AICP
- Director of  
Information Services  
David Lang Wardle, AICP
- Program Manager/GIS  
Todd M. Fabozzi
- Senior Planner  
Deborah A. Shannon
- Assistant Planner  
Joanna H. King
- Office Manager  
Donna M. Reinhart
- Planning Intern  
Christopher Grigsby

## COMMISSION MEETING

8:30 am, Wednesday, May 16, 2012

CDRPC Office  
One Park Place  
Albany, New York  
453-0850

## AGENDA

1. Welcome/Introduction of Guests
2. Schenectady County Commissioner Appointments (Memo 12-12)
3. March 21st 2012 Meeting Minutes\*
4. Financial Statement through April 30th, 2012 (Memo 12-13)\*
5. MPM Silicones Application to Foreign Trade Zone Board (Memo 12-14)\*
6. Deactivation of Magnet Sites 1 & 2 (Memo 12-15)
7. Staff presentation on selected data sets from the American Community Survey (Memo 12-16)
8. LTCP – CSO Update (Memo 12-17)
9. Staff Activity Report
10. Other Business
11. Next Commission Meeting Date: July 18<sup>th</sup>, 8:30 am

\*Formal Board Action Anticipated

## COMMISSION MEETING

March 21, 2012

CDRPC Conference Room

One Park Place, Suite 102

Albany, New York 12205

### Minutes

**PRESENT:** Bill Bruce, Lucille McKnight, Stan Brownell, Fred Acunto, John Murray, Paul Sausville, Gary Hughes, Barbara Mauro, David Vincent

**ABSENT:** John Brown, Michael Whalen Jr., Judy Breselor, Leon Fiacco, James Shaughnessy, Michael Stammel, Philip Barrett, Jason Kemper

**PRESIDING:** Bill Bruce, Chair, called the meeting to order at 8:30am.

Note: Due to having three vacancies on the Board, a quorum can be reached with only 9 Commissioners present.

#### 1. Welcome/Introduction of Guests

Doug Melnick, Director of Planning and the Director of the Mayor's Office of Energy & Sustainability of the City of Albany attended the meeting.

#### 2. January 18, 2012 Meeting Minutes

The minutes were distributed before the meeting. No corrections were made.

##### Action Taken

Paul Sausville made a motion to approve the minutes, and Lucille McKnight seconded. The motion was approved unanimously.

#### 3. Unaudited Financial Statement through December 31, 2011

The financial statements represent the Commission's final unaudited financials for 2011. For the year, the revenues were at 97.9% and the expenses were at 93.9%. Overall, expenditures exceeded revenues by \$8,467.30 which is less than the \$37,184. that was anticipated being drawn down from the Fund Balance in order to balance the 2011 budget.

These financial statements will be provided to the auditor as part of the 2011 audit. A final audited financial statement will be prepared and presented to the Commission at the July 2012 Board meeting.

##### Action Taken

Jack Murray made a motion to accept the unaudited Financial Statement and Gary Hughes seconded. The motion was approved unanimously.

**4. Financial Statement through February 29, 2012**

Invoices were sent out to each of the four counties. Albany and Rensselaer Counties pay semi-annually while Saratoga and Schenectady Counties are billed quarterly.

For the year, the revenues are at 15.3% and expenses are at 16%. There is approximately \$137,363 cash in the bank and receivables totaling \$97,970. There are also two Certificates of Deposit totaling \$56,351.88.

In some cases, the percent to date expenses are greater than what may be normally expected. These include the annual renewal of the GIS software license to ESRI and the General Business and Worker's Comp insurance bill for 2012 were paid in full. Also the Rent and Health Insurance expenses reflect three months worth of payments.

**Action Taken**

Jack Murray made a motion to accept the Financial Statement and Gary Hughes seconded. The motion was approved unanimously.

**5. Auditing Services Contract**

In January, CDRPC prepared an RFP to undertake the annual audit of CDRPC's and CDYCI's financial records for the three year period beginning with the fiscal year ending December 31, 2011. The RFP was sent out to 33 accounting firms in the Region and we received two proposals: one from the Bonadio Group, our current auditor, and the other from UHY LLP. Bonadio has prepared the annual audit for CDRPC since the late 1990's and CDYCI since 2007.

The fee proposal to undertake the financial audit for CDRPC is the following:

|          | <u>2011</u> | <u>2012</u> | <u>2013</u> |
|----------|-------------|-------------|-------------|
| Bonadio: | \$8,000     | \$8,200     | \$8,400     |
| UHY, LLP | \$7,000     | \$7,200     | \$7,500     |

Rocky spoke with two companies that are currently using the services of UHY, LLP as their auditing consultants and both companies are very pleased with the work that has been done by UHY, LLP.

The fees from both firms are all inclusive flat fees and include all out of pocket expenses. Both also include "unlimited" phone support.

Rocky is requesting Commission action to select one of the two auditing firms to conduct CDRPC's audit for the next three years. The A & F Committee recommends that the contract be awarded to UHY, LLP.

**Action Taken**

Barbara Mauro made a motion to select UHY, LLP's proposal and Jack Murray seconded. The motion was approved with eight in favor and one opposition by Lucille McKnight.

**6. Albany County Appointment to CDYCI Board**

There are 9 members of the CDYCI Board, two from Rensselaer, Saratoga and Schenectady Counties and three from Albany County. Per the CDYCI bylaws, Albany County has three appointments to the Board, two of whom shall be selected by the CDRPC Commissioners and the third appointed by the Albany County Executive. With the resignation of John Graziano, Jr. from CDRPC, the Board needs to appoint a second representative from Albany County to serve on CDYCI Board.

Rocky spoke to the Albany County Executive's office regarding filling the appointment on the CDRPC Board and was informed they are working on getting the vacancy filled.

It was suggested to revisit this issue at the May Commission meeting, assuming the vacancy in Albany County is filled by that time.

**7. NYSERDA Cleaner Greener Communities Regional Sustainability Planning Program Presentation**

Doug Melnick, Director of Planning and the Director of the Mayor's Office of Energy & Sustainability for the City of Albany gave a presentation to the Board outlining the Cleaner Greener Communities Program initiative for the Capital Region.

A copy of the presentation is attached.

**8. LTCP –CSO Update**

NYS DEC and the US EPA are continuing their review of the draft Long Term Control Plan. The document was submitted to DEC in June, 2011. A meeting was planned for March 21 to review their comments, however that meeting has been postponed. The meeting is anticipated to be rescheduled for either late April or early May.

**9. Staff Activity Report**

Rocky informed the Board that Deb Shannon has returned to work on a part-time basis after her surgery in December. Joanna King gave birth to her daughter on February 13 and is currently on maternity leave. She is expected to return to work on a part-time basis in the next couple of weeks and back to full time hours in a couple of months.

Deb Shannon informed the Board that there has been no request for information regarding Foreign Trade Zone in the last month. We are currently switching over to a new annual report system where all annual reports must be completed online by the operators of each site and be submitted to CDRPC for review and approval by March 31st. It now has to be on a calendar year basis which is a change in the inventory controls system which is causing many issues. All of the operators were to have their reports in 45 days before March 31st and we have only received one at this time.

There has also been a change in regulations which is the first update since 1991. These changes will make it much easier for companies to apply for manufacturing. There will be a two-step process for applications where just the minimum information of what is being produced will be needed in order to be fast-tracked through the review and approval process. If there are complaints by the general public, companies will have to go through a full application process which can take 9 to 12 months. We are hopeful that streamlining and shortening the process will make it easier for smaller companies to get into the Foreign Trade Zone.

There are changes in the regulations that could impact CDRPC as a grantee, however we have a very good working relationship with the Foreign Trade Zones Board and do not anticipate problems moving forward. A new system that has been instituted includes fining grantees or operators up to \$1,000 per day for violations. For example, if the annual report is not received by March 31<sup>st</sup> a lateness fine of \$1,000 per day will be applied to the operator that caused the delay, not CDRPC. Deb Shannon is in contact with the Foreign Trade Zones Board on a regular basis; in the event problems or issues arise, it can be taken care of. Deb also added that written standard contracts with all operators within the Foreign Trade Zone is required at this time.

Rocky informed the Board that the new roof has been completed on the Juvenile Detention Facility and everyone is pleased with the outcome of the work.

**10. Other Business**

There was no other business at this time.

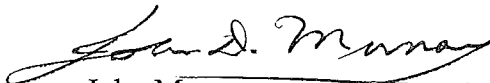
**11. Next Commission Meeting**

The next CDRPC Commission meeting is scheduled for May 16, 2012 at 8:30am.

**Adjournment**

Barbara Mauro made a motion to adjourn the meeting and David Vincent seconded. The motion was approved unanimously.

Respectfully submitted,

  
John Murray  
Secretary



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## MEMORANDUM (#12-12)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** May 8, 2012

**Re:** Schenectady County Commission Appointments

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The Schenectady County Legislature appointed two new members to the CDRPC Board whose terms will run through December 31, 2015. They are: B. Donald Ackerman and Angelo Santabarbara. I have met with both new Commissioners for an orientation session and look forward to their participation on the Commission Board. Welcome Aboard.



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## MEMORANDUM (#12-13)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** May 8, 2012

**Re:** Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through April 2012. Invoices were sent to each of the four counties. Albany and Rensselaer Counties pay semi-annually while Saratoga and Schenectady Counties are billed quarterly. Through the first four months of the fiscal year, revenues are at 30.7% of the budgeted amount and expenses are at 28.4%.

First quarter invoices were sent to the appropriate billing agencies for the CDYCI, Combined Sewer Overflow, Water Quality, Community Gardens, and the UPWP (Transportation) work programs.

As noted on the Statement of Financial Condition, on April 30th we had \$166,078 cash in the bank and outstanding receivables totaling \$108,486. We also have two Certificates of Deposit.

| CD #                     | Value        | Expires           |
|--------------------------|--------------|-------------------|
| 396960 (formerly 000224) | \$ 21,223.55 | May 9, 2012       |
| 943799                   | \$ 35,128.33 | November 23, 2012 |
| Total: \$ 56,351.88      |              |                   |

**CDRPC 2012 Income Statement**

| Account                           | 2012 Budget           | Feb 12                | Mar 12              | Apr 12                | Year-to-Date         | Balance              | YTD %        |
|-----------------------------------|-----------------------|-----------------------|---------------------|-----------------------|----------------------|----------------------|--------------|
| <b>2012 REVENUE</b>               |                       |                       |                     |                       |                      |                      |              |
| R2390.1 Albany County             | \$ 74,590.00          | \$ -                  | \$ -                | \$ -                  | \$ 37,295.00         | \$ 37,295.00         | 50.0%        |
| R2390.2 Rensselaer County         | 39,091.00             | -                     | -                   | -                     | 19,545.50            | 19,545.50            | 50.0%        |
| R2390.3 Saratoga County           | 53,847.00             | -                     | -                   | 13,461.75             | 26,923.50            | 26,923.50            | 50.0%        |
| R2390.4 Schenectady County        | 37,938.00             | -                     | -                   | 9,484.50              | 18,969.00            | 18,969.00            | 50.0%        |
| R2401.0 Interest & Earnings       | 1,500.00              | 12.19                 | 19.33               | 19.38                 | 59.10                | 1,440.90             | 3.9%         |
| R2770.1 Miscellaneous             | 100.00                | -                     | -                   | -                     | -                    | 100.00               | 0.0%         |
| R2770.3 Contractual Services      | 20,000.00             | 3,000.00              | -                   | -                     | 3,000.00             | 17,000.00            | 15.0%        |
| R2770.4 FTZ#121                   | 30,000.00             | -                     | -                   | -                     | 18,750.00            | 11,250.00            | 62.5%        |
| R2770.5 Conferences               | 6,000.00              | -                     | -                   | -                     | -                    | 6,000.00             | 0.0%         |
| R2770.6 CDYCI                     | 80,000.00             | -                     | 20,000.00           | -                     | 20,000.00            | 60,000.00            | 25.0%        |
| R3900.3 NYSERDA                   | 72,000.00             | -                     | -                   | -                     | -                    | 72,000.00            | 0.0%         |
| R3900.6 CSO Grant                 | 25,000.00             | -                     | 5,544.06            | -                     | 5,544.06             | 19,455.94            | 22.2%        |
| R3900.7 Health Dept               | 17,000.00             | -                     | 3,811.40            | -                     | 3,811.40             | 13,188.60            | 22.4%        |
| R4000.2 EDA                       | 70,000.00             | -                     | 15,689.71           | -                     | 23,495.33            | 46,504.67            | 33.6%        |
| R4000.3 Water Quality             | 67,000.00             | -                     | 8,322.53            | -                     | 8,322.53             | 58,677.47            | 12.4%        |
| R4000.4 UPWP                      | 120,000.00            | -                     | 33,303.26           | -                     | 33,303.26            | 86,696.74            | 27.8%        |
| <b>Gross Revenue</b>              | <b>\$ 714,066.00</b>  | <b>\$ 3,012.19</b>    | <b>\$ 86,690.29</b> | <b>\$ 22,965.63</b>   | <b>\$ 219,018.68</b> | <b>\$ 495,047.32</b> | <b>30.7%</b> |
| <b>2012 EXPENSE</b>               |                       |                       |                     |                       |                      |                      |              |
| E.1010 Salaries                   | \$ 384,000.00         | \$ 30,077.56          | \$ 28,732.38        | \$ 26,673.89          | \$ 117,387.25        | \$ 266,612.75        | 30.6%        |
| E.1030 Temporary Services         | 14,000.00             | 840.00                | 600.00              | 715.00                | 2,745.00             | 11,255.00            | 19.6%        |
| E.2010 Office Equipment           | 4,000.00              | 229.00                | 229.00              | 229.00                | 1,747.00             | 2,253.00             | 43.7%        |
| E.2020 Furniture & Furnishings    | 1,000.00              | -                     | -                   | -                     | -                    | 1,000.00             | 0.0%         |
| E.4020 Workshops & Conferences    | 6,000.00              | -                     | -                   | -                     | -                    | 6,000.00             | 0.0%         |
| E.4030 Consultant Services        | 11,000.00             | -                     | -                   | -                     | 2,362.50             | 8,637.50             | 21.5%        |
| E.4040 Agency Memberships         | 4,500.00              | -                     | -                   | -                     | 1,450.00             | 3,050.00             | 32.2%        |
| E.4051 Computer Supplies/Software | 5,500.00              | 3,531.00              | -                   | -                     | 3,531.00             | 1,969.00             | 64.2%        |
| E.4055 Data Purchases             | 500.00                | -                     | -                   | -                     | -                    | 500.00               | 0.0%         |
| E.4060 Equipment Maintenance      | 1,500.00              | -                     | -                   | -                     | -                    | 1,500.00             | 0.0%         |
| E.4070 Office Supplies            | 3,000.00              | 422.12                | 425.65              | 75.63                 | 923.40               | 2,076.60             | 30.8%        |
| E.4080 Books & Journals           | 750.00                | -                     | -                   | -                     | 316.05               | 433.95               | 42.1%        |
| E.4090 Printing & Publishing      | 10,000.00             | 641.10                | 570.90              | -                     | 1,212.00             | 8,788.00             | 12.1%        |
| E.4110 Rent                       | 64,000.00             | 4,957.54              | 5,403.38            | 5,115.96              | 24,950.38            | 39,049.62            | 39.0%        |
| E.4120 Telephone                  | 4,000.00              | 260.15                | 267.37              | 253.46                | 1,160.57             | 2,839.43             | 29.0%        |
| E.4121 Internet                   | 1,000.00              | 77.91                 | 77.91               | 77.91                 | 528.89               | 471.11               | 52.9%        |
| E.4130 Travel                     | 10,000.00             | 25.00                 | -                   | 332.44                | 357.44               | 9,642.56             | 3.6%         |
| E.4140 Equipment Repairs          | 500.00                | -                     | -                   | -                     | 382.00               | 118.00               | 76.4%        |
| E.4150 Postage                    | 3,000.00              | 195.00                | 150.00              | 357.10                | 752.05               | 2,247.95             | 25.1%        |
| E.4160 Miscellaneous              | 1,000.00              | -                     | -                   | -                     | -                    | 1,000.00             | 0.0%         |
| E.4170 Payroll Services           | 1,900.00              | 230.70                | 146.70              | 146.70                | 666.60               | 1,233.40             | 35.1%        |
| E.4190 Contingent Fund            | 1,000.00              | -                     | -                   | -                     | -                    | 1,000.00             | 0.0%         |
| E.4200 Insurance-General          | 1,500.00              | -                     | -                   | -                     | 1,339.41             | 160.59               | 89.3%        |
| E.4210 Meeting Expenses           | 2,000.00              | 74.97                 | 25.61               | 74.74                 | 175.32               | 1,824.68             | 8.8%         |
| E.4260 Bad Debt Expense           | -                     | -                     | -                   | -                     | -                    | -                    | -            |
| E.8010 NYS Retirement             | 75,000.00             | -                     | -                   | -                     | -                    | 75,000.00            | 0.0%         |
| E.8030 FICA                       | 31,600.00             | 2,394.44              | 2,273.18            | 2,124.50              | 9,307.12             | 22,292.88            | 29.5%        |
| E.8040 Ins.-Worker's Comp. & Dis. | 2,500.00              | -                     | 63.00               | -                     | 1,851.50             | 648.50               | 74.1%        |
| E.8050 Ins.-Health                | 78,000.00             | 6,094.54              | 7,756.81            | 6,559.42              | 31,808.49            | 46,191.51            | 40.8%        |
| E.8060 Ins.-Unemployment          | 1,200.00              | 230.02                | 73.15               | 10.72                 | 806.18               | 393.82               | 67.2%        |
| E.8070 Prof. Memberships          | 1,000.00              | -                     | -                   | 200.00                | 200.00               | 800.00               | 20.0%        |
| E.8080 Continuing Education       | 1,000.00              | -                     | -                   | -                     | -                    | 1,000.00             | 0.0%         |
| <b>Gross Expenses</b>             | <b>\$ 725,950.00</b>  | <b>\$ 50,281.05</b>   | <b>\$ 46,795.04</b> | <b>\$ 42,946.47</b>   | <b>\$ 205,960.15</b> | <b>\$ 519,989.85</b> | <b>28.4%</b> |
| <b>Net Operating Income</b>       | <b>\$ (11,884.00)</b> | <b>\$ (47,268.86)</b> | <b>\$ 39,895.25</b> | <b>\$ (19,980.84)</b> | <b>\$ 13,058.53</b>  |                      |              |
| A909 Fund Balance-Unreserved      | 11,884.00             | -                     | -                   | -                     | -                    |                      |              |
| <b>Net Income</b>                 | <b>\$ -</b>           | <b>\$ (47,268.86)</b> | <b>\$ 39,895.25</b> | <b>\$ (19,980.84)</b> | <b>\$ 13,058.53</b>  |                      |              |



# Capital District Regional Planning Commission

## GENERAL FUND

### Statement of Financial Condition

April 30, 2012

#### Assets

|  |    |                   |
|--|----|-------------------|
| Cash — Checking                            | \$ | 30,413.97         |
| Cash — Money Market                        |    | 135,664.34        |
| Cash — Certificates of Deposit             |    | 56,351.88         |
| Petty Cash                                 |    | 200.00            |
| Net Due from Private Persons/Organizations |    | 3,811.40          |
| Due from State & Federal Governments       |    | 69,637.70         |
| Due from Other Governments                 |    | 35,036.42         |
| Prepaid Expenses                           |    | 489.93            |
| Carryover Revenue                          |    | -                 |
| <i>Sub-Total: Assets</i>                   | \$ | <u>331,605.64</u> |
| Expenses — Year-to-Date                    |    | <u>205,960.15</u> |

**Total** \$ 537,565.79

#### Liabilities & Fund Balance

|  |    |                   |
|--|----|-------------------|
| Due to Other Governments                         | \$ | -                 |
| Due to Private Persons/Organizations             |    | 5.71              |
| Deferred Project Revenue                         |    | 11,504.67         |
| Fund Balance — Unrestricted                      |    | 307,036.73        |
| <i>Sub-Total: Liabilities &amp; Fund Balance</i> | \$ | <u>318,547.11</u> |
| Revenue — Year-to-Date                           | \$ | <u>219,018.68</u> |

**Total** \$ 537,565.79

**Net Income (Loss)** \$ 13,058.53



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## MEMORANDUM (#12-14)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** May 8, 2012

**Re:** MPM Silicones LLC – Application to the Foreign-Trade Zones Board

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MPM Silicones, LLC, (MPM) currently operates Subzone 121C in Waterford. The Foreign-Trade Zones Board limited the subzone to a five-year period, with further authority requiring additional review and approval by the Foreign-Trade Zones Board. Absent such action, MPM's authority will expire on March 28, 2013.

MPM has requested that CDRPC, as Grantee of Foreign-Trade Zone #121, submit their application for manufacturing authority, together with the necessary letter of concurrence. Representatives from MPM will be present at the May 16, 2012 Commission meeting to answer any questions from the Commissioners.

MPM has a valid signed contract with CDRPC, is current on all fees, and has completed its 2011 Annual Reporting requirements. CDRPC staff recommends that the Commissioners approve the submission of the application and letter of concurrence on behalf of MPM.