

## COMMISSION MEETING

May 15, 2019

Capital District Regional Planning Commission  
1 Park Place, Suite 102  
Albany, NY 12205

**Present:** Lucille McKnight, Judy Breselor, Jacqueline Stellone, Joseph Grasso, Jim Shaughnessy, Donald Ackerman, Joe Landry, Willard Bruce, Barbara Mauro, Gary Hughes, Jason Kemper, Craig Warner

**Present via GotoMeeting:**

**Absent:** Nancy Casso, Michael Apostol, Michael Stammel, Scott Bendett, Lawrence Schillinger  
Kristin Swinton

**Staff Present:** Mark Castiglione, Martin Daley, Tara Donadio, Todd Fabozzi, Jill Falchi-Henck, Joshua Tocci, Amy Weinstock

**1. Welcome and Introductions**

Chairman Joe Landry called the meeting to order at 10:07 a.m.

**2. Accept March 20, 2019 Meeting Minutes**

The minutes were distributed before the meeting and no changes were made.

**Action Taken**

Gary Hughes made a motion to approve the meeting minutes and Don Ackerman seconded. The motion was approved unanimously.

**3. Financial Statements through April 30, 2019**

Invoices were sent to Saratoga and Schenectady counties who contribute quarterly. Revenues reflect first quarter billings to the CSO Corporation, Federal EDA, NYS DEC, UPWP (DOT), CDYCI in addition to monthly NYSEDA billings through March.

Through April, revenues at 30% to budget and expenses are 28% to budget (Par = 33%).

As noted on the Balance Sheet, on April 30th we had \$141,683 cash in the bank not including amounts for the NYSEDA CEPC program and the CD. The outstanding receivables total \$222,439. The majority of the receivables reflect the payment due to CDRPC from first quarter billings, NYSEDA invoiced amount for total program

expenses, and payment from Schenectady County. We also have one Certificate of Deposit.

There was a question on whether Rensselaer and Albany Counties should be invoiced quarterly as well, to keep things consistent. After a discussion, it was decided not to investigate changing anything until after the 2020 census, when the counties proportionate share will recalibrate.

### **Action Taken**

Gary Hughes made a motion to approve the financial statement and Joe Grasso seconded. The motion was approved unanimously.

## **4. Budget Amendment**

After a couple years of sharing CDTC's smart board for our meeting, it has become increasingly difficult meeting our needs under that arrangement. Many times the screen is not available for our use. We will continue to have a need for video conferencing, presentations, and are increasingly providing webinars in our conference room. For these reasons, CDRPC is requesting a budget amendment to facilitate the purchase of a screen, bracket or stand and, perhaps an on-board computer. The request is for a \$1500 budget amendment anticipating no interest financing from a local retailer. That being said, the estimated costs for a 65-70" screen would not be more than \$1000. Ancillary equipment, including on-board computer vs laptop, web cam, bracket vs cart have yet to be identified specifically. Money for this purchase would be coming out of the budgeted surplus.

Board action is requested to approve the budget amendment.

### **Action Taken**

Gary Hughes made the motion to accept the budget amendment as requested and Luci McKnight seconded. The motion was approved unanimously.

## **5. Technical Assistance Program**

Capital District Transportation Committee (CDTC) and CDRPC partnered for the second year of our Technical Assistance Program which is intended to provide more direct services to communities and increase their capacity to advance projects.

There was a discussion on some of the 5 individual projects listed (as attached). Board action is requested to endorse the projects.

### **Action Taken**

Gary Hughes made a motion to endorse the Technical Assistance Program projects and Barbara Mauro seconded. The motion was approved unanimously.

## **6. Accepting 604B Grant**

CDRPC has been awarded another four- year grant (April 1, 2019 to March 31, 2023) contract from the NYS DEC under the Clean Water Act, Section 604(b) Water Quality Management Planning Program for eligible activities identified in our application which include:

- Developing and implementing source water protection programs
- New Municipal Separate Storm Sewer System (MS4) General Permit assistance
- Local, regional and watershed planning

For State fiscal year April 1, 2019 through March 31, 2020, we have been approved to receive \$53,582.32. Annual award amounts can change and are dependent on the allocation of funds from the federal level. The grant requires a 10% match

Thank you to Todd and Martin for their work on this project.

Board action is required to accept the grant award.

### **Action Taken**

Gary Hughes made the motion to accept the 604B Grant and Craig Warner seconded. The motion passed unanimously.

## **7. Strategic Planning**

At the last meeting, Commissioners discussed convening an ad hoc committee related to a potential strategic planning process.

The committee's charge would be to:

- review the existing plan,
- make recommendations related to the need for an update,
- estimate the budget need prior to the adoption of CDRPC's preliminary 2020 budget in July,
- oversee the procurement process, and
- provide guidance and high-level input to the consultant

Lawrence Schillinger, Kristin Swinton (Albany County) and Joe Grasso (Saratoga County) have volunteered to serve on the committee. It was a consensus of the Commissioners that all counties be represented on this committee. Representatives from Rensselaer and Schenectady County would be needed.

Judy Breselor offered to be a member from Rensselaer, if her schedule permits.

Barbara Mauro will join the committee from Schenectady County.

Pursuant to the bylaws, the Chair shall appoint any committees the Commission may establish.

### **Action Taken**

Gary Hughes made a motion to allow the Strategic Planning Committee to form and Craig Warner seconded. The motion passed unanimously.

## **8. Approval of Donating Planning Document Archive to the University at Albany**

Last year CDRPC received a grant from the NYS Archives to hire a consultant to help us get a handle on records retention and disposition. Since then, our consultant has worked with us to properly dispose of obsolete records and catalogue records for retention.

After seeing the archive of planning documents in CDRPC's conference room, our consultant suggested that they would be a good addition to the developing special collection at the University at Albany Library.

The planning archive is not very accessible to the public, planners or scholars and no index currently exists. A donation to the University Libraries will facilitate the preservation of the documents and the development of an inventory so that they can once again be made accessible.

There was a discussion on whether these documents can / will be digitized. It is unknown at this time, but the University would have the better technology to do this than CDRPC would.

Board action is requested to authorize the donation of the documents to the University Libraries.

### **Action Taken**

Don Ackerman makes the motion to authorize the donating planning document archive to the University at Albany and Gary Hughes seconded. The motion passed unanimously.

## **9. Capital District Youth Center Update**

With the implementation of Raise the Age (RTA), the Office of Children and Family Services (OCFS) is requiring certain changes to the way the counties fund, and are reimbursed for, costs related to the secure detention and specialized secure detention care for youth. Historically, CDYCI has self-funded the operations of the facility through revenues generated by the per diem rate it charged to counties for their youth in the facility. Counties then seek reimbursement from the state based on rates paid. Beginning in 2020, CDYCI will not be able to charge counties for youth in the facility however all costs related to facility operations and administration will be reimbursable to a county or counties on a quarterly basis. The county or counties would then have to provide the reimbursement to CDYCI. The OCFS will bill all counties that used the facility any amounts owed for detention. Shifting to this model may create a working capital gap as CDYCI transitions from ongoing payments to a county reimbursement model.

**The following three scenarios are being considered:**

Option 1: Four CDYCI counties provide seed money to CDYCI to fund first quarter operations based on cost share arrangement. CDYCI is designated to submit costs on behalf of consortium members. CDYCI counties are reimbursed based on their proportionate costs share as determined by agreement among the counties or set by CDYCI in advance of each fiscal year. Counties provide the reimbursement received to CDYCI.

Option 2 (Preferred by OCFS): One county provides seed money for Q1 operations to CDYCI on behalf of consortium members. CDYCI is designated to submit costs on behalf of the county and same county to receives reimbursement on behalf of the consortium members and provides funds to CDYCI.

Option 3: Four CDYCI counties provide seed money to CDYCI to fund first quarter operations based on cost share arrangement. CDYCI is designated to submit costs on behalf of consortium members. One County receives reimbursement on behalf of consortium counties and provides the funds to CDYCI.

Under any of these scenarios, the CDYCI counties could entertain apportioning a working capital advance to CDYCI for the first quarter of operations based on their historic proportionate use of the facility.

After the initial infusion of money to CDYCI, the reimbursements should cover operations and administrative expenses of CDYCI.

## **10. LTCP CSO Memo**

The program is still on track with several projects moving forward well above the Consent Order deadlines. The following projects are currently under construction:

- Floatables Control Facilities (at regulators located at Maiden, Steuben, Orange, Quackenbush, Jackson and Livingston), Albany
- Outside Community Metering, Troy

DEC has reviewed plans and specs for the following projects and these will begin construction soon

- Mereline Combined Sewer Storage, Albany
- 123rd St. Stream Separation, Troy

On April 1, CDRPC submitted to NYSDEC the deliverables for project APW-07, Public Notification System. This consisted of a template Annual Report, a Brochure and a new website: <https://www.albanypoolcso.org> The website allows visitors to track progress of the program and projects, as well as view water quality improvements made by the program. All of the Corporation's materials such as reports, minutes and policies are available too.

CDRPC has also been assisting communities to move their own construction and service provider contracts through the EFC process.

Albany continues to advance design of the Beaver Creek Clean River Project. Progress is reported though the city's website: <https://www.albanyny.gov/Government/Departments/WaterAndWaterSupply/BeaverCreekCleanRiverProject.aspx>

The Water Dept. has been meeting with neighborhood associations and the Albany County Water Purification District on a plan to divert flow, carrying screenings, through the 3rd Ave. storm sewer, which would increase capture of the facility and remove the need to store and truck spoils from the facility located in the park.

### **Contract Assignments**

Prior to and during the execution of the Order on Consent CDRPC retained the services of several service providers to aid in the program implementation. The Environmental Facilities Corporation, the State agency that provides financing for the implantation of the program, has informed the communities that in order for vendor costs to be disburseable, eligible for financing, that the service provider contracts must be directly between the Albany CSO Pool Communities Corporation and the vendors with certain language also incorporated into these contracts. CDRPC has previously assigned the bulk of the contracts but the following from the Albany Pool Joint Venture Team need to be assigned to the CSO Corporation:

- Albany Pool Joint Venture Team Addendum to Contract Amendment No. 4 Dated November 1, 2010
- Albany Pool Joint Venture Team Addendum to Contract Amendment No. 5 Dated March 13, 2013
- Albany Pool Joint Venture Team Addendum to Contract Amendment No. 6 Dated October 3, 2014

The assignment of these contracts has been approved by the vendor, the CSO Corporation and CDRPC approval to assign these contracts to the CSO Corporation will enable the communities to seek reimbursement for contract expenses from EFC.

Board action is requested to authorize CDRPC to execute the contract assignments.

### **Action Taken**

Gary Hughes made a motion to accept the LTCP CSO member and all 3 contracts listed and Barbara Mauro seconded. The motion passed unanimously. Joe Grasso abstained from the vote.

## **11. Annual Report**

The annual report was distributed to the Board. (it's attached).

Some highlights include:

- More than 750 people participated in CDRPC trainings and events in 2018.
- CDRPC provided GIS Technical Assistance to numerous communities.
- The Clean Energy Program helped 26 communities in the Capital Region achieve Clean Energy Communities Designation.
- CDRPC has facilitated more than \$2,310,000 in match-free project funding for communities in the greater Capital Region.
- CSO Corporation has helped remove more than 278 million gallons of untreated annual CSO flow from the Hudson River. (22.5% reduction)
- Economic Impact Analysis program launched 12 studies for organizations around the region.

There were suggestions to bold all community names to make them more visible.

### **Action Taken**

Gary Hughes made a motion to accept the draft annual report and to give Mark Castiglione the right to make changes for the final edited copy. Don Ackerman seconded. The motion passed unanimously.

**12. Other Business**

The Clean Energy Program is working with NYSERDA to solicit a new 5 year grant. There was a discussion on the success of the program, and the number of communities with Clean Energy initiatives.

Clean Heating Program currently has 8 counties with \$50,000 grants each. There is a marketing campaign beginning to get volunteers and organizations to work with. It will have its own stand along website and promotions. It's a program reaching out to individuals, to bring contractors into their homes to see how they can be more energy efficient. NYSERDA is even asking their employees to walk through the sustainability program in their organization. There are cities that are interested in changing the entire infrastructure of their areas and not just individual homes.

Martin Daley reminded the Board that there is an upcoming CDRPC Conference May 29<sup>th</sup> at HVCC. Put the word out to their communities.

**13. Next Commissioner Meeting Date: July 17, 2019 10am.**

Don Ackerman made a motion to adjourn and Luci McKnight seconded. The motion passed unanimously. The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Amy Weinstock  
Office Manager

Reviewed and approved by,

Craig Warner  
Secretary/Treasurer