

COMMISSION MEETING
10:00 am, Wednesday, December 15, 2021

Due to social distancing policies related to COVID-19, the Capital District Regional Planning Commission's (CDRPC) 10am, October 20th meeting was held in person at 1 Park Place, Suite 102 and virtually through Zoom.

Members Present:, Joe Landry

Members Present via Zoom Meeting: Willard A Bruce, Lawrence Schillinger, Kristin Swinton, Judith Breselor, James Shaughnessy, Michael Stammel, Jacqueline Stallone, Joseph Grasso, Opal Hinds, Jason Kemper, Amy Standaert, Craig Warner, David Hogenkamp, B. Donald Ackerman, Gary Hughes, Barbara Mauro

Others Present via Zoom:

Members / Others Absent: Lucille McKnight, Scott Bendett.

Staff Present: Mark Castiglione, Amy Weinstock, Martin Daley, Todd Fabozzi, Joshua Tocci, Haley Balcanoff, Tara Donadio, Amanda Diaz, Kate Maynard

Presiding, Michael Stammel, Chair, called the meeting to order at 10:10 am.

1. Welcome & Introductions

Chair Stammel welcomed everyone to the meeting.

2. Approval of October 20, 2021 meeting notes

Actions Taken

Barbara Mauro made a motion to approve the October 20, 2021 meeting minutes with the additional of Kate Maynard being present, and Joe Landry seconded it. The motion passed unanimously.

3. Financial Statements November 30, 2021

The current financial statements through November 2021 were presented to the Board.

Third quarter invoices have been submitted to the appropriate billing agencies for the CDYCI, Combined Sewer Overflow, Water Quality, EDA, NYSERDA and the UPWP (Transportation) work programs. Final quarterly billings have been sent to Schenectady and Saratoga Counties.

Through November 30, revenues are at 84% and expenses are at 88%. Par is 92%. We're tracking under on the revenue side until we book Q4 revenues from our granting agencies. On the expense side, we're tracking over on consultant services which is related to our off shore wind supply chain work which is reimbursable through the CARES Act funds. The Printing and

Publishing is over primarily due to Facebook ads related to the Clean Heating and Cooling Program which is 100% reimbursable.

As noted on the Balance Sheet, on November 30th we had \$216,793 cash in the bank not including amounts for the NYSERDA CECP program, FSA, the CD and the clearing account. The outstanding receivables total \$266,000. The majority of the amounts owed are related to UPWP, NYSERDA, CSO and the Q3 billings.

Action Taken

Judith Breselor made a motion to approve the Financial Statements through September 30, 2021 and B. Donald Ackerman seconded it. The motion was approved unanimously.

4. 2022 Proposed CDRPC Budget

The 2022 Proposed budget was presented to the Board.

Budget highlights include the following:

Revenue:

- Overall, the 2022 proposed budget is 14.8% more than the 2021 budget.
- Our budget request to the counties has remained \$205,466 since 2010. This year, the board authorized a 5% increase in the total county funding request increasing the amount to \$215,739. While the proposed request represents a year over year increase, it remains 11% less than the \$ 239,574 that was received from the counties in 2002. It was announced to the Board that that 5% increase has been approved by the Counties.

Currently, CDRPC is fully leveraged and we do not have funds to pursue additional matching grant programs. What's more, my 2021 budget projections indicated that our estimated match requirement and administrative costs, which total \$239,650, exceeds the contributions from the counties by \$34,184 (\$239,650 - \$205,466).

Historically, we have also recalibrated each county's share in the year after a decennial census but since the 2020 census population results were still pending at the time we made our 2022 budget requests. We will recalibrate the contributions next year. Per the inter- municipal agreement, any adjustment by one county proportionately impacts the contributions from the remaining three counties. CDRPC continues to be successful securing grants and fees for services reducing the financial responsibilities of the four counties. The contributions from the counties are used to leverage the grant monies we receive from the Federal Economic Development Administration (including CARES Act recovery funding), NYSERDA, and the NYS Departments of Environmental Conservation, Transportation and State. Every county dollar is leveraged by more than four and a half dollars in outside revenue.

- Contractual Services: The contractual services revenue line item reflects anticipated work during 2022 including 7 school enrollment projections and revenues from economic impact analyses.
- NYSERDA: The budget scenario in this proposal reflects anticipated funding via the award under the Clean Energy Communities Program (CECP), and the continuation of the existing Clean Heating and Cooling Program.

- Climate Smart: While contract for the work is still pending, our \$1.2 million dollar grant from the DEC for the Climate Leadership Coordinator work will yield \$140,000 annually for CDRPC. The grant will fully fund a new outreach position and Todd's time to oversee program outreach in the 28-county territory. This budget anticipates 11 months of funding in 2022.
- LTCP CSO: CDRPC will continue to serve as the project manager on behalf of the Inter-Municipal Corporation created by the Albany Pool communities of Albany, Watervliet, Green Island, Cohoes, Troy, and Rensselaer to implement the projects outlined in the DEC approved Long Term Control Plan to address Combined Sewer Overflows in the Hudson River. There has been a trend of less hours needed and the number of active projects decrease and that's reflected in the 2022 revenue. Of note, CDRPC received a DOS grant in 2020 which will cover 90% of the CSO communities' costs for CDRPC administration.
- EDA: Our contract with the Economic Development Administration (EDA) is for the period July 1, 2021 through June 30, 2022. EDA has indicated that we can anticipate the same funds during the subsequent term. In addition, CDRPC was awarded \$400,000 in CARES Act funding to assist with COVID-19 recovery planning over a term from July 1, 2020 to July 2022. The 2022 budget anticipates 44% of the remaining CARES Act funds will be spent in 2022. We also anticipate receiving \$176,000 from the Northern Border Regional Commission but that amount has yet to be budgeted since the proposal is still in development.
- Water Quality (604b): The third full year of the new four-year contract term will be 2022 (April 1, 2019-March 31, 2023), with the NYS Department of Environmental Conservation for activities related to the Water Quality Program. We anticipate receiving roughly \$55,000 annually under the contract but this is subject to change based on the total passthrough amount received by DEC. The budget includes slightly less revenue (\$50,000) this year.
- UPWP: The Transportation UPWP contract follows the state fiscal year (April 1st through March 31st). The financial support is provided by the Capital District Transportation Committee with whom we have a solid professional working relationship. The budgeted amount is slightly higher than 2021 based on trends and continued reallocation of hours from CSO to UPWP to funded work.

Expense:

- Salaries: The salary line item reflects a full-time professional staff of nine, one part-time professional and one intern reflected on the Temporary Services line. The DEC Climate Outreach position will be filled in Q1 and the budget assumes 11 months of expenses related to that position.
- Office Equipment: This includes fees for the office printer and network maintenance management, IT support services, computer equipment and a new server cage.
- CDRPC Workshops: This line is increased anticipating an in person workshop in 2022 and the continued price gauging perpetrated by Mazzone.
- Consultant Services: The Consultant line item supports the services associated with our on-line capitalregionindicators.org data dashboard and is a reimbursable expense from the UPWP and CARES Act grants, maintenance support services associated with our web site, our 2021 audit, marketing for the clean heating and cooling program, and legal counsel. Board Secretary/

Treasurer Larry Schillinger suggested we break out consulting costs a bit more which is reflected in the revised budget lines for Audit and Legal and Consultant Services.

- Computer Supplies/Software: This line includes purchasing software subscriptions for GIS (which is reimbursable through our UPWP grant), Tableau software for custom data dashboards, Adobe Suite programs, IMPLAN economic modeling software, Zoom video conferencing/webinar platform, MailChimp Email, Zapier, and MS Office 365.
- Rent: The Rent Expense line item remains flat.
- Travel: The increase in the Travel Expense line item reflects anticipated increased travel associated with the post pandemic Clean Energy Communities Program outreach coordinators.
- Health Insurance: The costs are based on actual 2022 NYSHIP rates and plans. The increase reflects anticipates a family plan for the new hire and an additional staffer opting in to the NYSHIP plan who had previously been on their spouse's insurance.

Gross Expenses and Operating Income:

- Based on the proposed budget, we anticipate slight contribution to the Fund Balance during 2022. The Unreserved Fund Balance at the close of 2020 was \$517,411.

Action Taken

Willard A Bruce made a motion to approve the 2022 Proposed CDRPC budget, and Barbara Mauro seconded it. The motion passed unanimously.

5. Update from the Nominating Committee

The Nominating Committee will provide an update on its work at the next meeting and may be prepared to nominate a slate of Officers for 2022. As of this date, only two of four nominees have been confirmed. Albany and Schenectady County Board members have agreed to advance from their current positions, and Saratoga and Rensselaer need to have their Board members reappointed before any further action can be taken.

6. Authorization of Agreement with NYS DOT

CDRPC receives funding support to perform planning activities from the Unified Planning Work Program (UPWP) authorized by New York State Department of Transportation and administered through the Capital District Transportation Committee, the Metropolitan Planning Organization serving the Capital Region. In order to continue receiving funding support for planning related services, CDRPC must pass a resolution acknowledging and supporting the Agency agreement between CDRPC and the State of New York. Attached is a supporting resolution of support and the proposed agreement for Board approval. The term of the agreement is 10 years.

Action Taken

Willard A Bruce made a motion to approve the resolution acknowledging and supporting the Agency agreement between CDRPC and the State of New York as well as the signing of the proposed Authorization of Agreement with NYS DOT, and Craig Warner seconded it. The motion passed unanimously.

7. 2022 Meeting Schedule

The following are proposed dates for the 2022 Commission meetings. All the meetings are scheduled for the third Wednesday of the month and are scheduled to begin at 10:00 AM.

- o January 19, 2022,
- o March 16, 2022
- o May 18, 2022
- o July 20, 2022
- o October 19, 2022
- o December 21, 2022

While the four- county agreement specifies monthly meetings and the bylaws say every other month, the Chair can omit regular meetings with notice. This annual process of voting on the meeting schedule reconciles the discrepancy.

Action Taken

Joe Grasso made a motion to approve the 2022 meetings schedule and Willard A Bruce seconded the motion. The motion was approved unanimously.

8. Approve the FTZ Subzone Agreement with Curia

Curia Global, Inc.(formerly AMRI) is a long-term active User of our Foreign Trade Zone-121. They recently notified us of their name change from AMRI which requires an update to the 2009 existing user agreement between CDRPC and now Curia Global, Inc.

The operator agreement sets out specifics for the roles for Curia (FTZ User and Operator) and CDRPC (Grantee) within the FTZ-121 framework. The proposed operator agreement builds off of a recent template created with our FTZ attorney David Ostheimer, with up-to-date FTZ specifics and removes language flagged as a potential CDRPC liability concern within the current agreement.

Specific note:

1. The new agreement removes the specific annual fee from the agreement and instead refers to the Zone Schedule. The annual fee would remain unchanged at \$12,500 by the current Zone Schedule calculation. However, should we raise the amount in the future within the Zone Schedule we don't then also have to amend the operator agreement.

<http://cdrpc.org/wp-content/uploads/2016/05/07012017-Capital-Region-FTZ-121-Zone-Schedule.pdf>

Board action is requested to approve the Operator Agreement and authorize the Executive Director to negotiate final contract terms and execute the contract with Curia on behalf of the Commission.

Action Taken:

Joe Grasso made the motion to approve the FTZ Subzone Agreement with Curia, as well as having the Executive Director negotiate final contract terms and execute it, and Judy Breselor seconded it. The motion passed unanimously.

9. Update from the Administrative Guidelines Committee

The Committee has asked to table this update until the next meeting, where they hope to have a fuller presentation of their recommendations.

10. Staff Report

Staff Updates:

Mark Castiglione shared highlights from the staff report attached to the meeting packet.

11. Other Business

No new business to discuss.

13. Adjournment.

The next meeting will be held on Wednesday, January 19, 2022 at 10:00 a.m.

Joe Landry made a motion to adjourn, and David Hogenkamp seconded it. The motion passed unanimously.

The meeting was adjourned at 10:45 a.m.

Respectfully submitted,

Amy Weinstock
Office Manager

Reviewed and approved by

_____ Date: _____
Lawrence R. Schillinger
Secretary / Treasurer