

**COMMISSION MEETING**  
**10:00 am, Wednesday, June 21, 2023**

**Members Present:** Willard A. Bruce, Larry Schillinger, Kristin Swinton, Judith Breselor, James Shaughnessy, Michael Stammel, Joseph Grasso, Agatha Reid, Craig Warner, Charles Davidson, Gary Hughes, David Hogenkamp, Yi-Mei Han

**Members Present via Zoom Meeting:** Opal Hinds, B. Donald Ackerman

**Others Present via Zoom:**

**Members / Others Absent:** Lucille McKnight, Wayne Gendron, Jacqueline Stellone, Jason Kemper

**Staff Present:** Mark Castiglione, Haley Balcanoff, Tara Donadio, Amy Weinstock, Todd Fabozzi, Kate Maynard, Josh Dranoff, Madison Hrysko

**Presiding,** David Hogenkamp, Chair, called the meeting to order at 10:00 am.

**1. Welcome & Introductions**

Chair Hogenkamp welcomed everyone to the meeting.

**2. Welcome New Member Yi-Mei Han**

The Board welcomed new member Yi-Mei Han from Schenectady County.

**3. Approval of April 19, 2023 meeting minutes**

The minutes were presented to the Board for review.

**Action Taken**

Gary Hughes made a motion to approve the April 19, 2023 meeting minutes and Craig Warner seconded. The motion passed unanimously.

**4. Financial Statements Through May 31, 2023**

The Board was presented the financial statement for their review and approval. All invoices have been sent to the counties for first quarter and semi-annual billings.

Through five months of the fiscal year, revenues are at 32% of the budgeted

amount and expenses are at 37%. Par = 41%. The billings to our granting agencies for the first quarter are complete but the revenues due from second quarter work are not reflected resulting in our underperformance to par.

As noted on the Balance Sheet, on May 31, 2023 we had \$360,802 cash in the bank not including amounts for the NYSEDA CECP program, the Climate Smart program, the CD and the FSA account. The outstanding receivables total \$420,277. The majority of the receivables reflect the payment due to CDRPC from NYS Agencies.

Board action is requested to approve the financial statements.

### **Action Taken**

Joe Grasso made a motion to approve Financial Statements through May 31, 2023 and Charles Davidson seconded it. The motion was approved unanimously.

### **5. 2024 Preliminary Proposed Budget**

The Board was presented with the 2024 Preliminary Budget, as approved by the A&F Committee, for their review and approval. The adoption of the Preliminary Budget will allow us to send out the Commission's request for next year's county contributions. The Commission will adopt its final budget at the December meeting.

Budget highlights include the following:

#### **Revenue:**

- Overall, the 2024 proposed budget is 6% more than the 2023 budget. This is primarily due to additional revenues and expenses related to the EPA Climate Pollution Reduction Program grant.
- The 2022 budget request from our member counties was \$215,739. The A&F Committee is recommending a 3% increase to the aggregate county funding request. While this increase is less than the rate of inflation, we will be able to keep pace with rising costs by leveraging our other funding sources. The new recommended request is \$222,211. In 2022, every county dollar was leveraged by \$5.75 dollars in other revenue. The Counties' allocations have been recalibrated to reflect the 2020 census population.
- Contractual Services: The contractual services revenue line item reflects anticipated work during 2024 including 8 school enrollment projections and revenues from economic impact analyses.
- CDRPC Workshops: While 2022 revenues outpaced historical revenues, we are budgeting \$5000 related primarily to our in-person workshops.
- FTZ#121: With the addition of a new user, we anticipate additional fees will accrue to CDRPC as zone operator.

- NYSERDA: While our current contract expires in March '24, the budget scenario anticipates funding through an additional award under the Clean Energy Communities Program (CECP).
- Climate Smart: While the Climate Leadership Coordinator contract expires in March '24, the budget scenario anticipates funding through an additional award under the program. The grant will fully fund one position and Todd's time to oversee program outreach in the 28-county territory.
  - LTCP CSO: CDRPC continues 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. While former Water Quality Program Manager Martin Daley continues on a part-time basis to assist with CSO corporation administration, his hours for day-to-day facilitation and agency coordination is greatly reduced. 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) was extended for another term.
  - Water Quality (604b): We have applied for a new four-year Water Quality (604b) grant to the NYS Department of Environmental Conservation for activities related to the Water Quality Program. While we have applied for more than in previous grant periods, this budget anticipates receiving roughly \$55,000 in 2024 under a new grant term.
  - UPWP: The Transportation UPWP contract follows the state fiscal year (April 1<sup>st</sup> through March 31<sup>st</sup>). The financial support is provided by the Capital District Transportation Committee with whom we have a solid professional working relationship.
  - It is anticipated that \$55,000 of the \$167,000 from the Northern Border Regional Commission (via NYS DOS) will remain to be spent in 2024.

**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.
- 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 2023 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, maintenance support services associated with our web site, our 2024 audit, funding for broadband inventory work, legal counsel and technical support services related to our EPA grant
- Computer Supplies/Software: This line includes purchasing software subscriptions for GIS (which is reimbursable through our UPWP grant), ESRI “credits”, Tableau software, Adobe Suite programs, IMPLAN economic modeling software, Zoom video conferencing/webinar platform, Canva, MailChimp Email, and MS Office 365.
- Rent: The Rent Expense line item increase slightly due to increase energy costs.
- Travel: The increase in the Travel Expense line reflects the current actual expenses in 2023 to be carried forward into 2024.
- Telephone/Internet: The increase reflects the lease of a new VOIP phone system which replaces the 25-year old phone system.
- Work’s Comp and Disability: Increases to our premiums are reflected in this budget.
- Unemployment Insurance: Increases to our assessments which happened after the pandemic are reflected in this budget proposal.
- Health Insurance: The costs are based on a 5% increase to actual 2023 NYSHIP rates. The increase reflects anticipates a family plan for a new hire and an additional staffer.

#### **Gross Expenses and Operating Income:**

- Based on the proposed budget, we anticipate a contribution to the Fund Balance during 2024. The Unreserved Fund Balance at the close of 2021 was \$593,972. While there will be a contribution to the fund balance in 2022, we are still awaiting the final results of our 2022 audit.

#### **6. 2023-2028 CEDS Adoption – Kate Maynard, Director of Planning and Economic Development**

Discussed in-depth at the April CDRPC Board meeting, an integral requirement of our Planning grant with US Economic Development Administration (EDA) is the regular

update of the Comprehensive Economic Development Strategy (CEDS) for the Capital Region. The next required updated CEDS will be in effect from 2023-2027.

At its April meeting, the Board authorized staff to finalize the CEDS, and open the 30-day public comment period.

The public comment period was open from April 27-May 27, 2023, during which several comments were received. All comments were responded to or incorporated within the content of the final draft CEDS.

Board action is requested to adopt the final CEDS for the period of 2023-2027, permitting non-substantive changes to be made by staff as may be required, and authorize formal submission to the EDA.

There was a discussion on promoting a bullet point in the CEDS document stressing the benefits of a circular economy and sustainability.

### **Action Taken**

Gary Hughes made a motion to adopt the final CEDS period for 2023-2027, permitting non-substantive changes to be made by staff as may be required, and to authorize formal submission to the EDA, and Craig Warner seconded it. The motion passed unanimously.

### **7. Foreign Trade Zone Site**

Staff has been working with a new applicant and their consultants on establishing an FTZ site within the FTZ-121 area in Schenectady County. The applicant's stated goal is to have the FTZ activated and operational by the end of calendar year 2023. The applicant and CDRPC has executed a non-disclosure agreement.

Initial application was made to the FTZ Board on June 9, 2023 with action anticipated within 30 days. Production notification has also been submitted to the FTZ Board with that process estimated to take 120 days. We have been working actively with Customs and Border Protection (CBP) regarding their central authority over the site, and coordinating efforts with the applicant, and their consultants.

The applicant has paid in full the \$9,250 in one-time administrative fees for the applications and related details. As an FTZ User in 2024 and beyond, they will be providing \$12,500 annually in fees to CDRPC for related FTZ administration and technical support.

The A&F Committee has been engaged in this application. Updates will continue to be provided to the Board regarding this new FTZ application and related actions.

**8. S. Thyagarajan Scholarship**

Sambamurthy Thyagarajan was director of CDRPC from 1973-1980. He recently passed away and his family is requesting donations to a scholarship in his name. That scholarship will provide money to encourage students who want to become planners. Currently it is open to Graduate students only, but that hopes to be expanded. CDRPC would like to encourage support for their request.

**9. CDRPC Appointments to the Capital District Youth Center Board**

The Commission appoints 2 Commissioners from Albany County and 1 Commissioner each from Rensselaer, Saratoga, and Schenectady Counties to serve on the CDYCI Board. Currently, there is a vacancy for the Rensselaer County appointment due to Scott Bendett's resignation and a vacancy for the Schenectady County appointment with Barbara Mauro resignation.

Mike Stammel and Gary Hughes have expressed interest in representing their respective counties on the CDYCI Board.

Commission action is requested to nominate Rensselaer and Schenectady County members and appoint those nominated to the CDYCI Board.

There was a call for nominations from the floor. Mike Stammel and Gary Hughes were nominated.

**Action Taken**

Judy Breselor called for the nomination of Mike Stammel and Gary Hughes to be appointed to the Capital District Youth Center Board, and Willard A. Bruce seconded it. The motion passed unanimously.

**10. Resolution 02-2023 to Open Account with Pioneer Commercial Bank and Designate Signatories**

SEFCU Bank does not collect collateralization due to it being a credit union. At the recommendation of our Financial Officer Tom White, CDRPC would like to open an account at Pioneer bank to deposit funds over the FDIC collateralization amount of \$250,000 in our SEFCU accounts.

**RESOLUTION 02-2023**

**A RESOLUTION TO OPEN AN ACCOUNT WITH PIONEER COMMERCIAL BANK AND DESGINATE SIGNATORIES**

WHEREAS the Capital District Regional Planning Commission, hereinafter

“Municipality,” seeks to open an account with Pioneer Commercial Bank in order to collateralize funds in excess of \$250,000;

RESOLVED: The designated signatories of accounts opened as a result of this resolution shall be:

- 1) Joseph Grasso
- 2) Mark Castiglione
- 3) Amy Weinstock

RESOLVED: That the Pioneer Commercial Bank be a depository of this Municipality, that funds deposited with Bank may be withdrawn by checks, drafts, notes, bills of exchange, trade acceptances, orders or receipts issued in the name of the Municipality, signed by any one or more Officers, members, or managers of the Municipality or by any one or more persons, whether or not an Officer, member, or manager of the Municipality, identified on signature cards delivered to the Bank from time to time ("Authorized Officers"); that Bank may accept the instructions of any Authorized Officer for the transaction of all other business in connection with said funds; and that the Bank may conclusively assume that each Authorized Officer shall continue as such until receipt by the Bank of written notice to the contrary, such notice to be given to each office of the Bank in which any account of this Municipality may be maintained. The Bank is authorized to rely on the signature of any one authorized signer to transact business, notwithstanding any contrary direction or notation on or in any business documentation on file with the Bank.

RESOLVED: That the facsimile signature of any Authorized Officer may be affixed to any item by any mechanical device and Bank is hereby authorized to rely upon and to accept as genuine all such facsimile signatures, and/or such signatures that resemble the facsimile signatures, without any duty to determine the genuineness thereof or whether or not the affixing thereof has been authorized by this Municipality or by the person whose name is so affixed.

RESOLVED: That Bank is hereby authorized to honor and pay all such instruments and also to receive the same for the credit of or in payment from the payee of any other holder when so signed, without inquiry as to the circumstances of their issue or the disposition of their proceeds, whether drawn to the individual order of or tendered in payment of individual obligations of any Authorized Officer or of any other officer, employee, member, manager or agent of Municipality, or otherwise.

RESOLVED: That all checks, drafts, notes, bills of exchange, trade acceptances or orders for the payment of money belonging to Municipality, may be endorsed in blank, or otherwise, on behalf of Municipality, by a manual endorsement, rubber stamp, or otherwise, with or without designation of the one making same, whether such endorsement be for the purpose of effecting a transfer or a deposit for

collection or credit, and Bank is authorized to honor and pay or purchase and pay for such instruments and also to receive the same for the individual credit of or in payment of the individual obligation of any Authorized Officer, or any other officer, employee, member, manager or agent of Municipality, or any other holder, without inquiry as to the circumstances of endorsement or the disposition of the proceeds, and Municipality hereby guarantees to Bank the payment of all such instruments so received by Bank as well as those instruments deposited on behalf of Municipality for collection or credit without its endorsement appearing thereon.

RESOLVED: That all present and future rules and regulations of Bank governing accounts are hereby assented to and shall be binding upon Municipality; that any statements, unpaid items, cancelled vouchers or checks may be delivered to Municipality by mailing the same to the last known address of the Municipality as shown by the records of the Bank or by delivering the same to any Authorized Officer or any officer, employee, member, manager or agent of Municipality, and any and all such deliveries by Bank shall constitute good and valid deliveries to Municipality.

RESOLVED: That any Authorized Officer is authorized and empowered to apply to Bank for the use of its Night Depository Facilities, including automated teller machines, and in connection with such use to execute and deliver to Bank such agreements containing such terms and provisions as Bank may require, and in the event any such agreement contemplates that bags of Municipality found by Bank in any of its night depository receptacles are to be received and receipted for by Municipality, then any Authorized Officer is authorized and empowered to receive and receipt for any such bags and to (i) designate any additional person or persons who shall each be authorized to receive and receipt for any such bags; (ii) in writing revoke the authority of any persons so designated; and (iii) certify the name of each such designated person to Bank together with a specimen signature of such person.

RESOLVED: That any Authorized Officer is hereby authorized to open safekeeping accounts, or give any instructions to the Bank for the transfer of funds and for the purchase, sale, delivery, exchange, or other disposition of any stocks, bonds, acceptances, certificates of deposit, or other securities and foreign exchange or the proceeds thereof, or purchase services to be performed or made available by Bank, and may execute and deliver to the Bank in connection therewith any appropriate agreement, contract, instrument, indemnity agreement, assignment, or endorsement in the name of the Municipality.

RESOLVED: That the Bank shall be promptly notified in writing by the Municipality of any amendments, modification or rescission of this Resolution, such notice to be given to each office of the Bank in which any account of this Municipality may be maintained and until such notice is actually received this



Resolution and the authority conferred hereby shall remain in full force and effect and the Bank shall be indemnified and saved harmless from any loss suffered or liability incurred by it in continuing to act in pursuance of this Resolution.

RESOLVED: That all controversies and questions concerning the intendment and legal effect of any provisions of this Resolution shall be governed by and construed under and in accordance with the laws of the State of New York.

RESOLVED: That the Authorized Officer, member or manager of the Municipality are hereby authorized and instructed to furnish to the Bank a certified copy of this Resolution and signature cards with all authorized signatures, and whenever any change in authorized signatures is made, certify the Resolution effecting such change to the Bank, and furnish any new signature cards necessary.

IN WITNESS WHEREOF, I (we) have hereunto set my hand and affixed the corporate seal, if applicable, at Colonie this 16<sup>th</sup> day of June, 2023.

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Joseph Grasso, Secretary/Treasurer

**Action Taken:**

Motion to approve the opening of accounts at Pioneer Commercial Bank and Designate signatories was made by Gary Hughes and seconded by Craig Warner. The motion passed unanimously.

**11. Resolution 03-2023 to Participate in the New York Cooperative Liquid Assets Securities System**

Capital District Regional Planning Commission is eligible to participate in a NYCLASS program, that offers a more favorable interest rate, and is more flexible than CDs. There are dozens of municipalities that participate in the program, and the money is pooled together at a rate of between 4 and 4.5% interest. There are strict requirements to meet to be a participant in the program, and there is very low risk in participating.

**RESOLUTION 03-2023**

**RESOLUTION AUTHORIZING THE COMMISSION TO PARTICIPATE  
IN THE NYCLASS PROGRAM**

**WHEREAS**, New York General Municipal Law, Article 5-G, Section 11-o (“Section 119-o”) empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts) to enter into, amend, cancel and terminate agreements for the

performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

**WHEREAS**, the Capital District Regional Planning Commission wishes to have the option to invest various portions of its available investment funds in a local government investment pool in cooperation with other municipalities, corporations and/or districts pursuant to the New York Corporation Liquid Assets Securities System (NYCLASS) Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

**WHEREAS**, the Capital District Regional Planning Commission wishes to assure the safety and liquidity needs of its funds, while at the same time providing options from which to get better returns on its funds while they are invested.

**NOW, THEREFORE, BE IT RESOLVED**, upon review and consideration the Commission hereby authorizes the Executive Director to enter into an agreement with and do all that is necessary to participate in the NYCLASS program under the terms of the NYCLASS Municipal Agreement Amended and Restated as of March 28, 2019, as a source to help increase and maximize the interest income the Commission can earn on its funds.

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

The resolution was duly adopted on June 16, 2023.

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Joseph Grasso, Secretary/Treasurer

**Action Taken:**

Motion to approve resolution 03-2023 allowing participation in the New York Cooperative Liquid Assets Securities System was made by Larry Schillinger and seconded by Mike Stammel. The motion was approved unanimously.

**12. 2022 Annual Report**

The annual Report was provided to the Board for review and discussions. Our 2022 Annual Report shows how we have successfully leveraged resources, through grants and partnerships, to maximize the benefits for our region. In 2022, \$5.75 dollars was invested by CDRPC to match every \$1 dollar invested by our counties, driving innovative programs that address the evolving economic, environmental, or quality of life needs of our communities.

**13. Other Business**

No other business was discussed.

**14. Adjournment**

**Action Taken:**

Motion to adjourn at 10:51 was made by Gary Hughes and seconded by Joe Grasso. The motion was approved unanimously. The meeting ended 10:51 a.m.

**The next Commission Meeting Date: 10:00am, October 18, 2023**

Respectfully submitted,

Amy Weinstock  
Office Manager

Reviewed and approved by

\_\_\_\_\_ Date: \_\_\_\_\_  
Joseph Grasso, Secretary / Treasurer