

COMMISSION MEETING

8:30 am, Wednesday, March 15th, 2006

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

AGENDA

1. Welcome/Introduction of Guests
2. Commission Membership Change (Memo 06-05)
3. January 18, 2006 Meeting Minutes*
4. Year Ending 2005 Financial Statement (Memo 06-06)
5. Financial Statement through February 28, 2006 (Memo 06-07)*
6. WAMC EDA Proposal (Memo 06-08)*
7. Foreign Trade Zone Update (Memo 06-09)*
8. LTCP - CSO Update (Memo 06-10)
9. Proposed Wind Energy Contract (Memo 06-11)*
10. Proposed Land Use Training Legislation (Memo 06-12)
11. Estimating the Fiscal Impact of Alternative Futures in the Capital Region (Memo 06-13)
12. Staff Activity Report
13. Other

*Formal Board Action Anticipated

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

COMMISSION MEETING

January 18, 2006, 8:30am
CDRPC Conference Room
One Park Place
Albany, New York 12205

MINUTES

PRESENT: Willard Bruce, Henry Dennis, John Graziano, Lucille McKnight, Stan Brownell, Mike Stammel, Fred Acunto, Chris Callaghan, Spencer Hellwig, John Murray, Raymond Gillen, Barbara Mauro, Michael Petta

ABSENT: Betty Barnette, Jayne Regan Harris, Edward Patanian, James Shaughnessy, Philip Barrett, Gary Hughes, David Vincent

PRESIDING: Fred Acunto, Chair, called the meeting to order at 8:30am

1. WELCOME/INTRODUCTION OF GUESTS

Larry Rulison from the Times Union, and Bill Hooton and George Klapischak from Seaboard Trade Centers were in attendance.

2. DECEMBER 14, 2005 MEETING MINUTES

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

Action Taken

John Graziano made a motion to approve the minutes and Mike Stammel seconded. The motion was approved unanimously.

3. FINANCIAL STATEMENT THROUGH DECEMBER 31, 2005

Rocky reported that this statement reflects an un-audited end of the year financials through December 31, 2005. The revenues are at 97.0% of the approved budget and expenses are at 94.8%. The revenue reflects the final billings through the fourth quarter of 2005 with the exception of an outstanding bill or two totaling less than \$500.

Rocky added that there is a surplus this year of revenues over expenses of approximately \$9,000.00. There is about \$96,000 cash in the bank at this time and outstanding receivables totaling just over \$18,600.

Action Taken

Mike Stammel made a motion to accept the Financial Statement, and Henry Dennis seconded. The motion was approved unanimously.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

4. PROPOSED AGREEMENT WITH SEABOARD TRADE CENTERS, INC.

Bill Hooten and George Klapischak from Seaboard Trade Centers gave a presentation to the Commission at the last meeting in December to become administrators of the Foreign Trade Zone Program. The Commission gave authorization to discuss and negotiate a proposed agreement with Seaboard Trade Centers. Rocky and David Wardle have met with both Bill Hooten and George Klapischak and have put together a proposed agreement for the Board's consideration. Michael Hall, legal counsel, reviewed the proposed agreement.

Rocky is requesting Board approval to allow CDRPC to enter into the agreement with Seaboard to act as Administrator of the Foreign Trade Zone. CDRPC would continue to serve as the Zone Grantee with the Galesi Group and Port of Albany as the Operator.

John Murray inquired if quarterly reports could be done instead of an annual report to show the progress of the program. Bill Hooten responded that he would be willing to give quarterly presentations to the Board. Bill also added that Seaboard Trade has created a subsidiary of itself called Capital District Trade Strategies in order to have an organization that is going to execute the contract focusing only on the Capital District.

Fred inquired if an appendix could be added to the agreement with a map of the zone and the boundaries that are involved.

Action Taken

Lucille made a motion to enter into an agreement with Seaboard Trade with the following added to the agreement: an appendix to the agreement with a map showing zones; and also incorporating quarterly oral presentations to the agreement. Henry Dennis seconded the motion. The motion was approved unanimously. (Subsequent to the meeting, the Board, via e-mail, agreed to the following language to be included into the agreement: "Quarterly written progress reports shall be submitted by the Administrator. Verbal progress reports to CDRPC's Board may substitute for the written report.")

5. COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN UPDATE

A Status report of the Albany Pool Phase I Long Term Control Plan (LTCP) was distributed before the meeting. The preparation of the LTCP is a requirement of each of the community's Combined Sewer Overflow SPDES permit.

The NYS DEC has approved the contract proposal submitted by CDRPC to prepare the Long Term Control Plan. It is now considered a "legal" document but still requires review and approval by both the Comptroller's and Attorney General's office.

Rocky added that we have still not received an official signed contract from the State for the \$2 million. The consultants have proceeded to do Part A of the work, and have expressed concerns continuing without a signed contract.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

Rocky is requesting action from the board to authorize the Executive Director to sign the Contracts for Part A with the consulting team. There are two separate contracts, one with Malcolm Pirnie and CDM and the other with Clough Harbour. We have received the contract from Malcolm Pirnie and Michael Hall has reviewed it.

Rocky is also requesting action to make the Executive Director an authorized representative for the purpose of State Aid Vouchers and Self Certification Forms. Currently, the CDRPC Chair is the only Authorized Representative for all purposes with regard to the CSO LTCP project. NYSDEC has indicated that it is acceptable to designate a second Authorized Representative for payment requests.

Fred Acunto added that the A&F Committee met last week to discuss these issues and the consensus of the A&F Committee was to go ahead and authorize Rocky to sign off on these contracts to keep the project moving in a timely manner.

Mike Stammel requested that Rocky provide the Board with separate budget on a regular basis to show how much money is being spent and for what purposes.

Chris Callaghan inquired if with the lack of approval from the attorney generals' office and the comptroller's office that this is a binding contract with DEC? Rocky responded that this is a "legal" document and any changes that are recommended by either the Attorney General's Office or the Comptroller's Office must again come before DEC and CDRPC.

Rocky added that the signed municipal agreements state that the communities are responsible for the full amount of Part A if the EPF grant does not come through. If the EPF grant does come through, their obligations are reduced accordingly. The consultants have stated that they are looking for a signed contract and are willing to defer getting payment until the money from the State comes through.

Action Taken

Ray Gillen made a motion to allow Rocky to sign the consultant contracts for Part A and to identify the Executive Director as an authorized representative to sign the State Aid Vouchers and Self Certification Forms for reimbursement from the State. The motion passed 11-0 with two abstentions: John Graziano and Chris Callaghan.

6. 2005: THE YEAR IN REVIEW; 2006: THE YEAR AHEAD

Rocky did a PowerPoint presentation outlining the Commission's accomplishments during 2005 and the anticipated work program for 2006.

A copy of the presentation is provided.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

Fred Acunto inquired if there is enough staff to take on the projected work for 2006. Rocky responded that yes, at this time there is enough staff. However, in 2007 there could be a need for a full-time employee to work on the CSO program.

7. STAFF ACTIVITY REPORT

The Staff Activity Report was distributed before the meeting. There was no discussion.

8. OTHER BUSINESS

There was no other business at this time.

9. NEXT MEETING DATE

The next CDRPC Commission Meeting will be held on March 15, 2006 at 8:30am. The meeting will be held at CDRPC offices.

Adjournment

Chris Callaghan made a motion to adjourn the meeting, and Mike Stammel seconded. The motion was approved unanimously.

Respectfully submitted,

John Graziano
Secretary

MEMORANDUM (#06-05)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: New Commission Member

At the February 14th meeting of the Rensselaer County Legislature, Judy Breselor, the Planning Director for the City of Troy was appointed as a new Commission member replacing Edward Patanian. Her term of appointment, along with the other Commissioners from Rensselaer County, is through December 31, 2009.

Attached is the contact list for the Commissioners along with staff contact information.

CDRPC 2006 COMMISSIONERS

<u>Albany County</u>	<u>Rensselaer County</u>
<p>Betty J. Barnette City Hall, Room 109 Albany, NY 12207 Home: 438-5150 Work: 434-5036 Fax: 434-5041 Email: barneb@ci.albany.ny.us</p>	<p>Judy H. Breselor City of Troy One Monument Square, 3rd Floor Troy, NY 12180 Work: 270-4575 Email: judy.breselor@troyny.gov</p>
<p>Willard Bruce One Connors Blvd Albany, NY 12204 Work: 427-7484 Fax: 427-7499 Email: brucew@ci.albany.ny.us</p>	<p>Stan Brownell 75 Abbott Street Hoosick Falls, NY 12090 Home: 686-4881 Work: 862-1090 Ext 3211 Fax: 862-1091 Email: sb2@nyserda.org</p>
<p>Henry Dennis, Jr. 504 Albany-Shaker Road Loudonville, NY 12211 Home: 458-9575 Work: 458-1027 HVCC: 629-8644 Fax: 459-6563 Email: mdennis3@nycap.rr.com</p>	<p>Jayne Regan Harris One Fairlawn Lane Troy, NY 12180 Home: 274-7642 Fax: 274-7642 Email: jreganhar@aol.com</p>
<p>John Graziano, Jr., Secretary 90 State Street, Suite 1009 Albany, NY 12207 Work: 463-8644 Home: 785-0731 Fax: 463-8656 13 Island View Drive Cohoes, NY 12047 Email: johnjr@caphill.com</p>	<p>James D. Shaughnessy NYS Environmental Facilities Corp 625 Broadway Albany, NY 12207 20 Michael Street Troy, NY 12180 Home: 272-3271 Work: 402-7449 E-mail: jshaugh1@nycap.rr.com</p>
<p>Lucille M. McKnight 79-81 Third Avenue Albany, NY 12202 Home: 463-9883 Work: 447-7117 Email: LMCKNIGHT@nycap.rr.com</p>	<p>Mike Stammel, Treasurer 1600 7th Avenue Troy, NY 12180 Home: 462-0033 Work: 462-5743 Cell: 470-3361 Fax: 462-5746</p>

CDRPC 2006 COMMISSIONERS

<u>Saratoga County</u>	<u>Schenectady County</u>
<p>Fred Acunto, Chair 1370 Division Street (Home) Charlton, NY 12019 Home Phone: 399-8493 Home Fax: 399-6167 Fax: 384-0385 Email: ferdinanda@aol.com</p>	<p>Raymond Gillen Schenectady County Planning Dept 107 Nott Terrace Schenectady, NY 12308 Work Phone: 386-2225 (377-1109 Metroplex) Email: ray.gillen@countyofschenectady.com</p>
<p>Philip Barrett Clifton Park Town Hall 1 Town Hall Plaza Clifton Park, NY 12065 Work Phone: 371-6651 Fax: 884-4775 Email: barrettp@govt.co.saratoga.ny.us</p>	<p>Gary Hughes, Vice Chair 1602 Bradley Street Schenectady, NY 12304 Work Phone: 370-4793; Fax 388-2225 Home Phone: 381-6584 Email: ghughes@nycap.rr.com</p>
<p>J. Christopher Callaghan 25 West High Street Ballston Spa, NY 12020 Home Phone: 237-3139 Work Phone: 884-4724 Fax: 884-4775 Email: sartreas@govt.co.saratoga.ny.us</p>	<p>Barbara Mauro 1233 Viewmont Drive Niskayuna, NY 12309 Home Phone: 346-3122 Email: bmauro@nycap.rr.com</p>
<p>Spencer Hellwig III 40 McMaster Street Ballston Spa, NY 12020 Home Phone: Work Phone: 884-4742 Fax: 884-4723 Email:</p>	<p>Michael Petta 22 North Church Street Schenectady, NY 12305 Work Phone: 346-7324 Home Phone: 393-9859 Email: petta@aol.com</p>
<p>John Murray 40 McMaster Street Ballston Spa, NY 12020 Home Phone: Work Phone: 884-4745 Email: sarcoaud@govt.co.saratoga.ny.us</p>	<p>David Vincent PO Box 129 Duaneburg, NY 12056 Home Phone: 895-2404 Work Phone: 895-2303 Fax: 895-2574 Email: dvinc@nycap.rr.com</p>

CDRPC 2006 STAFF

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Deborah Shannon
Planning Intern
Debbie@cdrpc.org

MEMORANDUM (#06-06)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: March 7, 2006
Re: End of the Year 2005 Financial Statement

Enclosed for your review are the financial statements through December 31, 2005. This represents the Commission's final unaudited financial statement for 2005.

For the year, the revenues were at 97.0% of the approved budget while expenses were at 95.0%. Overall, revenue exceeded expenditures by approximately \$8500. These are the financial records that will be provided to the auditor as part of the 2005 audit of our financial records.

CDRPC 2005 Income Statement

Account	Budget-Rev.	Oct 05	Nov 05	Dec 05	Year-to-Date	Balance	YTD %
2005 REVENUE							
R2390.1 Albany County	\$ 84,663.00	\$ -	\$ -	\$ -	\$ 84,663.00	\$ -	100.0%
R2390.2 Rensselaer County	43,842.00	-	-	-	43,842.00	-	100.0%
R2390.3 Saratoga County	57,666.00	14,416.50	-	-	57,666.00	-	100.0%
R2390.4 Schenectady County	42,123.00	10,530.75	-	-	42,123.00	-	100.0%
R2401.0 Interest & Earnings	1,000.00	270.63	273.82	195.37	1,956.22	(956.22)	195.6%
R2770.1 Miscellaneous	2,000.00	-	-	21.00	56.00	1,944.00	2.8%
R2770.3 Contractual Services	15,000.00	10,500.00	-	5,500.00	33,234.86	(18,234.86)	221.6%
R2770.4 FTZ#121	11,500.00	-	-	-	11,500.00	-	100.0%
R2770.5 Conferences	5,000.00	-	-	-	680.00	4,320.00	13.6%
R2770.6 CDYCI	32,000.00	-	-	8,000.00	32,000.00	-	100.0%
R3900.2 NYS DCJS	-	-	-	-	-	-	
R3900.3 Empire State Development	10,000.00	-	-	-	-	10,000.00	0.0%
R3900.4 Other State Assistance	-	-	-	-	-	-	
R4000.1 Fed. Reg. Aviation	9,000.00	-	-	-	-	9,000.00	0.0%
R4000.2 EDA	52,000.00	-	-	11,700.27	52,000.00	-	100.0%
R4000.3 Water Quality	60,000.00	-	-	9,123.69	58,791.00	1,209.00	98.0%
R4000.4 UPWP	86,000.00	-	-	19,432.87	84,468.64	1,531.36	98.2%
R4000.5 Other Federal Aid (HUD)	25,000.00	-	-	5,728.08	17,539.15	7,460.85	70.2%
Gross Revenue	\$ 536,794.00	\$ 35,717.88	\$ 273.82	\$ 59,701.28	\$ 520,519.87	\$ 16,274.13	97.0%
2005 EXPENSE							
E.1010 Salaries	\$ 293,000.00	\$ 24,359.58	\$ 24,359.58	\$ 24,359.58	\$ 292,314.96	\$ 685.04	99.8%
E.1030 Temporary Services	4,218.00	577.50	742.50	495.00	2,227.50	1,990.50	52.8%
E.2010 Office Equipment	2,000.00	-	-	953.10	1,972.39	27.61	98.6%
E.2020 Furniture & Furnishings	3,500.00	-	-	-	3,499.80	0.20	100.0%
E.4020 Workshops & Conferences	5,000.00	-	104.00	450.00	1,243.25	3,756.75	24.9%
E.4030 Consultant Services	7,000.00	-	-	-	6,500.00	500.00	92.9%
E.4040 Agency Memberships	3,035.00	-	-	-	3,035.00	-	100.0%
E.4051 Computer Supplies/Software	4,000.00	41.45	-	23.60	3,658.83	341.17	91.5%
E.4055 Data Purchases	500.00	-	-	-	10.00	490.00	2.0%
E.4060 Equipment Maintenance	1,500.00	-	-	-	864.00	636.00	57.6%
E.4070 Office Supplies	3,000.00	93.36	147.21	141.28	1,475.91	1,524.09	49.2%
E.4080 Books & Journals	800.00	-	16.00	-	353.40	446.60	44.2%
E.4090 Printing & Publishing	6,500.00	-	497.18	1,951.32	6,197.52	302.48	95.3%
E.4110 Rent	60,000.00	5,452.41	4,871.50	417.34	59,537.64	462.36	99.2%
E.4120 Telephone	2,800.00	239.36	226.69	298.97	2,691.53	108.47	96.1%
E.4121 Internet	2,700.00	268.17	224.80	309.65	2,796.96	(96.96)	103.6%
E.4130 Travel	8,500.00	420.35	24.04	1,862.39	5,013.49	3,486.51	59.0%
E.4140 Equipment Repairs	500.00	-	-	-	-	500.00	0.0%
E.4150 Postage	2,800.00	180.00	4.97	991.80	2,567.00	233.00	91.7%
E.4160 Miscellaneous	394.00	-	190.19	149.95	541.50	(147.50)	137.4%
E.4170 Payroll Services	1,300.00	82.75	116.60	238.20	1,157.15	142.85	89.0%
E.4190 Contingent Fund	5,000.00	1,200.00	123.64	-	1,323.64	3,676.36	26.5%
E.4200 Insurance-General	1,400.00	-	-	-	1,241.35	158.65	88.7%
E.8010 NYS Retirement	36,647.00	-	36,647.00	-	36,647.00	-	100.0%
E.8030 FICA	23,200.00	1,907.67	1,920.30	1,901.36	22,532.39	667.61	97.1%
E.8040 Ins.-Worker's Comp. & Dis.	2,500.00	-	-	12.90	1,604.95	895.05	64.2%
E.8050 Ins.-Health	54,000.00	4,272.74	4,272.74	-	49,075.46	4,924.54	90.9%
E.8060 Ins.-Unemployment	1,400.00	13.28	17.08	234.75	1,219.34	180.66	87.1%
E.8070 Prof. Memberships	800.00	-	60.00	-	770.00	30.00	96.3%
E.8080 Continuing Education	800.00	-	-	-	-	800.00	0.0%
Gross Expenses	\$ 538,794.00	\$ 39,108.62	\$ 74,566.02	\$ 34,791.19	\$ 512,071.96	\$ 26,722.04	95.0%
Net Operating Income	\$ (2,000.00)	\$ (3,390.74)	\$ (74,292.20)	\$ 24,910.09	\$ 8,447.91		
A825 Fund Balance-Reserved		-	-	-	-		
A909 Fund Balance-Unreserved	2,000.00	-	-	-	-		
Net Income	\$ -	\$ (3,390.74)	\$ (74,292.20)	\$ 24,910.09	\$ 8,447.91		

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition

December 31, 2005

Assets

Cash — Checking	\$	14,341.79	
Cash — Money Market		81,818.16	
Cash — PayPal Account		83.20	
Petty Cash		200.00	
Due from Private Persons/Organizations		13,500.00	
Due from State & Federal Governments		34,095.50	
Due from Other Governments		-	
Prepaid Expenses		11,895.80	
Carryover Revenue		3,863.38	
<i>Sub-Total: Assets</i>	\$	159,797.83	
Expenses — Year-to-Date		512,071.96	
Total			\$ <u>671,869.79</u>

Liabilities & Fund Balance

Due to Other Governments	\$	223.36	
Due to Private Persons/Organizations		4,054.14	
Deferred Project Revenue		-	
Fund Balance — Restricted		-	
Fund Balance — Unrestricted		147,072.42	
<i>Sub-Total: Liabilities & Fund Balance</i>	\$	151,349.92	
Revenue — Year-to-Date		520,519.87	
Total			\$ <u>671,869.79</u>

MEMORANDUM (#06-07)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through February 2006. Invoices were sent to each of the four counties. Albany and Rensselaer Counties pay semi-annually while Saratoga and Schenectady Counties are billed quarterly.

In several instances, the percent of year to date expenses are greater than what may be normally expected for the following reasons: Under Agency memberships, 2006 annual dues were paid to the National Association of Foreign Trade Zones, the New York State Association of Regional Councils (NYSARC) and the New York Planning Federation. Under Computer Supplies/Software, our annual GIS software license was renewed in January. Also our General Business insurance bill for 2006 was paid. Rent and Health Insurance expenses reflect three months worth of payments.

As noted on the Statement of Financial Condition, on February 28th we had approximately \$134,500 in the bank (cash or Money Market) and receivables totaling just under \$46,000.

CDRPC 2006 Income Statement

Account	Budget	Jan 06	Feb 06	Year-to-Date	Balance	YTD %
2006 REVENUE						
R2390.1 Albany County	\$ 84,663.00	\$ 42,331.50	\$ -	\$ 42,331.50	\$ 42,331.50	50.0%
R2390.2 Rensselaer County	43,842.00	21,921.00	-	21,921.00	21,921.00	50.0%
R2390.3 Saratoga County	57,666.00	14,416.50	-	14,416.50	43,249.50	25.0%
R2390.4 Schenectady County	42,123.00	10,530.75	-	10,530.75	31,592.25	25.0%
R2401.0 Interest & Earnings	1,200.00	166.98	228.79	395.77	804.23	33.0%
R2770.1 Miscellaneous	500.00	-	-	-	500.00	0.0%
R2770.3 Contractual Services	50,000.00	7,500.00	-	7,500.00	42,500.00	15.0%
R2770.4 FTZ#121	11,500.00	-	-	-	11,500.00	0.0%
R2770.5 Conferences	5,000.00	52.00	-	52.00	4,948.00	1.0%
R2770.6 CDYCI	35,000.00	-	-	-	35,000.00	0.0%
R3900.3 Empire State Dev.	7,000.00	-	-	-	7,000.00	0.0%
R3900.6 EFC CSO Grant	20,000.00	-	-	-	20,000.00	0.0%
R4000.1 Fed. Reg. Aviation	5,000.00	-	-	-	5,000.00	0.0%
R4000.2 EDA	52,000.00	3,863.38	-	3,863.38	48,136.62	7.4%
R4000.3 Water Quality	47,000.00	-	-	-	47,000.00	0.0%
R4000.4 UPWP	85,000.00	-	-	-	85,000.00	0.0%
R4000.5 Other Federal Aid (HUD)	10,000.00	-	-	-	10,000.00	0.0%
R4000.6 EPA CSO Grant	15,000.00	-	-	-	15,000.00	0.0%
Gross Revenue	\$ 572,494.00	\$ 100,782.11	\$ 228.79	\$ 101,010.90	\$ 471,483.10	17.6%
2006 EXPENSE						
E.1010 Salaries	\$ 303,500.00	\$ 25,270.34	\$ 25,270.34	\$ 50,540.68	\$ 252,959.32	16.7%
E.1030 Temporary Services	15,000.00	1,485.00	621.50	2,106.50	12,893.50	14.0%
E.2010 Office Equipment	4,000.00	-	338.00	338.00	3,662.00	8.5%
E.2020 Furniture & Furnishings	2,000.00	-	-	-	2,000.00	0.0%
E.4020 Workshops & Conferences	5,000.00	-	-	-	5,000.00	0.0%
E.4030 Consultant Services	7,500.00	265.20	315.00	580.20	6,919.80	7.7%
E.4040 Agency Memberships	3,500.00	1,285.00	750.00	2,035.00	1,465.00	58.1%
E.4051 Computer Supplies/Software	4,000.00	3,220.00	-	3,220.00	780.00	80.5%
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	89.67	495.19	584.86	2,415.14	19.5%
E.4080 Books & Journals	800.00	69.00	-	69.00	731.00	8.6%
E.4090 Printing & Publishing	7,000.00	228.00	-	228.00	6,772.00	3.3%
E.4110 Rent	62,000.00	9,325.66	4,871.50	14,197.16	47,802.84	22.9%
E.4120 Telephone	3,000.00	178.19	250.30	428.49	2,571.51	14.3%
E.4121 Internet	3,000.00	195.94	224.80	420.74	2,579.26	14.0%
E.4130 Travel	11,000.00	59.90	362.12	422.02	10,577.98	3.8%
E.4140 Equipment Repairs	500.00	-	-	-	500.00	0.0%
E.4150 Postage	2,800.00	197.00	-	197.00	2,603.00	7.0%
E.4160 Miscellaneous	394.00	-	-	-	394.00	0.0%
E.4170 Payroll Services	1,300.00	-	149.10	149.10	1,150.90	11.5%
E.4190 Contingent Fund	3,000.00	-	-	-	3,000.00	0.0%
E.4200 Insurance-General	1,500.00	1,194.53	-	1,194.53	305.47	79.6%
E.8010 NYS Retirement	37,000.00	-	-	-	37,000.00	0.0%
E.8030 FICA	24,200.00	2,046.79	1,980.72	4,027.51	20,172.49	16.6%
E.8040 Ins.-Worker's Comp. & Dis.	2,500.00	1,801.95	-	1,801.95	698.05	72.1%
E.8050 Ins.-Health	60,000.00	8,599.64	5,570.08	14,169.72	45,830.28	23.6%
E.8060 Ins.-Unemployment	1,400.00	610.27	303.88	914.15	485.85	65.3%
E.8070 Prof. Memberships	800.00	-	200.00	200.00	600.00	25.0%
E.8080 Continuing Education	800.00	-	-	-	800.00	0.0%
Gross Expenses	\$ 572,494.00	\$ 56,122.08	\$ 41,702.53	\$ 97,824.61	\$ 474,669.39	17.1%
Net Operating Income	\$ -	\$ 44,660.03	\$ (41,473.74)	\$ 3,186.29		
A909 Fund Balance-Unreserved	-	-	-	-		
Net Income	\$ -	\$ 44,660.03	\$ (41,473.74)	\$ 3,186.29		

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition

February 28, 2006

Assets

Cash — Checking	\$	16,038.49	
Cash — Money Market		118,483.78	
Cash — PayPal Account		83.50	
Petty Cash		200.00	
Due from Private Persons/Organizations		-	
Due from State & Federal Governments		24,019.48	
Due from Other Governments		21,921.00	
Prepaid Expenses		96.99	
Carryover Revenue		-	
	<i>Sub-Total: Assets</i>	\$	180,843.24
Expenses — Year-to-Date			97,824.61
Total			\$ 278,667.85

Liabilities & Fund Balance

Due to Other Governments	\$	-	
Due to Private Persons/Organizations		-	
Deferred Project Revenue		22,136.62	
Fund Balance — Restricted		-	
Fund Balance — Unrestricted		155,520.33	
	<i>Sub-Total: Liabilities & Fund Balance</i>	\$	177,656.95
Revenue — Year-to-Date			101,010.90
Total			\$ 278,667.85

MEMORANDUM (#06-08)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: WAMC – EDA Proposal

WAMC, Northeast Public Radio has requested that the Central Ave. Revitalization Project described in the attachment be listed for inclusion on the ***Comprehensive Economic Development Strategy for the Capital Region (CEDS)*** approved project list in order that they may apply to the Economic Development Administration for partial project funding for the proposed improvements. Representatives from WAMC will make a presentation on the facility improvements at the Commission meeting. As noted in their proposal, there are five capital projects proposed totaling nearly \$3.5 million; just under \$1 million is being sought in their application to the EDA.

As noted in Memo 05-25 dated October 12, 2005, and included on the attachment, there are specific criteria CDRPC considers in evaluating projects for inclusion on the ***CEDS Approved Project List***. A project is recommended to the Board for inclusion if it meets a reasonable number of the stated evaluation criteria and has been reviewed positively by EDA's Regional Representative.

Staff believes the proposed project by WAMC meets the criteria; therefore Commission action is requested to authorize inclusion of the WAMC Central Avenue Revitalization Project on CDRPC's CEDS approved project list.

WAMC NORTHEAST PUBLIC RADIO

Central Avenue Revitalization Project

WAMC Northeast Public Radio has had an unprecedented record of success, growing from one radio frequency to fifteen over the past twenty years. Now broadcasting multi-award winning news, educational and cultural programming seven days a week, twenty-four hours a day, WAMC reaches over 350,000 listeners per month in parts of seven states; including New York, Massachusetts, Vermont, Connecticut, New Hampshire, New Jersey and Pennsylvania. WAMC also produces six nationally-syndicated programs, airing weekly on over 300 public and commercial radio stations nationwide. These and all WAMC programs are available on-line at www.wamc.org. To stay in step with the latest technology, WAMC is currently engaged in a conversion of all its facilities to digital high density (HD) radio with support from the National Telecommunications Information Administration, the Corporation for Public Broadcasting, and the New York State Education Department. Since mid-2005, WAMC's flagship daily news and cultural program, *The RoundTable* has been broadcast on Time Warner Cable television live from WAMC radio studios. The popularity of the program on television has prompted WAMC to begin plans for a gradual increase in televised programming.

Over the past several years, WAMC has achieved national fame among its peers in public broadcasting and other non-profit organizations for the station's fundraising ability; including the resounding success of its tri-annual membership fund drives, (achieved with the help of over 600 volunteers and donations from over 200 local businesses) and diversified funding base of corporate underwriting, grants and major donors.

WAMC has chosen to make its home base in New York State in the West Hill neighborhood on Albany's Central Avenue despite numerous offers from other communities and counties to host it elsewhere. In 1984, WAMC purchased a 13,000 square foot building at 318 Central Avenue near the corner of Quail Street to house its radio studios, a small music recording/live broadcast facility, and staff offices. In 1994, to accommodate the need for more office space and conference rooms, WAMC purchased and partially renovated a nearby 8,000 square foot building at 302 Central Avenue, now known as the WAMC Annex. WAMC employs 53 full-time and 13 part-time staff, has a 21-member Board of Trustees and a 31-member Community Advisory Board. While WAMC's Board members live and work throughout the station's listening area, the majority of staff lives near, and patronizes businesses on and around Central Avenue

Over the years, as WAMC regularly hosted world-class musicians and performers in its small recording/live broadcast facility, the need arose for more space, better acoustics, and state-of-the-art equipment. In 1999, the Fleet Bank on the corner of Central and Quail across the street from the WAMC radio studios closed and WAMC saw an opportunity. In 2000, WAMC worked with the City of Albany, the Central Avenue Business Improvement District (C-BID), the Chamber of Commerce, members of the State Assembly, and organizations, businesses and radio listeners on a capital campaign and successfully raised \$1.4 million to acquire and renovate the bank building into an 11,000 square-foot live performance and broadcast facility seating an audience of 230, now known as the WAMC Performing Arts Studio (PAS). The PAS brings a variety of music, dance, theater, and film to live audiences in the Region. Performances are often aired live on the radio or taped for later broadcast. Audiences may also attend the various daytime community events held at the PAS, including town meetings, speakers, children's programs, and Sunday matinees. The PAS also hosts a youth media project for high-needs urban and rural high schools in the New York Capital District area and arts in education projects with neighborhood elementary schools.

Since the opening of the PAS, performances and events have attracted hundreds of people to Central Avenue, who patronize local businesses before and after the shows. As a result, new restaurants and stores have come to the area, and those that had previously considered leaving have decided to remain, primarily due to an increase in customers. The economic success and potential business draw of the WAMC-PAS prompted the C-BID to designate the building as a downtown anchor as part of the *AveNew 2000 Strategic Revitalization Plan for the Central Avenue Commercial Corridor*. In Metroland's "Best of the Capital Region," the PAS was named "Best New Concert Hall of 2002." WAMC's ability to bring audiences to the PAS has been

due in large part to the tremendous marketing capacity of its radio airwaves. Radio audiences are invited to spend their evenings in the PAS and on Central Avenue. Recognizing its importance as an arts and cultural venue making a contribution to a significant live audience and radio listening population, the PAS was designated a “primary institution” in 2005 by the New York State Council on the Arts.*

With the help of the C-BID, WAMC recently conducted an evaluation of how the radio station and the PAS, as economic catalysts on Central Avenue, could be even more effective in attracting audiences and businesses to Central Avenue, and in turn, create more jobs which would spur further economic growth in the area. At the outset, it was clear that one major hindrance to further audience development at the PAS was the lack of parking. WAMC was often hosting sold-out audiences at evening performances with only 25 parking spaces to offer its patrons, with scarce street parking the only other option. Both WAMC and the C-BID were also interested in creating additional parking for daytime use of the PAS as well as local businesses and their customers. WAMC purchased two properties at 327 and 329 Sherman Street directly behind the PAS and demolished the buildings, making way for a parking area expansion. The resulting lot can accommodate 11 cars, but needs paving, lighting and streetscape enhancements.

WAMC also conducted an internal assessment, which revealed the need for capital repairs and equipment upgrades in and around the PAS, the main radio studio and Annex building. To assist in devising a larger plan for the parking expansion and building improvements, WAMC and the C-BID held a series of meetings with representatives from the City of Albany Mayor’s Office, the Albany Industrial Development Agency, Albany Local Development Corporation, the Albany Parking Authority, and the Capital District Transportation Authority (CDTA). CDTA was brought into the planning process because the intersection of Central Avenue and Quail Street is scheduled to become a station for a new CDTA Bus Rapid Transit system with two new bulb-out bus stops. Thus, the Quail Street station will be part of an express line between Albany and Schenectady, and an interchange with other CDTA routes. CDTA is attempting to secure parking for daytime “park and ride” lots along this new line, and the agency views an expanded PAS parking area as an ideal location for 20-25 spaces for commuters working in downtown Albany. To accommodate both daytime and evening needs, at least 100 parking spaces would be needed in the immediate area. To address this need, WAMC purchased two properties directly adjacent to the PAS at 351 and 353 Central Avenue and two directly behind 351 Central at 335 and 336 Sherman Street. Once the buildings there are demolished and construction begins, (which will include finishing the 11-space area directly behind the PAS and repairing the existing 25-space lot), there will be 90+ parking spaces directly adjacent to, or just behind the facility. For other evening overflow parking, audiences will be directed to the WAMC Annex building across the street, which has 24 parking spaces used by WAMC employees during the day. The Albany Parking Authority has agreed to construct the new parking area around the PAS and will lease spaces from WAMC for public use, including the CDTA Park and Ride.

During WAMC’s search for potential parking space, it discovered that property at 326-330 Central Avenue and 121 Quail Street across the street from the PAS was available. This building, a former warehouse, has been subdivided into six businesses, all of which plan to remain in the building. WAMC’s purchase of this property represents an investment in Central Avenue, which is intended to encourage other businesses to make significant investments in the area, and will also help ensure WAMC’s long-term growth (future expansion of radio studio and staff office space) in an urban environment where buildings only continue to be available at a premium.

* NYSCLA defines “primary institution” as “arts organizations which, by the quality of their arts services, their stature as arts institutions on a station or national level, or by the importance of their contributions to a significant population or the arts discipline in which they specialize, are particularly vital to the cultural life of New York State, and the loss of which or the diminution of services would, in the opinion of the Council, constitute a serious artistic loss to the people of the State.”

WAMC envisions the intersection of Central Avenue and Quail Street (which now has WAMC-owned properties on three corners) as the local springboard for economic rehabilitation and business development. The fundamental goal is to retain existing jobs and to create an estimated 50-60 new jobs on Central Avenue over the next five years. Thus, in the effort to attract businesses and students to the area, WAMC also has plans for job training in various aspects of the broadcasting industry and the performing arts, which can be held in the WAMC radio studios and PAS in collaboration with local colleges and universities, including the State University at Albany, Hudson Valley Community College, and Russell Sage College. The new parking area, capital improvements and equipment upgrades in WAMC buildings will be essential to the success of this program.

WAMC seeks to enlist the support of neighborhood organizations, including the West Hill Neighborhood Association and create a neighborhood revitalization advisory board which will include faith-based organizations from local churches and synagogues that will assist WAMC with ideas for community use of the PAS and the attraction of more audiences, businesses and organizations to the area.

In order to help achieve its vision for the revitalization of Central Avenue, WAMC has devised the following plan, (including costs of materials, equipment and labor) for construction, repair, equipment upgrades, and streetscape enhancements in and around its buildings. WAMC is now seeking public and private financial support to help cover these expenses as well as the cost of acquisition of properties necessary to the project.

1) Performing Arts Studio (PAS) (339 Central Avenue)	Cost Estimates	
	EDA Eligible	Total Project
Interior Capital Projects, Building Repairs or Equipment Upgrades		
Renovation of building second floor, including installation of elevator and new glass and steel stair enclosure. Project involves foundation and form work, roofing work, replacement of doors, windows, interior finishes, a new HVAC system, lighting and electricity.	\$ 318,000	\$ 318,000
Replacement of the antiquated, noisy, and costly (energy inefficient) boiler with a new, quiet, energy efficient heating system.	42,000	42,000
Reconfiguration of the electrical cables through the basement and back up to various locations. Cables are currently duct taped to the floor and must be relocated for every event and create a serious trip hazard.	27,000	27,000
Repair and upgrade of electrical problems throughout the facility. The lack of isolated grounds causes various types of acoustic anomalies such as hums, buzzing, pops and crackles. In addition, the existing electrical feeds, unless replaced, will be incompatible with newer, technologically advanced equipment.	24,000	24,000
Purchase of additional electrical cables and accessories and to repair and fine-tune the digital multi-track editing suite WAMC recently acquired for the control room.	5,000	5,000
Installation of an additional 20 theatrical lighting instruments. At present, the facility has only twelve lighting fixtures. This requires remounting and pointing each time the stage is moved for a new performance or event and existing lights often cannot accommodate the needs of various performances and events.	13,000	13,000
Installation of a wall/ceiling mounted theatrical sound system to replace portable speakers. A theatrical sound system with room tuning will provide much improved sound, meet the needs of all performances or events, eliminate the placement of the portable speakers in the line of sight of the audience, and create more space on stage.	30,000	30,000
TOTAL Interior Performing Arts Studio	\$ 459,000	\$ 459,000

2) WAMC Radio Studios and Offices (318 Central Avenue)	Cost Estimates	
Capital Projects or Building Repairs	EDA Eligible	Total Project
Exterior building repair and masonry work. Includes metal façade, re-pointing of brickwork, repair of basement foundation and replacement of select doors and windows.	\$ 135,989	\$ 135,989
Renovation of Second Floor (National Productions Producer Workstations) includes cubicles, finishing and electrical and duct work.	38,505	38,505
Roof Replacement and Repair	29,000	29,000
Replacement of Building HVAC System	17,900	17,900
Cleaning of Duct Work	6,325	6,325
Replacement of Front Doors and Security System	24,640	24,640
TOTAL Radio Studios and Offices	\$ 252,359	\$ 252,359
3) WAMC Annex Building (302 Central Avenue)		
Capital Projects or Building Repairs		
Roof Replacement and Repair	\$ 79,700	\$ 79,700
Façade and Foundation Masonry Work	30,750	30,750
Structural Repair and Repaving of Building Parking Lot (Daytime use: WAMC employees, Evening Use: PAS audiences overflow)	25,100	25,100
Cleaning of Duct Work	4,950	4,950
Replacement of Front Doors and Security System	15,602	15,602
TOTAL Annex Building	\$ 156,102	\$ 156,102
OTHER Costs Associated with WAMC Building Improvements		
Personnel (Project Oversight/Management)	35,000	35,000
Consultant Fees	60,000	60,000
TOTAL WAMC Building Improvements	\$ 962,461	\$ 962,461
4) Expanded PAS Parking Lot		
Property Acquisition at 327 & 329 Sherman Street		\$ 85,959
Demolition of Buildings at 327 & 329 Sherman Street		30,000
Property Acquisition at 351 Central Avenue and 335 & 336 Sherman Street		702,480
Property Acquisition at 353 Central Avenue		125,968
Demolition of Buildings at 351 & 353 Central Avenue		100,000
Construction of new parking lot and repair of existing PAS parking lot, including streetscape enhancements. Final total: 90+ spaces		300,000
TOTAL Expanded PAS Parking Lot		\$1,344,407
5) WAMC Investment/Expansion Building		
Property Acquisition at 330-332 Central Avenue, 121 Quail Street, 326 Central Avenue, and 328 Central Avenue (one warehouse building)		\$1,157,915
TOTAL Investment/Expansion Building		\$1,157,915
TOTAL PROJECT (1-5)	\$962,461	\$3,464,783

Comprehensive Economic Development Strategy for the Capital District

CEDS Approved Project List Criteria

The *Comprehensive Economic Development Strategy for the Capital District* (CEDS), which was adopted by the CDRPC Board in October 2000, contains the detailed formal project evaluation criteria for determining the eligibility of projects for the *CEDS Approved Project List* (see <http://cdrpc.org/CEDS-ed1-r3.pdf> — pages 34 to 36). The stated criteria are as follows:

(1) *Project Timeliness*

(a) **Project Feasibility**

The project shall be deemed feasible to be implemented according to the preliminary feasibility study and related market analysis.

(b) **Project Readiness**

There shall be no foreseeable major engineering, environmental, or ownership problems which might cause long delays in project implementation.

(2) *Benefits for Unemployed and Underemployed*

(a) **Job Creation**

The project will create new permanent jobs or save existing jobs. This is separately considered for short term and long term job creation. Short term is two years or less.

(b) **Unemployment Relief**

The project will benefit the long-term unemployed and structurally dislocated workers.

(c) **Minority Benefits**

The project will benefit economically underprivileged persons and minority groups.

(d) **Educational Benefits**

The project will provide education, training or re-training benefits to unemployed and underemployed persons and at-risk employees.

(3) *Utilization of Economic Programs*

(a) Cost/Benefit Ratio

Public project costs will be compared with jobs created or saved. Environmental and social costs will also be noted and considered.

(b) Term for Project and Hiring Completion

Short term is two years or less.

(c) Private Investment Leverage

The project will leverage private investments in plant construction, renovation, modernization, site improvements, machinery, equipment, etc.

(c) Public Funds Leverage

The project will leverage participatory funds from local, State, and other federal agencies.

(4) *Geographic Locations of Development Activities*

(a) Distressed Area Location

The project will help in the revitalization of distressed areas. Distressed areas include Economic Opportunity Zones or Enterprise Zones, places with major plant closings or job losses, and EDA-eligible distressed areas.

(b) Consistency with Plan and Policies

The project is consistent with established local and Regional development plans and policies.

(c) Long-Term Community Benefit

The project will increase local tax revenue and have positive spin-off activities.

(5) *Program/Project Sponsorship and Management*

(a) Experience

The program/project sponsor has relevant experience in implementing the type of program or project proposed.

(b) Resources

The program/project sponsor has available the staff and financial resources or commitments for financing which will be required to successfully implement the program or project.

MEMORANDUM (#06-09)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Foreign Trade Zone Program

Bill Hooten and George Klapischak from Capital District Trade Strategies (CDTS) and I met with Larry Rulison, a Business Writer with the Times Union to discuss the recently signed agreement between CDRPC and CDTS authorizing them to serve as administrator of the Foreign Trade Zone Program. A copy of the news article is attached.

Also attached is a copy of the goals, objectives and 2006 time-line to undertake the actions outlined in the CDTS FTZ Plan. A copy of the Plan was sent to each of you under separate cover on January 30, 2006 by CDTS.

Protective Industrial Products (PIP), located in the Northeastern Industrial Park, has proposed an agreement with CDRPC to operate a Foreign Trade Zone at their facility. A cost/benefit analysis by PIP revealed significant advantages of FTZ operations for them. The Galesi Group/DUI, their landlord and Operator of the FTZ Site at the Northeastern Industrial Park, strongly supports their request. A Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce asking to include Building #4 in Northeastern Industrial Park in the approved Foreign-Trade Zone Site was submitted by CDRPC and has received preliminary approval from the FTZ Board.

The proposed Grantee/Operator-User Agreement between CDRPC and PIP establishes the conditions under which PIP may use the Foreign-Trade Zone. Board action is requested to allow the CDRPC Chair to sign the agreement.

Times Union
2/18/06



STEVE JACOBS/TIMES UNION

AIR SERVICE is a key foreign trade zone asset in the Capital Region as investors George Klapischak, left, and William Hooton, right, are joined by Rocco Ferraro of the Capital District Regional Planning Commission.

A new world of opportunity

Foreign trade zone operators see bright future for the Capital Region

By LARRY RULISON
Business writer

COLONIE — William Hooton and George Klapischak have been busy getting the region's foreign trade off the ground.

The owners of Capital District Trade Strategies Inc., the company now operating the region's federally designated foreign trade zone, have been meeting local political and business leaders and have an aggres-

sive plan to develop what has been until now an underutilized asset.

Foreign trade zones were a creation of President Franklin D. Roosevelt in the 1930s, and the local trade zone was created by the Capital District Regional Planning Commission in the 1980s. The zones allow companies to import goods and materials duty-free for use in exports and to defer or reduce duties for goods they use domestically.

Hooton and Klapischak, who also own Seaboard Trade Centers Inc. of Franklin Lakes, N.J., negotiated a contract last month to run the trade zone for the planning commission.

"It was an asset that was underutilized by the region, basically," said Rocco Ferraro, executive director of the commission, a Colonie-based group that offers research and other services to Albany, Rensselaer, Saratoga and Schenectady counties.

Hooton, Seaboard's director of business development, lives in Orange County, and Klapischak, director of operations, lives in New Jersey but owns a home in the Catskills. The two men most recently worked together developing a new trade zone at a former Army base in Illinois, and Hooton has run foreign trade zones

Please see **TRADE B11** ▶

TRADE: Entrepreneurs are upbeat

▼ CONTINUED FROM B9
in Bridgeport, Conn., and Orange County.

But the local trade zone is not an overnight endeavor for them. They have believed for years that the Capital Region is an ideal center for trade because of its central location in the Northeast, infrastructure such as the Port of Albany and Albany International Airport, and a relatively inexpensive cost of living.

"We're coming here because we see attributes of value," Hooton said. "It's got all of the pieces of the puzzle that you would want. We've had our eye on it for quite a while."

That includes the airport in Colonie and business parks such as the Saratoga Technology & Energy Park in Malta, a site focused on renewable energy and environmental companies. Hooton said each location could be a prime candidate for foreign trade zone status.

A spokesman at the New York State Energy Research and Development Authority, the state agency that owns STEP, said NYSERDA has already had informal talks with the two men.

Doug Myers, a spokesman for the airport, said officials there have had discussions as well with Hooton's group; especially about how the trade zone could benefit the airport's cargo operation.

"We certainly support the initiative," Myers said. "We're lis-

tening."

The current footprint of the trade zone includes Rotterdam Industrial Park in Rotterdam and Northeastern Industrial Park in Guilderland, both owned by The Galesi Group of Rotterdam. The Rensselaer County side of the port and the Organichem Corp. plant in Rensselaer are also part of the trade zone.

But the only companies taking advantage of those locations are Organichem, which is a drug manufacturing subsidiary of Albany Molecular Research Inc., and a logistics company owned by Galesi called Distribution Unlimited Inc. that has operations at the two industrial parks. A third company, Protective Industrial Products Inc., which is located at Northeastern Industrial Park, is joining the trade zone, Hooton said.

Between now and the end of September, Hooton and Klapischak plan to identify the best sites for inclusion in the foreign trade zone, with input from the community. In October, they plan to apply to the Foreign Trade Zones Board, part of the Commerce Department, to expand the zone to new areas of the region.

Foreign trade zone sites are allowed to be located within a 90-minute driving radius of the outer limits of a port.

In years past, the trade zone earned the planning commission

roughly \$11,000 a year in administrative fees. Capital District Trade Strategies' contract with the planning commission calls for an 80-20 split on any new trade zone fees it can generate.

However, that is not how Hooton and Klapischak plan to make their money. They want to be able to offer international trade consulting services to local businesses and developers. That's one of the reasons they also agreed to buy the Capital Region World Trade Center, a nonprofit located at Schenectady County Community College that helps businesses with foreign trade.

Schenectady County holds the trade center's franchise from the World Trade Centers Association, but legislators have wanted to shed it because county taxpayers paid the annual cost of roughly \$200,000, even as the organization helps companies throughout the region.

Hooton and Klapischak also have plans to open a showroom at Rotterdam Industrial Park and an office in downtown Albany that could eventually employ as many as five people.

"The money isn't going to come from the foreign trade zone; the money is going to come from these other services," Hooton said.

► *Larry Rulison can be reached at 454-5504 or by e-mail at lrulison@timesunion.com.*

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FOREIGN-TRADE ZONE #121
USER/OPERATOR AGREEMENT

Between
CAPITAL DISTRICT REGIONAL PLANNING COMMISSION
And
PROTECTIVE INDUSTRIAL PRODUCTS, INC.

This is the record made March _____, 2006 of an AGREEMENT between the CAPITAL DISTRICT REGIONAL PLANNING COMMISSION, a public corporation of the State of New York with its principal office located at One Park Place, Suite 102, Albany, NY 12205 (hereinafter referred to as "GRANTEE") and PROTECTIVE INDUSTRIAL PRODUCTS, INC., a New York corporation with its principal office at Building 4, Northeastern Industrial Park in Guilderland, New York and with a postal address at P.O. Box 19, Guilderland Center, NY 12085 (hereinafter referred to as "OPERATOR").

1.0. **RECITALS**

1.1. **GRANTEE Authority.** GRANTEE has authority under the Foreign-Trade Zone Act to grant corporations the privilege of establishing, maintaining and operating Foreign-Trade Zone Sites and Subzones under the jurisdiction of the U.S. Foreign-Trade Zones Board (hereinafter the BOARD) within the meets and bounds of FTZ #121 and, more particularly, at the OPERATOR's Site described in Exhibit A attached to this AGREEMENT (the Site).

1.2. **Delegation of Privileges and Responsibilities.** GRANTEE desires to delegate to the OPERATOR the privileges and responsibilities of operating a Foreign-Trade Zone Site at the Operator's Site upon the terms and conditions set forth in this AGREEMENT, and in accordance with standards of operation required by the BOARD and the Bureau of Customs and Border Security (hereinafter CUSTOMS) and approved by the GRANTEE.

1.3. **Acceptance of Responsibility.** OPERATOR is willing to accept and perform the responsibilities of operating their Foreign-Trade Zone Site upon the terms contained in this AGREEMENT.

2.0. **AUTHORITY GRANTED**

2.1. **Delegation and Acceptance.** Subject to the approval of the BOARD and CUSTOMS, GRANTEE delegates to OPERATOR for the term of this AGREEMENT and for any extensions of that term the privileges and responsibilities for operating OPERATOR's Zone Site upon the terms contained in this AGREEMENT, and OPERATOR accepts the delegation of those privileges and responsibilities.

2.2. **Use of Site.** OPERATOR shall use the Site in accordance with the terms and conditions contained in this Agreement and the authority granted by the BOARD.

2.3. **Scope of Authority.** The Zone Site is authorized by the BOARD to undertake warehousing, distribution and incidental activities only. All production and manufacturing activity that results in a substantial transformation of the product and a change in the imported material's classification under the Harmonized Tariff Schedule of the United States must be authorized by the BOARD. OPERATOR shall promptly notify GRANTEE of any activity requiring BOARD notice and authorization.

2.4 **Termination of Authority for Site.** Should GRANTEE or OPERATOR be prevented from operating a Foreign-Trade Zone Site by statute, regulation, order of any court, or by the action of the BOARD or CUSTOMS, GRANTEE or OPERATOR may immediately terminate this AGREEMENT by written notice to the other with no further liability of either part to the other. In that event, OPERATOR may, at no expense to GRANTEE, institute appropriate judicial or administrative proceedings in the name of the GRANTEE and/or OPERATOR to contest the validity or applicability of the statute, regulation, court order, or action of the BOARD, or CUSTOMS, or appeal from the court order. Should the judicial or administrative proceedings or appeal result in a decision by a court or administrative body of competent jurisdiction that GRANTEE and OPERATOR are not prevented from commencing and/or continuing the operation of the Foreign-Trade Zone Site under the terms of this AGREEMENT, this AGREEMENT may, by written notice from either party to the other, be reinstated in full force and effect, and GRANTEE and OPERATOR shall then be restored to their former positions under this AGREEMENT as if termination had never taken place.

3.0. **IMPROVEMENTS**

3.1. **Minimum Requirements.** OPERATOR, at its cost, will ensure that its Site facility meets the minimum requirements for the proper receipt, storage and manipulation of Zone status product at the Site and that the Site meets the minimum security requirements of CUSTOMS. Operator, at its own cost, shall modify the Site to meet CUSTOMS requirements.

3.2. **Inspection.** OPERATOR shall obtain a final inspection by, and written approval to activate and operate the Site as a Foreign-Trade Zone from CUSTOMS and any other body having jurisdiction and the right to inspect or approve prior to the commencement of Foreign-Trade Zone operations. Operator shall maintain contact with appropriate government officials and their staffs for the purpose of operating the Foreign-Trade Zone Site consistently with all laws, regulations, and other requirements for the Foreign-Trade Zone, including, but not limited to, 15 Code of Federal Regulations ("C.F.R.") 400.402 and 400.403. Any changes to the Site or buildings and any construction are subject to the same requirements and procedures.

4.0. **STANDARDS OF OPERATION**

4.1. **In General.** OPERATOR shall, at its expense, operate a Foreign-Trade Zone on the Site and shall take all actions reasonably necessary to develop commerce and industry at their Zone Site. It shall comply **fully** with **all** requirements of the United States Government

and all other applicable laws, regulations and requirements. It is the intention of the parties that the GRANTEE's role in the operation of the Zone site be limited (a) to performing those functions that it cannot legally delegate to be performed by OPERATOR, and (b) to assuring itself and the United States Government that the Foreign-Trade Zone Site is being operated in compliance with this AGREEMENT, and all applicable laws, regulations and other requirements. OPERATOR shall provide to GRANTEE all information, reports, records and advice and shall take all actions that the GRANTEE shall reasonably require to enable GRANTEE to meet its responsibilities to the BOARD and to CUSTOMS. The specific responsibilities set forth elsewhere in this AGREEMENT shall not be construed to limit the general standards set forth in this section.

4.2. **Rules, Regulations and Practices.** To meet the requirements of 15 C.F.R. Section 400, OPERATOR shall prepare and submit to GRANTEE and CUSTOMS for approval an Operations Manual identifying the rules, regulations and practices it will use in operating its Foreign-Trade Zone Site. The Operations Manual shall be modified from time to time as necessary to be consistent with the (i) reasonable requirements of GRANTEE in conformity with this AGREEMENT and (ii) rules and regulations of the BOARD and CUSTOMS, as they may be from time to time modified. OPERATOR shall comply with Foreign-Trade Zone Act 19 USC 81 (a)-81(u) as amended, 15 CFR Part 400 as amended, 19 CFR Part 146 as amended, other appropriate laws and regulations and CUSTOMS cargo security requirements and appropriate CUSTOMS Directives such as those for Zone activation and audit inspection procedures.

4.3. **Right of Entry.** Authorized representatives of the GRANTEE, the BOARD, CUSTOMS and other such governmental agencies having such right shall have the right to enter the Foreign-Trade Zone Site at any reasonable time relevant to this AGREEMENT including, but not limited to, inspecting and examining the Zone Site; conferring with the OPERATOR and others on the premises; inspecting and checking Zone Site books, records and accounts, operations, supplies, equipment, merchandise and goods applicable to this AGREEMENT and applicable law. OPERATOR shall comply fully with the reasonable requirements of such personnel and shall make available to them the Zone Site records and reports they may find necessary for a proper and thorough inspection of the Foreign-Trade Zone Site and its activities.

4.4. **Further Instruments and Actions.** Each party shall deliver such further instruments and take such further action as may be reasonably requested by the other in order to carry out the provisions and purposes of this AGREEMENT. The parties specifically recognize that the GRANTEE will make its best efforts to keep the Grant of Authority active and in good standing; however, the appearance of the GRANTEE's name on forms and reports generated by the OPERATOR shall not be construed as a representation that GRANTEE has any knowledge, actual or constructive, of the quality, character, status designation, identification, or time of any admission. Transfer or release of goods into or from the Zone Site, and any information contained on the aforementioned forms and reports are representations solely of the OPERATOR and not the GRANTEE.

5.0. **ADMINISTRATIVE CHARGES**

5.1. **Payment of Charges.** OPERATOR shall be responsible for and pay administrative charges as follows:

5.1.1. **CUSTOMS.** OPERATOR shall pay the cost of maintaining customs services at the Site as required by CUSTOMS and shall pay these costs and any other required CUSTOMS' costs directly to CUSTOMS as it may require.

5.1.2. **Other Federal Agents.** OPERATOR shall pay any other costs for federal employees or agents as required.

5.1.3. **Foreign-Trade Zone Bond.** OPERATOR shall obtain, keep in force and pay for any bond required by CUSTOMS or GRANTEE to protect and indemnify the U.S. Government against loss of duty or taxes on merchandise or goods found to be missing or removed from the Foreign-Trade Zone without proper permit, and any other bond required by law. Any bond that is required shall be furnished prior to commencing operation of the Foreign-Trade Zone. OPERATOR shall cause GRANTEE also to be covered by the bond and shall notify all parties of any change in the status or value of such bond.

5.1.4. **User/Operator Fee.** OPERATOR shall pay GRANTEE an annual User/Operator fee to cover (a) actual administrative and oversight costs, including administrator and attorney's fees and costs, incurred by GRANTEE and directly attributable to the Foreign-Trade Zone including, but not limited to, costs incurred by the GRANTEE or its agents with respect to this AGREEMENT. For the first year of this AGREEMENT the User/Operator Fee will be a minimum first year fee of \$2,500 payable upon the execution of this AGREEMENT, and in years thereafter the fee will be in proportion to the Zone activity at the Site as identified in the GRANTEE's Zone Tariff, which may be revised from time to time.

5.1.5. **Interest Fees, Payment Default.** All payments which are due but not paid by the due date shall bear interest until paid at the prime rate of interest. If a required payment is not made within 30 days of its due date, GRANTEE may consider such default a material breach of this AGREEMENT.

6.0. **INSURANCE**

6.1. **Insurance Required.** OPERATOR shall obtain and keep in full force and effect during the term of this AGREEMENT insurance policies providing the following coverages:

6.1.1. **Statutory Coverages.** Worker's compensation, employer's liability, and disability insurances as required by law.

6.1.2. **General Liability Insurance.** General liability insurance written on an occurrence basis in a comprehensive, all-risk form including product liability and

broad-form contractual coverages expressly referring to this AGREEMENT, with policy limits of not less than \$1,000,000 for each occurrence.

6.2. **Form of Policies.** All policies shall be acceptable in form to GRANTEE. They shall be written with an insurer licensed to transact insurance business in New York State to which the GRANTEE has no reasonable objection.

6.3. **Certificates.** OPERATOR shall furnish certificates evidencing such insurance before commencing operation of the Foreign-Trade Zone Site. The certificates shall provide that the insurers shall give GRANTEE not less than 60 days prior written notice of any cancellation or material change in the policies.

6.4. **Changes in Insurance Requirements.** All insurance coverage requirements under Section 6.0 shall be reviewed periodically and as the situation dictates. GRANTEE shall have the right to require revision of the coverage required for reasonable cause.

7.0. **BOOKS, RECORDS, REPORTS, ETC.**

7.1. **General Requirements.** Operator's books, records and accounts relative to the operation of their Zone Site shall be kept in accordance with BOARD requirements, and with applicable laws, rules and requirements (including, but not limited to, 15C.F.R. sections 400.1002 and 400.1014).

7.2. **Reports.** OPERATOR shall submit to GRANTEE promptly any reports required by federal, State or local governments in relation to the operation of their Zone Site. All such reports shall be signed by the appropriate officials of the OPERATOR, certifying to their accuracy.

7.3. **Annual Report.** OPERATOR shall submit to GRANTEE on or before December 15th of each year an annual report in a form acceptable to GRANTEE for the period ending September 30th of all information required to be submitted by the GRANTEE to the BOARD and/or any other governmental agency with jurisdiction over the Zone Site. **If OPERATOR is unable to do so, GRANTEE shall arrange to obtain the necessary information and will assess charges to OPERATOR in accordance with costs incurred.**

7.4. **Confidentiality.** All financial and operations information concerning Site operations shall be kept confidential except that which is required to be made public by the BOARD. Any and all procedures manuals, computer programs, computer reports, and systems designs developed by the OPERATOR for Site operations shall be the sole property of the OPERATOR, and shall not be disclosed to any other entity.

8.0. **INDEMNIFICATION OF GRANTEE**

8.1. **Indemnification; Insurance.** OPERATOR shall defend with competent counsel, indemnify and hold harmless GRANTEE from and against any and all claims, loss, damage, liability, fines and costs, including, but not limited to, attorney's fees and court costs and

any expenses incurred by the GRANTEE and arising out of or resulting from OPERATOR's operation of the Foreign-Trade Zone Site. The OPERATOR further covenants and agrees to obtain the necessary insurance as required by the General Obligations Law of the State of New York to effectuate this Hold-Harmless clause and shall name the GRANTEE as an additional insured.

9.0. **OPERATION OF ZONE**

9.1. **Public Utility.** OPERATOR shall operate the Foreign-Trade Zone Site as a public utility in compliance with applicable laws, rules and regulations, including, but not limited to, 15 C.F.R. Section 400.1003. Subject to the requirement that the Foreign-Trade Zone be operated as a public utility and to the other provisions of this contract, 19 U.S.C. Section 81 and the regulations promulgated thereunder, the OPERATOR shall set forth rates, charges, rules and regulations of the Foreign-Trade Zone Site which rates, charges, rules and regulations shall be reasonable and shall allow the OPERATOR to recover all costs and expenses incurred by OPERATOR in connection with the establishment, construction and operation of the Foreign-Trade Zone Site, plus a reasonable profit.

9.2. **Leased Premises.** If OPERATOR occupies the Site under a lease, sublease or other written agreement of tenancy from the owner, OPERATOR shall, prior to the effective date of this AGREEMENT, submit same to GRANTEE for approval, which approval shall not be reasonably withheld.

10.0. **ACTIVATION AND DEACTIVATION OF THE ZONE SITE**

10.1. **Activation of the Zone Site.** OPERATOR will make its best efforts to activate its Zone Site within 60 days of the designation of Zone status at the Site by the BOARD. If the Site has not been activated within 180 days it shall be deemed a material breach of this AGREEMENT.

10.2. **Deactivation of the Zone Site.** OPERATOR, subject to the approval, concurrence and oversight of CUSTOMS, may deactivate their Foreign-Trade Zone Site at any time. However, should the Site be deactivated for a continuous period of eighteen months it shall be deemed a material breach of this AGREEMENT.

11.0. **NON DELEGATION AND ASSIGNMENT**

11.1. **Non Delegation And Assignment.** GRANTEE will not recognize any successor of OPERATOR for this AGREEMENT. OPERATOR shall have no right to transfer or assign the permission or rights granted hereunder or delegate any responsibility which it has undertaken hereunder to any other person, firm, corporation or entity without the written consent of the GRANTEE, which consent shall not be unreasonably withheld.

12.0. **TERM AND RENEWAL OF AGREEMENT**

12.1. **This AGREEMENT** shall remain in effect for ten years after the date set forth in the beginning. Thereafter, it shall be automatically extended for successive terms of 2 years each, unless at least 1 year before the expiration of the initial term or any extension notice of termination is given in writing by one party to the other. Neither party shall refuse to extend this AGREEMENT solely on the basis of reasons which are arbitrary, capricious or unreasonable.

13.0. **RIGHTS AND OBLIGATIONS OF PARTIES UPON TERMINATION**

13.1. **Termination by GRANTEE.** If OPERATOR shall default in the performance of any of its obligations or breach any terms or provisions herein, and such default shall not be remedied to the sole satisfaction of GRANTEE within thirty (30) days after notice of such default, then GRANTEE may immediately terminate this AGREEMENT.

13.2. **Withdrawal of Grant.** If the Foreign-Trade Zone Grant be revoked or canceled without fault of GRANTEE, this AGREEMENT shall terminate and OPERATOR shall have no claim against GRANTEE by reason of such revocation or cancellation, and OPERATOR shall have no further interest in the subject matter of this AGREEMENT.

14.0. **RELATIONSHIP OF GRANTEE AND OPERATOR**

14.1 **Independent Contractors.** The relationship of the GRANTEE and OPERATOR shall be as an independent contractors and not joint venturers, partners, or agents of each other. Neither party shall have or hold itself out as having the power of authority to bind or create liability for the other by its intentional or negligent act except as expressly set forth in this AGREEMENT. There shall be no liability on the part of the GRANTEE to any person or entity for any debts incurred by OPERATOR or others in connection with the Foreign-Trade Zone unless GRANTEE expressly agrees in writing signed by it to pay such debts.

15.0. **NOTICES**

15.1. **GRANTEE.** All notice to GRANTEE shall be personally delivered or sent by registered or certified mail, return receipt requested, addressed to FTZ #121 GRANTEE, Capital District Regional Planning Commission, One Park Place, Suite 102, Albany, NY 12205, or at such other address as GRANTEE designates in writing.

15.2. **OPERATOR.** All notices to OPERATOR shall be personally delivered to the corporate offices at Building 4, Northeastern Industrial Park in Guildrland, NY, or sent by registered or certified mail, return receipt requested, addressed to OPERATOR at P.O. Box 19, Guilderland Center, NY 12085, or at such other address as OPERATOR designates in writing.

16.0. **WAIVER OF DEFAULT**

16.1. **Waiver.** Waiver by one party of any particular default by the other party shall not affect or impair the waiving party’s rights with respect to any subsequent default of the same or of a different kind. Delay or failure to exercise any right shall not constitute a waiver of that right. A waiver shall be effective only if in writing and signed by the party making the waiver.

17.0. **INTERPRETATION AND EXECUTION OF AGREEMENT**

17.1. **New York Law.** This AGREEMENT shall be construed and enforced in accordance with the laws of the State of New York.

17.2. **Counterparts.** This AGREEMENT may be executed in any number of counterparts, each of which when executed and delivered shall be deemed an original, but all counterparts together shall constitute only a single agreement.

17.3. **Entire AGREEMENT.** This AGREEMENT contains the entire agreement of the parties with respect to its subject matter, and no representations, inducements, promises or agreements, oral or otherwise, not embodied in this AGREEMENT shall be of any force or effect.

17.4. **Captions.** The captions of this AGREEMENT are for convenience only and shall not define or limit any of the terms of this AGREEMENT.

17.5. **Amendments.** This AGREEMENT may be amended or modified only by written instrument duly authorised and executed by the parties with the same formalities as this AGREEMENT.

The parties’ assent to this AGREEMENT as of the date set forth at the beginning is confirmed by the following signatures.

GRANTEE: CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

By: _____
Its Chairman

Date: _____

OPERATOR: PROTECTIVE INDUSTRIAL PRODUCTS, INC.

By: _____
Its President

Date: _____

Capital District Trade Strategies
FTZ #121 2006 Foreign-Trade Zone Plan

General Goals: In this first year as Administrator and marketer of FTZ #121 at Albany, New York, CDTS has the following general goals:

- Ensure that the Zone is operating in conformity with all the requirements of the Foreign-Trade Zones Board and all other governmental entities with jurisdiction over the federal Foreign-Trade Zone program.
- Meet with all the ‘stakeholders’ in the Capital District Region to identify their goals with regard to economic development in general and international development in particular and ensure ‘stakeholders’ are aware of ways in which the Foreign-Trade Zone program can be used to meet and shape those goals.
- Develop an ‘intake’ process in conjunction with area stakeholders that identifies each local business who might benefit from access to Zone status, evaluates that opportunity in detail and delivers an appropriate Zone environment to that business.
- Initiate a major modification to the boundaries of FTZ #121 to accommodate stakeholder needs and interests as identified through CDTS's outreach/intake process.
- Undertake a comprehensive analysis of resources in the Region, existing and required, that would support international trade and effective participation in the global market by Regional companies.
- Develop a Regional International Strategy, get ‘buy in’ and support from ‘stakeholders’ for its implementation and implement the Strategy.

Specific objectives, implementation and time line:

Ensure that the Zone is operating in conformity with all the requirements of the Foreign-Trade Zones Board and all other governmental entities with jurisdiction over the federal Foreign-Trade Zone program.

- Review existing Operator and Subzone Operator Agreements and, as appropriate, make recommendations for changes. Jan. 16th – Feb. 10th
- Meet with Operator and Subzone Operator, learn their business interests, audit their FTZ operations and make recommendations for any required changes, and advise of any recommended changes in their operating agreements. Jan. 30th – Feb. 10th
- Attend NAFTAZ Legislative Seminar in Washington DC and learn latest changes in regulations. Feb. 7th - Feb. 8th
- Revise and codify existing Zone Schedule and Tariff and develop a standard GPZ User Agreement and Subzone User Agreement. Feb. 20th – Mar. 3rd

Meet with all the ‘stakeholders’ in the Capital District Region to identify their goals with regard

to economic development in general and international dimensions to that development in particular and ensure 'stakeholders' are aware of ways in which the Foreign-Trade Zone program can be used to meet and shape those goals.

- With input from CDRPC and Board Members, identify and meet with 'stakeholders' in the four inner counties, including but not limited to County and City Economic Development Directors, Chambers of Commerce, Other Business Associations, State Economic Development Officials. Share our Zone Plan and explain how access to Zone status can help retain and grow existing local businesses and effectively invite inward investment to the community. Jan. 16th – Mar. 3rd
- Meet with stakeholders in the wider region for the same purpose. Mar. 6th – Apr. 3rd

Develop an 'intake' process in conjunction with area stakeholders that identifies each local business who might benefit from access to Zone status, evaluates that opportunity in detail and delivers an appropriate Zone environment to that business.

- Using CDTS's existing FTZ Opportunities questionnaire, leads generated by CRTS and leads provided by area stakeholders, begin interviewing area businesses to identify Zone Users. Jan. 16th – Dec. 31st
- Refine existing FTZ Opportunities questionnaire to meet agreed needs of stakeholders for other information. Mar. 6th
- Interview five companies a week. Identify and activate one new Zone User a month. Jan. 16th – Dec. 31st

Initiate a major modification to the boundaries of FTZ #121 to accommodate stakeholder needs and interests as identified through CDTS's outreach/intake process.

- Survey stakeholders to identify existing or anticipated development projects, centers of business activities or individual business that could benefit from acquiring Foreign-Trade Zone status and solicit their participation in a Foreign-Trade Zone Expansion Application. Jan. 16th – Sep. 31st
- Present scope of Expansion Plan to Grantee for review and approval. Sep. 31st
- After Grantee approval, begin Zone expansion application process. October 31st

Undertake a comprehensive analysis of resources in the Region, existing and required, that would support the Region's international trade and effective participation in the global market place, develop a Regional International Strategy and get buy in from the 'stakeholders' for the implementation of that strategy.

- Inventory the capabilities of existing regional assets that can or do support international trade, including but not limited to: the Port of Albany, Albany Airport, the Capital Region World Trade Center, ESDC International Division, Rail Companies, Trucking Companies,

especially Pier and Airport truckers, other international service providers including third party logistics providers, freight forwarders, customs house brokers, international lawyers and trade financing institutions.

Jan. 16th – Aug. 15th

- Make recommendations on how these assets can be expanded and integrated to better serve the needs of business and international trade.

Sep. 31st

In summary, our Plan is to develop a Zone Plan and International Strategy in form and substance acceptable to CDRPC and other identified stakeholders; effectively market the FTZ # 121, the Region and its international trade assets and service providers; be an expert resource for existing Regional businesses, Regional economic development entities and new businesses being recruited to the area and make a significant contribution to economic development in the Region.

MEMORANDUM (#06-10)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Long Term Control Plan – Combined Sewer Overflow Study

The following is a status report of the Albany Pool Phase I Long Term Control Plan (LTCP). As you are aware, the preparation of the LTCP is a requirement of each of the community's Combined Sewer Overflow (CSO) SPDES permit and is a major component in meeting Governor Pataki's goals for a cleaner Hudson River.

The contract has been signed and approved by the State of New York, including the NYS Department of Environmental Conservation, the Comptroller's and Attorney General's offices. CDRPC has also signed the contract with the consultants to proceed with the scope of work associated with Part A.

A draft Public Participation Plan has been prepared and reviewed by the Technical Committee which outlines the Committee structure, meeting forums, and general public outreach efforts. A final plan is expected to be approved by the Technical Committee at their next meeting scheduled for Thursday, March 23. CDRPC will serve as spokesperson on behalf of the Technical Committee on matters involving the press.

The consultants met to outline the work accomplished to date and reaffirm the critical path to complete the tasks prior to review by the legislative bodies of the municipalities by mid summer. The data inventory/gap analysis of existing information is nearing completion. Scheduled consultant activities during the upcoming months include the preparation of the Flow Monitoring/Modeling strategy and the Cost Allocation Plan.

Attached is the Part A Income Statement of Revenues and Expenses through February 28th, 2006.

CSO Part A Income Statement

Account	Budget	Dec 05	Jan 06	Feb 06	To-Date	Balance	TD %
2005 REVENUE							
R2390.1 Albany Water Board	\$ 46,063.55	\$ -	\$ -	\$ -	\$ -	\$ 46,063.55	0.0%
R2390.1a Albany Water Bd In-Kind		-	-	-	-	-	
R2390.2 City of Cohoes	7,824.58	-	-	-	-	7,824.58	0.0%
R2390.2a City of Cohoes In-Kind		-	-	-	-	-	
R2390.3 Village of Green Island	1,308.49	-	-	-	-	1,308.49	0.0%
R2390.3a Village of Green Is In-Kind		-	-	-	-	-	
R2390.4 City of Rensselaer	5,138.10	-	-	-	-	5,138.10	0.0%
R2390.4a City of Rensselaer In-Kind		-	-	-	-	-	
R2390.5 City of Troy	23,227.18	-	-	-	-	23,227.18	0.0%
R2390.5a City of Troy In-Kind		-	-	-	-	-	
R2390.6 City of Watervliet	3,938.10	-	-	-	-	3,938.10	0.0%
R2390.6a City of Watervliet In-Kind		-	-	-	-	-	
R2401.0 Interest & Earnings	-	6.00	5.76	4.71	47.46	(47.46)	
R2770.1 Miscellaneous		-	-	-	-	-	
R3900.1 EPF Grant	87,500.00	-	-	-	-	87,500.00	0.0%
R3900.2 Other State Aid		-	-	-	-	-	
R4000.1 EPA CSO Grant	80,000.00	-	-	-	16,000.00	64,000.00	20.0%
R4000.2 Other Federal Aid		-	-	-	-	-	
Gross Revenue	\$ 255,000.00	\$ 6.00	\$ 5.76	\$ 4.71	\$ 16,047.46	\$ 238,952.54	6.3%
2005 EXPENSE							
E.1010 Salaries		\$ -	\$ -	\$ -	\$ -	\$ -	
E.1030 Temporary Services		-	-	-	-	-	
E.2010 Miscellaneous Equipment		-	-	-	-	-	
E.4020 Workshops/Conferences	10,000.00	-	-	-	-	10,000.00	0.0%
E.4031 Engineering Services	225,000.00	-	-	-	-	225,000.00	0.0%
E.4032 Administrative Services	10,000.00	-	-	-	-	10,000.00	0.0%
E.4033 Legal Services	10,000.00	315.00	665.00	-	9,964.94	35.06	99.6%
E.4034 Community In-Kind Services		-	-	-	-	-	
E.4051 Computer Supplies/Software		-	-	-	-	-	
E.4055 Data Purchases		-	-	-	-	-	
E.4080 Books/Journals		-	-	-	-	-	
E.4090 Printing/Publishing		-	-	-	-	-	
E.4130 Travel		-	-	-	-	-	
E.4150 Postage		-	-	-	-	-	
E.4160 Miscellaneous		-	-	-	-	-	
E.4190 Contingent Fund		-	-	-	-	-	
Gross Expenses	\$ 255,000.00	\$ 315.00	\$ 665.00	\$ -	\$ 9,964.94	\$ 245,035.06	3.9%
Net Operating Income	\$ -	\$ (309.00)	\$ (659.24)	\$ 4.71	\$ 6,082.52		
A909 Fund Balance: Unreserved		-	-	-	-		
Net Income	\$ -	\$ (309.00)	\$ (659.24)	\$ 4.71	\$ 6,082.52		

MEMORANDUM (#06-11)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Wind Energy Contract with NYSERDA

The New York State Association of Regional Councils (NYSARC) has submitted, at the request of NYSERDA, a proposal to provide technical support to communities in the development and siting of wind energy conversion systems. Specifically, CDRPC, along with the other regional councils would provide community education and outreach and technical assistance services to achieve the following objectives:

- understand the role that each agency plays in wind energy and then, through outreach techniques, be able to clearly explain these roles to municipalities in an effort to make the process more understandable; and
- help communities to update their comprehensive/master plans and to improve existing/adopt new local requirements to regulate wind energy systems in a consistent way.

The Genessee/Finger Lakes Regional Council will be the lead agency for this grant proposal. As currently proposed (and subject to change), the scope of work will be for a two year period beginning on or about April 1, 2006 continuing through March 31, 2008. CDRPC would receive up to \$45,000 to complete our share of the scope of work involving the communities in the Capital Region.

Commission action is requested to allow the Chair to sign a contract with NYSERDA (through G/FLRPC) at the time the scope of work has been approved by NYSERDA and the regional councils.

MEMORANDUM (#06-12)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Land Use Training Legislation

Attached for your information is a bipartisan bill introduced in both the New York State Assembly and Senate amending general municipal law to promote training opportunities for municipal and zoning officials. The Bill was introduced at the request of the NYS Legislative Commission on Rural Resources. If passed and signed by the Governor, the bill would require that members of planning and zoning boards be required to receive a minimum of four hours of land use training annually. Training received in excess of four hours can be carried over into subsequent years. The training can be achieved through a variety of formats including attending workshops, distance learning, videos, or through self study.

The proposed Bill would allow a municipality to pass a resolution waiving or adjusting the amount of training required when it is in their judgment to be in their best interest to do so.

STATE OF NEW YORK

S. 6316

A. 9259

SENATE - ASSEMBLY

(Prefiled)

January 4, 2006

IN SENATE -- Introduced by Sens. WINNER, RATH, STACHOWSKI, VALESKY --
(at request of the Legislative Commission on Rural Resources) -- read
twice and ordered printed, and when printed to be committed to the
Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. GALEF, FIELDS, LAVELLE, MENG,
ERRIGO, FINCH -- Multi-Sponsored by -- M. of A. JOHN, KARBEN, STEPH-
ENS, WEISENBERG -- read once and referred to the Committee on Local
Governments

AN ACT to amend the general municipal law, the general city law, the
town law and the village law, in relation to requiring certain train-
ing for local planning and zoning officials

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Paragraph (d) of subdivision 2 of section 239-c of the
2 general municipal law, as added by chapter 451 of the laws of 1997, is
3 amended to read as follows:
4 (d) Training and attendance requirements. [~~As a condition of appoint-
5 ment to the planning board, the county legislative body may establish
6 training, continuing education and meeting attendance requirements for
7 such members.~~] (i) Each member of a county planning board shall
8 complete, at a minimum, four hours of training each year designed to
9 enable such members to more effectively carry out their duties. Train-
10 ing received by a member in excess of four hours in any one year may be
11 carried over by the member into succeeding years in order to meet the
12 requirements of this paragraph. Such training shall be approved by the
13 county and may include, but not be limited to, training provided by a
14 regional or county planning office or commission, county planning feder-
15 ation, state agency, statewide municipal association, college or other
16 similar entity. Training may be provided in a variety of formats,
17 including but not limited to, electronic media, video, distance learning
18 and traditional classroom training.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD14208-02-5

1 (ii) To be eligible for reappointment to such board, such member shall
2 have completed the training promoted by the county pursuant to this
3 paragraph.

4 (iii) The training required by this paragraph may be waived or modi-
5 fied by the county when, in the judgment of the governing board, it is
6 in the best interest of the county to do so.

7 (iv) No decision of a county planning board shall be voided or
8 declared invalid because of a failure to comply with this paragraph.

9 § 2. Subdivision 1 of section 27 of the general city law, as amended
10 by chapter 458 of the laws of 1997, is amended and a new subdivision 7-a
11 is added to read as follows:

12 1. Authorization. The legislative body of each city, except a city
13 having a population of more than one million, is hereby authorized by
14 local law or ordinance to create a planning board consisting of five or
15 seven members. Members and the chairperson of such planning board shall
16 be appointed by the mayor or other duly authorized appointing authority.
17 In the absence of a chairperson, the planning board may designate a
18 member to serve as chairperson. [~~In making such appointments, the mayor~~
19 ~~or other duly authorized appointing authority may require planning board~~
20 ~~members to complete training and continuing education courses in accord-~~
21 ~~ance with any local requirements for the training of such members.] Not
22 more than a minority of the members of such board shall hold any other
23 public office or position in such city.~~

24 7-a. Training and attendance requirements. a. Each member of the plan-
25 ning board of a city, except a city having a population of more than one
26 million, shall complete, at a minimum, four hours of training each year
27 designed to enable such members to more effectively carry out their
28 duties. Training received by a member in excess of four hours in any one
29 year may be carried over by the member into succeeding years in order to
30 meet the requirements of this subdivision. Such training shall be
31 approved by the legislative body and may include, but not be limited to,
32 training provided by a municipality, regional or county planning office
33 or commission, county planning federation, state agency, statewide

34 municipal association, college or other similar entity. Training may be
35 provided in a variety of formats, including but not limited to, elec-
36 tronic media, video, distance learning and traditional classroom train-
37 ing.

38 b. To be eligible for reappointment to such board, such member shall
39 have completed the training promoted by the city pursuant to this subdivi-
40 vision.

41 c. The training required by this subdivision may be waived or modified
42 by resolution of the legislative body of the city when, in the judgment
43 of such legislative body, it is in the best interest of the city to do
44 so.

45 d. No decision of a planning board shall be voided or declared invalid
46 because of a failure to comply with this subdivision.

47 § 3. Subdivision 1 of section 81 of the general city law, as added by
48 chapter 208 of the laws of 1993, is amended and a new subdivision 7-a is
49 added to read as follows:

50 1. Appointment of members. The mayor or in a city having a city manag-
51 er, the city manager of any city to which subdivisions twenty-four and
52 twenty-five of section twenty of this chapter are applicable, shall
53 appoint a board of appeals consisting of three or five members as shall
54 be determined by local law or ordinance and shall designate the chair-
55 person thereof. In the absence of the chairperson the board of appeals
56 may designate a member to serve as acting chairperson. The legislative

1 body may provide for compensation to be paid to experts, clerks and a
2 secretary and provide for such other expenses as may be necessary and
3 proper, not exceeding the appropriation made for such purpose. [~~In~~
4 ~~making such appointments, the mayor or other duly authorized appointing~~
5 ~~authority may require board of appeals members to complete training and~~
6 ~~continuing education courses in accordance with any local requirements~~
7 ~~for the training of such members.~~]

8 7-a. Training and attendance requirements. (a) Each member of the
9 board of appeals in a city, except a city having a population of more
10 than one million, shall complete, at a minimum, four hours of training
11 each year designed to enable such members to more effectively carry out
12 their duties. Training received by a member in excess of four hours in
13 any one year may be carried over by the member into succeeding years in
14 order to meet the requirements of this subdivision. Such training shall
15 be approved by the legislative body and may include, but not be limited
16 to, training provided by a municipality, regional or county planning
17 office or commission, county planning federation, state agency, state-
18 wide municipal association, college or other similar entity. Training
19 may be provided in a variety of formats, including but not limited to,
20 electronic media, video, distance learning and traditional classroom
21 training.

22 (b) To be eligible for reappointment to such board, such member shall
23 have completed the training promoted by the city pursuant to this subdi-
24 vision.

25 (c) The training required by this subdivision may be waived or modi-
26 fied by resolution of the legislative body of the city when, in the
27 judgement of such legislative body, it is in the best interest of the
28 city to do so.

29 (d) No decision of a board of appeals shall be voided or declared
30 invalid because of a failure to comply with this subdivision.

31 § 4. Subdivision 2 of section 267 of the town law, as amended by chap-
32 ter 458 of the laws of 1997, is amended and a new subdivision 7-a is
33 added to read as follows:

34 2. Appointment of members. Each town board which adopts a local law or
35 ordinance and any amendments thereto pursuant to the powers granted by
36 this article shall appoint a board of appeals consisting of three or
37 five members as shall be determined by such local law or ordinance and
38 shall designate the chairperson thereof. In the absence of a chairperson
39 the board of appeals may designate a member to serve as acting chair-
40 person. The town board may provide for compensation to be paid to
41 experts, clerks and a secretary and provide for such other expenses as
42 may be necessary and proper, not exceeding the appropriation made by the
43 town board for such purpose. [~~In making such appointments, the town
44 board may require board of appeals members to complete training and
45 continuing education courses in accordance with any local requirements
46 for the training of such members.~~]

47 7-a. Training and attendance requirements. (a) Each member of the
48 board of appeals shall complete, at a minimum, four hours of training
49 each year designed to enable such members to more effectively carry out
50 their duties. Training received by a member in excess of four hours in
51 any one year may be carried over by the member into succeeding years in
52 order to meet the requirements of this subdivision. Such training shall
53 be approved by the town board and may include, but not be limited to,
54 training provided by a municipality, regional or county planning office
55 or commission, county planning federation, state agency, statewide
56 municipal association, college or other similar entity. Training may be

1 provided in a variety of formats, including but not limited to, elec-
2 tronic media, video, distance learning and traditional classroom train-
3 ing.

4 (b) To be eligible for reappointment to such board, such member shall
5 have completed the training promoted by the town pursuant to this subdivi-
6 vision.

7 (c) The training required by this subdivision may be waived or modi-
8 fied by resolution of the town board when, in the judgment of the town
9 board, it is in the best interest of the town to do so.

10 (d) No decision of a zoning board of appeals shall be voided or
11 declared invalid because of a failure to comply with this subdivision.

12 § 5. Subdivision 1 of section 271 of the town law, as amended by chap-
13 ter 458 of the laws of 1997, is amended and a new subdivision 7-a is
14 added to read as follows:

15 1. Authorization. The town board of each town is hereby authorized by
16 local law or ordinance, to create a planning board consisting of five or
17 seven members and shall, by resolution, appoint the members of such
18 board and designate the chairperson thereof. In the absence of a chair-
19 person the planning board may designate a member to serve as chair-
20 person. The town board may, as part of the local law or ordinance creat-
21 ing said planning board, provide for the compensation of planning board
22 members. [~~In making such appointments, the town board may require plan-~~
23 ~~ning board members to complete training and continuing education courses~~
24 ~~in accordance with any local requirements for the training of such~~
25 ~~members.]~~

26 7-a. Training and attendance requirements. a. Each member of the plan-
27 ning board shall complete, at a minimum, four hours of training each
28 year designed to enable such members to more effectively carry out their
29 duties. Training received by a member in excess of four hours in any one
30 year may be carried over by the member into succeeding years in order to
31 meet the requirements of this subdivision. Such training shall be
32 approved by the town board and may include, but not be limited to,
33 training provided by a municipality, regional or county planning office

34 or commission, county planning federation, state agency, statewide
35 municipal association, college or other similar entity. Training may be
36 provided in a variety of formats, including but not limited to, elec-
37 tronic media, video, distance learning and traditional classroom train-
38 ing.

39 b. To be eligible for reappointment to such board, such member shall
40 have completed the training promoted by the town pursuant to this subdi-
41 vision.

42 c. The training required by this subdivision may be waived or modified
43 by resolution of the town board when, in the judgment of the town board,
44 it is in the best interest of the town to do so.

45 d. No decision of a planning board shall be voided or declared invalid
46 because of a failure to comply with this subdivision.

47 § 6. Subdivision 2 of section 7-712 of the village law, as amended by
48 chapter 235 of the laws of 1996, is amended and a new subdivision 7-a is
49 added to read as follows:

50 2. Appointment of members. Each village board of trustees which adopts
51 a local law and any amendments thereto pursuant to the powers granted by
52 this article shall create a board of appeals consisting of three or five
53 members as shall be determined by such local law. The mayor shall
54 appoint the board of appeals and the chairperson thereof, subject to the
55 approval of the board of trustees. In the absence of a chairperson the
56 board of appeals may designate a member to serve as acting chairperson.

1 The board of trustees may provide for compensation to be paid to
2 experts, clerks and a secretary and provide for such other expenses as
3 may be necessary and proper, not exceeding the appropriation made by the
4 board of trustees for such purpose. [~~In making such appointment, the
5 village board of trustees may require board of appeals members to
6 complete training and continuing education courses in accordance with
7 any local requirements for the training of such members.~~]

8 7-a. Training and attendance requirements. (a) Each member of the
9 board of appeals shall complete, at a minimum, four hours of training
10 each year designed to enable such members to more effectively carry out
11 their duties. Training received by a member in excess of four hours in
12 any one year may be carried over by the member into succeeding years in
13 order to meet the requirements of this subdivision. Such training shall
14 be approved by the board of trustees and may include, but not be limited
15 to, training provided by a municipality, regional or county planning
16 office or commission, county planning federation, state agency, state-
17 wide municipal association, college or other similar entity. Training
18 may be provided in a variety of formats, including but not limited to,
19 electronic media, video, distance learning and traditional classroom
20 training.

21 (b) To be eligible for reappointment to such board, such member shall
22 have completed the training promoted by the village pursuant to this
23 subdivision.

24 (c) The training required by this subdivision may be waived or modi-
25 fied by resolution of the board of trustees when, in the judgment of the
26 board of trustees, it is in the best interest of the village to do so.

27 (d) No decision of a board of appeals shall be voided or declared
28 invalid because of a failure to comply with this subdivision.

29 § 7. Subdivision 1 of section 7-718 of the village law, as amended by
30 chapter 235 of the laws of 1996, is amended and a new subdivision 7-a is
31 added to read as follows:

32 1. Authorization. The village board of trustees of each village is
33 hereby authorized by local law to create a planning board consisting of

34 five or seven members. Members and the chairperson of such planning
35 board shall be appointed by the mayor subject to the approval of the
36 board of trustees. In the absence of a chairperson the planning board
37 may designate a member to serve as chairperson. The village board of
38 trustees may, as part of the local law creating said planning board,
39 provide for the compensation of planning board members. [~~In making such~~
40 ~~appointments, the village board of trustees may require planning board~~
41 ~~members to complete training and continuing education courses in accord-~~
42 ~~ance with any local requirements for the training of such members.~~]

43 7-a. Training and attendance requirements. a. Each member of the plan-
44 ning board shall complete, at a minimum, four hours of training each
45 year designed to enable such members to more effectively carry out their
46 duties. Training received by a member in excess of four hours in any one
47 year may be carried over by the member into succeeding years in order to
48 meet the requirements of this subdivision. Such training shall be
49 approved by the board of trustees and may include, but not be limited
50 to, training provided by a municipality, regional or county planning
51 office or commission, county planning federation, state agency, state-
52 wide municipal association, college or other similar entity. Training
53 may be provided in a variety of formats, including but not limited to,
54 electronic media, video, distance learning and traditional classroom
55 training.

1 b. To be eligible for reappointment to such board, such member shall
2 have completed the training promoted by the village pursuant to this
3 subdivision.

4 c. The training required by this subdivision may be waived or modified
5 by resolution of the board of trustees when, in the judgment of the
6 board of trustees, it is in the best interest of the village to do so.

7 d. No decision of a planning board shall be voided or declared invalid
8 because of a failure to comply with this subdivision.

9 § 8. This act shall take effect on the first of January next succeed-
10 ing the date on which it shall have become a law.

SPONSORS MEMO:

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S6316

SPONSOR: WINNER

TITLE OF BILL:

An act to amend the general municipal law, the general city law, the town law and the village law, in relation to requiring certain training for local planning and zoning officials

PURPOSE:

To amend the general municipal law, the general city law, the town law and the village law to promote training opportunities for municipal planning and zoning officials.

SUMMARY OF PROVISIONS:

The bill amends sections of the general municipal law, general city law, town law and village law to set forth training opportunities to be promoted by municipalities for members of planning boards, zoning boards of appeal and county planning boards. Officials would receive four hours of training per year in a course or courses approved by the applicable legislative body of each city, county, town or village. The bill exempts cities with a population of one million or greater from its provisions.

Training could be obtained from a variety of sources such as a municipality, a regional or county planning office, a planning commission, state agency, state association, college or other similar entity, and through a wide variety of formats including electronic media, video, distance learning, as well as traditional classroom training or even through self-study. Training received in anyone year, in excess of the minimum four hours required, could be carried over into succeeding years.

To be eligible for reappointment, the training opportunities promoted by the municipality must be completed by each board member. The section also authorizes a municipality to pass a resolution waiving or adjusting the amount of training required, when, in the judgment of the governing board, it is in their interest to do so.

The final section of the bill establishes the effective date for this legislation.

EXISTING LAW:

Current law authorizes municipalities to require that planning and zoning board members receive minimum training as a condition for appointment to and retention of their office. There are however, no uniform statutory training standards regarding the training of municipal planning and zoning officials in New York, as provided in this bill.

JUSTIFICATION:

In the New York State constitution, cities, towns and villages are given primary responsibility to regulate private land use. The state legislature has further authorized these municipalities to create and vest citizen planning and zoning boards with the authority to act on behalf of municipal governing bodies in fulfilling this responsibility. Currently in the state, many excellent opportunities exist for such planning and zoning officials to receive training to help them more

effectively carry out their duties, and many planning and zoning officials avail themselves of such training opportunities. Likewise many municipalities maintain their own training for planning and zoning officials. There is no minimum training standard within the state, however, which results in many municipal officials engaged in municipal planning and zoning who do not receive even basic training.

Many other local government officials in technical positions such as planning and zoning, currently receive training and continuing education as part of their job responsibilities. The actions taken by planning and zoning boards have a profound impact on implementation of state and local land use policies and on individual landowners. Municipal zoning boards of appeal, planning boards and commissions make major decisions relating to real property within their respective jurisdictions and an improper decision by such a board or commission could cause financial hardship to a property owner or to property owners near the property which is the subject of such a decision.

Well considered and timely decisions by a municipal board or commission which are equitable and in accordance with the law, attract promoters of quality community development, including residential, commercial, agricultural, industrial, open space, recreational and main street projects, and the effective use of modern land use tools in guiding such development. Moreover, sound land use decisions result in fewer lawsuits and thus lower costs for municipal liability insurance, particularly in regard to the increasing complexity and pace of growth in communities and regions across the state.

This proposal seeks to promote minimum training opportunities in the state for municipal planning and zoning officials, while at the same time allowing wide latitude in providing such training opportunities. Acceptable course subject matter would be identified by the applicable local legislative body.

A significant amount and variety of land use training is available throughout the state at no cost to participants, so the four hour minimum set forth in the bill can be obtained with minimal fiscal impact. For example, the Department of State hosts training courses throughout the year and at various locations around the state. The Association of Towns, the Conference of Mayors and the NY Planning Federation also offer training. Furthermore, free training is available on line, and the bill is structured to be as flexible as possible, so that training may be obtained through a wide range of sources, including distance learning taken at home. Municipalities may approve such self study as a way of satisfying training needs, or make adjustments or provide waivers when they feel it is in their best interest to do so.

For these reasons, there is a growing consensus among planning federations, local governments, builders institutes, insurance companies, economic development corporations, land preservation trusts and environmental groups that well trained municipal planning and zoning board members are essential to maintaining and enhancing the future vitality and quality of communities across the state.

LEGISLATIVE HISTORY:

None. This is a new bill.

FISCAL IMPLICATIONS:

None.

LOCAL FISCAL IMPLICATIONS:

Free training is readily available throughout the state so there should be minimal fiscal impact on localities. Additionally, training may result in lower municipal litigation and insurance costs.

EFFECTIVE DATE:

This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

MEMORANDUM (#06-13)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: March 7, 2006

Re: Estimating the Fiscal Impact of Alternative Futures in the Capital Region

CDRPC recently signed a contractual agreement with CEG to analyze the fiscal impact of alternative population growth scenarios in the region. The work is part of a collaborative effort involving CEG, CDRPC, the Capital District Transportation Committee (CDTC) and the University at Albany Department of Geography and Planning. Attached is the proposed project timeline.

Four alternative growth patterns are being evaluated based on two sets of projections: CDRPC's targeted projections showing an increase of 90,500 persons to 885,800 by 2040 and a "high growth" scenario that assumes the rate of population growth in the Capital Region will be comparable to the national rate of approximately 1% per year or a 309,200 increase to 1,103,500 by 2040.

For both CDRPC's projections and the high growth scenario, two alternative growth distributions are being prepared. One alternative assumes a continuation of historical development patterns and current land use policies at the local level. The second alternative assumes a more aggressive Urban Reinvestment Strategy for the existing urban centers and higher density/mixed use development patterns in the inner suburban communities. The scenarios do not represent specific predictions, rather, conditional forecasts of the probable patterns of growth under specific assumptions.

The results of the study will provide the basis for a constructive regional/community dialogue about what public policy options may be worth pursuing to manage the direction of future growth to achieve fiscal stability. Time permitting staff will make a brief presentation about the study's objectives and scope of work.

Proposed Project Timeline

Activity	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Background Research									
Develop Interview Protocol									
Secondary Data Collection									
Report Preliminary Findings to CEG									
Conduct Interviews with Infrastructure Providers									
Conduct Interviews with Infrastructure Providers Beyond the Region									
Review Case Study Literature									
Conduct Case Study Interviews									
Report Preliminary Findings to CEG									
Prepare Draft Report									
Review Draft Report									
Prepare Final Report									

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

STAFF ACTIVITY REPORT January 9, 2006 to March 5, 2006

A. ADMINISTRATION

1. A contract was executed with Capital District Trade Strategies, Inc. authorizing them to serve as Foreign Trade Zone Administrator of FTZ #121.
2. A FTZ Grantee/Operator-User contract has been prepared between CDRPC and Protective Industrial Products, Inc. (see Memo #06-09).
3. The EFC contract with the state to prepare the CSO-LTCP has been signed by all parties and the 25% advance is being processed. The contract with the consultants has also been signed.
4. The 2005 Financial Statements have been closed in preparation for the audit.

B. REGIONAL PLANNING

INFORMATION SYSTEM AND DATA SERVICES:

1. The staff responded to approximately 100 data requests during the reporting period. In addition, CDRPC's Web site had 16,571 visitors in January 2006, an 18.9% increase from January 2005, and 16,895 visitors in February 2006, a 21.9% increase from February 2005.
2. The staff continues to update and maintain its GIS, and to provide GIS products and services to local governments, agencies and citizens on request.
3. The staff continues to process, analyze, and disseminate Census 2000 data and data released by the U.S. and N.Y.S. Departments of Labor. In addition, the latest migration data available from the Internal Revenue Service has been posted. The information is posted on the web site on an ongoing basis.

COMPREHENSIVE PLANNING AND TECHNICAL ASSISTANCE

1. The Staff has continued work on the 604b water quality program. Staff continues to participate in county water quality coordinating committee activities, MS4 committee activities, and to provide technical support to the counties and local communities. Staff is also assisting NYSDEC in reviewing the MS4 annual reports submitted by each of the communities.
2. As part of the 604b program, CDRPC is coordinating a four-county public service announcement campaign, initially focusing on billboards. CDRPC is slated to be the

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

agency that collects the money from the counties and enters into a contract with the billboard company. An intermunicipal agreement is being drafted.

3. Staff has met with the Onesquethaw-Coeymans Watershed Council to discuss the scope of a watershed report that CDRPC will be conducting as part of a grant recently received by the Council.
4. Staff continues to work with the Combined Sewer Overflow technical advisory committee, which consists of representatives from the Albany Water Board, the cities of Cohoes, Rensselaer, Troy and Watervliet, and the Village of Green Island, as well as the Albany and Rensselaer county sewer districts. See Memo 06-10 for the most recent update of activities.
5. The staff continues to participate on CDTC's Planning Committee and the Quality Region Initiative Taskforce.
6. The contract with CEG to prepare the report entitled *Estimating the Fiscal Impact of Alternative Futures for the Capital Region* has been signed. CDRPC will serve as project manager for the study which is a collaborative effort involving CDTC and the University at Albany (See Memo 06-13).
7. Staff has continued participation in the Town of Malta Rt. 9 Corridor Advisory Committee and has begun participation on the Saratoga Springs Downtown Transportation Plan Advisory Committee. Both studies are funded through the CDTC Linkage program. Staff has also participated on the CDTC Linkage Grants Review Committee.
8. Staff has completed bus-route (trunk) maps for Saratoga Springs, Troy, Schenectady and Albany as part of an additional GIS services contract with CDTA. Staff has also continued participation on the CDTA Transit Development Plan Advisory Committee.
9. CDRPC has reviewed the Foothold HMIS record-level data for consistency and accuracy and ran a series of test queries for future use in compiling descriptive statistics on the Region's homeless population. This is part of the technical assistance and support services CDRPC is providing to CARES, Inc. as they implement HUD's Homeless Management Information System in the four counties in the Capital Region.
10. Staff is preparing a findings report for submittal to DED on the Empire State Development pilot project documenting information sources to help ensure a more accurate regional and statewide population count in the 2010 Census. As part of the study, letters were sent to each of the minor civil divisions in the region requesting information on their residential building reporting procedures. CDRPC received excellent participation from the communities. This program is likely to be continued with new tasks for the next few years.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

HUMAN RESOURCES & CRIMINAL JUSTICE

1. The Juvenile Detention facility utilization rate was 85.2% in January 2006 and 89.6% in February 2006. Several Commission members participated in a tour of the facility on February 15th.
2. Discussions are continuing re: the County Agreements that outline the responsibilities of the Contractor (CDYCI) and the counties referring individuals to the facility.
3. CDYCI is investigating refinancing options for the outstanding debt associated with construction of the juvenile detention facility.
4. Staff are members of the Executive Committee of both Albany County and Rensselaer Counties' Committees to End Homelessness.

ECONOMIC DEVELOPMENT

1. Data files continue to be updated and spreadsheets prepared on a monthly basis for public distribution, including Employment/Unemployment and CPI/PPI data. In addition, CDRPC continually maintains and enhances its Web site on an ongoing basis to include new and updated materials as they are prepared.
2. The November/December issue of *Capital District Data* with the 2004 MLS existing home sales and 2004 real property tax rates by municipality was published.
3. The 2005 Foreign-Trade Zone Annual Report was completed and submitted to the Foreign-Trade Zones Board.
4. Staff technical support has been provided to WAMC in the preparation of their application to the EDA for building improvements.

C. MEETINGS AND CONTACTS

- | | |
|---------|--|
| 1/9/06 | Ferraro & Engstrom: NYSARC water quality staff meeting in Syracuse. |
| 1/11/06 | Ferraro & Wardle: Meeting at CARES, Inc. with Linda Glassman, David Rawley, and Mary Breslin regarding data requirements for the HMIS program. |
| 1/11/06 | Fabozzi: CDTC Planning Committee meeting. |
| 1/12/06 | Ferraro: Attendance at the Rensselaer County Chamber Breakfast |
| 1/12/06 | Engstrom: Presentation of Brunswick School District enrollment projections to Town of Brunswick Board meeting. |

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 1/16/06 Ferraro: Attendance at the Albany County Chamber Breakfast
- 1/19/06 Ferraro/Shannon: Attendance a the 2010 Census Demonstration project meeting at Cornell.
- 1/19/06 Fabozzi: CDTC Regional Linkage Forum meeting.
- 1/23/06 Fabozzi: Review of Linkage Grant Proposals with CDTC staff.
- 1/24/06 Ferraro: Albany County Executive Committee to End Homelessness meeting.
- 1/25/06 Ferraro: Rensselaer County Advisory Committee to End Homelessness meeting.
- 1/25/06 Fabozzi/Engstrom: Saratoga County Land Use Workshop.
- 1/25/06 Ferraro & Wardle: Meeting at WAMC with Alan Chartok, David Galletly, Marion Wise, & Selma Kaplan for a site visit and to discuss an EDA application for building improvements.
- 1/25/06 Engstrom: Rensselaer County MS4 consortium meeting.
- 1/26/06 Ferraro: Community Foundation for the Capital Region to discuss Land Use Demo. Project.
- 1/26/06 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 1/31/06 Fabozzi: Meeting with Onesquethaw-Coeymans Watershed Council representative to discuss the scope of a watershed report that CDRPC will be conducting as part of a grant recently received by the Council.
- 2/1/06 Ferraro: CDTC Planning Committee meeting.
- 2/1/06 Fabozzi: Schenectady County Water Quality Coordinating Committee meeting.
- 2/2/06 Ferraro: CDTC Freight Task Force Committee meeting.
- 2/3/06 Wardle: Meeting at the Albany Center for Economic Success with Lorraine Wynne, Mayor Jennings, Megan Dailey, and Sandy Baruah, Assistant Secretary of Commerce for Economic Development (EDA Head) for a site visit and to discuss EDA assistance to ACES and the City of Albany.
- 2/3/06 Ferraro/Fabozzi: Meeting with UAlbany professors and researchers to discuss the CEG-funded Fiscal Impact study.
- 2/7/06 Ferraro: Regional Coordinating Council meeting (CEG, Chamber, CDTC, & CDRPC Executive Directors)
- 2/8/06 Ferraro/Fabozzi: Meeting with UAlbany professors and CDTC staff to discuss the CEG-funded Fiscal Impact study.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 2/9/06 Ferraro: Rensselaer County Executive Committee to End Homelessness meeting.
- 2/13/06 Ferraro & Engstrom: Met with Clough Harbour staff regarding the CSO LTCP public participation program.
- 2/14/06 Ferraro, Engstrom & Reinhart: CSO Technical Committee meeting.
- 2/15/06 Ferraro/Reinhart: Tour of CDYCI facility with Commission/CDYCI Board members
- 2/15/06 Engstrom: Rensselaer County MS4 consortium meeting.
- 2/17/06 Fabozzi: CDTA Transit Development Plan committee meeting.
- 2/20/06 Engstrom: CSO LTCP consultant staff meeting.
- 2/22/06 Wardle: Meeting at CDTC with John Poorman, Mike Tucker, Tim Duncan, & Richard Usas to discuss the Harriman Campus master plan.
- 2/24/06 Engstrom: MS4 county consortium staff meeting.
- 2/28/06 Fabozzi: Saratoga Springs Downtown Transportation Plan Advisory Committee meeting.
- 2/28/06 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 3/1/06 Fabozzi: Schenectady County Water Quality Coordinating Committee meeting.
- 3/1/06 Engstrom: CSO LTCP consultant staff meeting.
- 3/2/06 Fabozzi: NY State GIS Coordinating Body meeting.