

COMMISSION MEETING

August 16, 2006, 8:30am
CDRPC Conference Room
One Park Place, Suite 102
Albany, New York 12205

MINUTES

PRESENT: Willard Bruce, Henry Dennis, John Graziano, Jr., Lucille McKnight, Stan Brownell, Jim Shaughnessy, Mike Stammel, Fred Acunto, Philip Barrett, John Murray, Gary Hughes, Barbara Mauro, David Vincent

ABSENT: Betty Barnette, Jayne Regan Harris, Judy Breselor, Chris Callaghan, Spencer Hellwig, Raymond Gillen, Michael Petta

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

1. WELCOME/INTRODUCTION OF GUESTS

Rick Bigham from Dorfman-Robbie, P.C., and Bill Hooton and George Klapischak from Capital District Trade Strategies were in attendance.

2. MAY 17, 2006 MEETING MINUTES

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

Action Taken

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

3. FINANCIAL STATEMENT THROUGH JULY 31, 2006

Rocky reported that this statement reflects the current statements through July 2006. Revenues are at 64% and expenses are at 53%.

The Second half billings have gone out to Albany and Rensselaer Counties as well as the third quarter billings for Saratoga and Schenectady Counties. We have received the 2007 estimated bill from the NYS Retirement System. If paid before December 15, 2006, the amount is \$30,961 and the budgeted amount was for \$37,000.

There is approximately \$144,160 cash in the bank and receivables total just under \$77,000. The larger than usual receivables reflects our quarterly billings to the funding agencies.

John Murray inquired if we will receive all the revenue that is projected. Rocky responded that he does anticipate getting the revenue, with the exception of the \$5,000 from the Aviation Program. This will not be included in the 2007 budget. That amount will be offset by increases in other revenue sources.

Action Taken

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

4. 2005 AUDIT REPORT, PRESENTATION BY DORFMAN-ROBBIE

A copy of the FY-2005 Audit Report prepared by Dorfman-Robbie Certified Public Accountants, P.C. was sent out prior to the meeting for review.

Rick Bigham, the auditor, went over the Audit Report with the Board. Included in the Audit Report is a management discussion in compliance with the GASB 34 reporting requirements.

Mike Stammel inquired if there was any sampling done in the process of doing the Audit Report. Mr. Bigham replied that yes there was sampling and that it is noted in the report.

Jack Murry asked if there were recommendations made by Dorfman-Robbie and have we used them. Mr. Bigham replied that there were a couple of audit adjustments regarding the CSO project to adjust some of the revenue to deferred revenue. None of the adjustments had a significant impact on CDRPC's financial reporting process.

As noted in the report, there were no disagreements with management during the course of the audit.

Action Taken

John Graziano made a motion to approve the 2005 Audit Report and Jack Murray seconded. The motion was approved unanimously.

5. PROPOSED 2007 PRELIMINARY BUDGET

Rocky informed the Board that the adoption of the Preliminary Budget will allow us to send out the Commission's request for next year's county contributions. The amount requested from each county will remain unchanged from 2006. A final budget will be prepared for the December Commission meeting.

This Preliminary Budget only represents contracts that are in place at this time for 2007. Rocky does anticipate getting more contracts before the end of the year and throughout the upcoming year. We have a continuing contract with CDTA for GIS services, completion of the Onesquethaw-Coeymans Watershed Study, and the preparation of school enrollment projections for the Shenendehowa School District, all of which are reflected in the budget.

There is a significant increase in the amount listed for CDYCI. The primary reason for that is CDRPC, subject upon approval of the CDYCI board, will take over the responsibility for the direct billing to the counties for the children sent to the facility.

CDRPC has entered into a contract with NYSERDA to provide wind support services to communities in the Capital Region through May 2007 with a likely extension for another year into 2008.

CDRPC will continue to facilitate and coordinate the work associated with the Combined Sewer Overflow project through 2007. There is a separate set of financial records for this project, including the establishment of separate banking accounts. We anticipate receiving \$60,000 during 2007 from this project.

There were projected increases in several of the expense line items such as rent, health insurance and salaries. One item in particular is the increase in Agency Memberships. In the past, CDRPC has been a member of the NARC and Rocky recommended to the Board that we eliminate that and become a member of the National Association of Development Organization (NADO). They have been more proactive in the economic development programs and the water quality programs across the country. The other nine regional councils in New York State have all gone to NADO over the past several years. Their annual dues is \$2000 annually versus \$1000 for NARC.

David Vincent inquired about the increase in staff due to the CSO project. Rocky responded that there may be an increase in staff in 2007 by having our part time staff go full time. Rocky will have a recommendation to the board by end of this year regarding adding another staff person.

Action Taken

Barbara Mauro made a motion to accept the 2007 Preliminary Budget, and Henry Dennis seconded. The motion was approved unanimously.

6. 604(b) CONTRACT RENEWAL

CDRPC has received direct funding support from NYS DEC through the 604(b) Water Quality program of the Federal Clean Water Act. Under the current grant, priority has been placed on providing planning support to the counties and municipalities in the implementation of NYS's MS4 Phase II Stormwater Permit Program.

The current grant expires on March 31, 2007 and CDRPC recently submitted a proposal for continued funding support for activities funded under the Section 604(b) program. NYS DEC approved the proposal for a continuation program for a 4 year period from April 1, 2007 through March 31, 2011. The contract is for \$200,000 with 25% match from CDRPC, which will come from existing county contributions.

Rocky is requesting approval from the Board to allow the Commission Chair to sign the State Contract.

Action Taken

David Vincent made a motion to approve the Board Chair to sign the resolution and Jim Shaughnessy seconded. The motion was approved unanimously.

7. CEG MEMO OF UNDERSTANDING

The Center for Economic Growth is requesting that CDRPC enter into a Memorandum of Understanding (MOU) to serve as a regional partner in the effort to advance economic development and competitiveness in Tech Valley and to designate CEG as regional partnership coordinator to administer the regional partnership programs established by the NYS Foundation of Science, Technology and Innovation.

This contract enhances an already working relationship CDRPC has with CEG to advance the economic development of the region by building on each other's strengths.

Rocky is requesting Board approval to allow him to sign the MOU with CEG on behalf of the Commission.

Fred Acunto inquired if Michael Hall has looked over the MOU. Rocky responded that Michael Hall has not looked over the contract.

Barbara Mauro inquired about the confidentiality part of the contract. She expressed concern in particular with item 5 of the contract that states, "The parties will keep this MOU and its contents confidential. Neither party will publicize or issue any press regarding this MOU without the prior written consent of the other party." CDRPC's commission meetings are open meetings with the press being present at some of the meetings. Other Commissioners expressed concern as well.

Barbara also expressed concern with item 9, Nonbinding of the contract. In particular where it states, "Except as to Section 5, nothing in this MOU constitutes a legally binding agreement of either party."

Rocky responded that he has had conversations with CEG regarding these issues because CDRPC is a public organization and there have been reporters at some of the meetings. CEG does not have a problem with CDRPC discussing the MOU at the Commission meeting.

Jack Murray suggested having Michael Hall look over the MOU before the contract is signed. Fred Acunto agreed to let Michael Hall look over the contract before signing and discuss at the next commission meeting.

Action Taken

Jack Murray made a motion to have Michael Hall review the MOU and discuss at the October Commission meeting. Barbara Mauro seconded. The motion was approved unanimously

8. FOREIGN TRADE ZONE PROGRAM – ZONE ADMINISTRATION REPORT

Bill Hooton from Capital District Trade Strategies, Inc. made a presentation to the Board about the recent actions and activities relative to the administration, marketing and development of the FTZ #121. A detailed memo was sent to the Board prior to the meeting listing activities that have taken place along with a proposed revision of the 2001 tariff schedule for the Zone.

Mr. Hooton is requesting Board action to approve a Proposed Revised Tariff for FTZ #121. There are two sections of the tariff. One of which is User Fees which are fees that are charged to those who are in the FTZ and have activated status in using the zone. The second are the application fees for entities that are seeking FTZ status and needing Capital District Trade Strategies' assistance. The application process requires participation of the grantee and there is a set of fees for those applications. The FTZ Board allows the Grantee and Administrator to charge fees that are reasonable for the administration of the program.

Mr. Hooton also informed the Board that Capital District Trade Strategies will be meeting with NYSERDA to discuss five sites within Saratoga County that would like to be included in the FTZ expansion. That would represent a cost of \$3,000 per site since it would be included in a single major zone expansion application.

Fred Acunto inquired how the fees compare to other zones. Mr. Hooton replied that CDTS did a survey of seven FTZ's and the average fees are between \$7,000 - \$50,000.

John Graziano asked how this would affect the existing groups. The two existing groups, Organichem and the Galesi Group, will be grandfathered in with an incremental increase over a period of time to get them up to the new schedule. Mr. Hooton has had discussions with both groups.

Action Taken

Mike Stammel made a motion to approve the tariffs, and Bill Bruce seconded. The motion was approved unanimously.

9. FALL BOARD/STAFF RETREAT

The Fall Board/Staff Retreat has been scheduled for Wednesday, October 18, 2006 at 10:00am at CDRPC immediately following the regular Board meeting. Jon Allen, from Performance Standards, Inc. will facilitate the retreat.

A Self Evaluation form will be sent to the Board members prior to the meeting to indicate interests and concerns. The results of the evaluation will be reviewed and presented to the Board by Jon as part of the retreat.

10. LTCP – CSO UPDATE

A status report of the Albany Pool Phase I Long Term Control Plan (LTCP) was sent to the Board prior to the meeting. The Public Participation Plan has been presented to and approved by the Technical Advisory Committee. It was also submitted and approved by NYS DEC.

The preliminary scope of work for Part B has been presented to the Technical Committee. A workshop will be held at the next meeting of the Technical Advisory Committee on September 7th, outlining alternative cost allocation methods to complete Part B of the LTCP. The scope of work came in at \$4.6million for consultant fees, not including the in-kind match of which the state will contribute \$2 million leaving the communities responsible for \$2.6 million.

Jack Murray inquired about the community's reaction to the costs. Rocky responded that the communities are not pleased because they are all under financial hardship. However, they are under a Federal requirement to do this plan to address CSO's. There are contingencies in the contract in an attempt to minimize costs.

11. UPDATE ON WORK PROGRAM/STAFF ACTIVITY REPORT

The staff activity report was distributed before the meeting. There was no discussion.

12. OTHER BUSINESS

Rocky informed the Board that the petty cash box was stolen from our office. There was approximately \$70.00 along with all of the receipts in the box. Other businesses within the building have also reported money stolen. A police report was filed and Picotte Companies are looking into it.

Dave Vincent inquired about the presentation of the Green Island Power Authority and if the proposal was denied. The proposal was denied, however it is being appealed so the process is not over yet.

Lucille McKnight asked if CARES has posted their information to end homelessness online. Rocky has informed them to put that information on the individual county plans to end homelessness and also to have it on their website as well.

13. NEXT COMMISSION MEETING DATE

The next scheduled Commission meeting is October 18, 2006 at 8:30am followed by the Board Retreat at 10:00am.

14. ADJOURNMENT

David Vincent made a motion to adjourn the meeting, and Phil Barrett seconded. The motion was approved unanimously.

Respectfully submitted,

John Graziano
Secretary