

# **COMMISSION MEETING**

**8:30 am, Wednesday, December 20th, 2006**

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

## **AGENDA**

1. Welcome/Introduction of Guests
2. October 18, 2006 Meeting Minutes\*
3. Financial Statement through November 30, 2006 (Memo 06-37)\*
4. MPM Silicones FTZ Subzone application (Memo 06-38)\*
5. Presentation by Bob Radliff, Executive Director of the Capital District Community Loan Fund (Memo 06-39)
6. Report from Nominating Committee (Memo 06-40)\*
7. Proposed 2007 Budget (Memo 06-41)\*
8. Proposed 2007 Meeting Schedule (Memo 06-42)\*
9. CDYCI Board appointment (Memo 06-43)
10. Board/Staff Retreat Follow-up (Memo 06-44)
11. Combined Sewer Overflow Long Term Control Plan Update (Memo 06-45)
12. Staff Activity Report
13. Other Business
14. Next Meeting Date

\*Requires Formal Board Action

## COMMISSION MEETING

October 18, 2006, 8:30am  
CDRPC Conference Room  
One Park Place, Suite 102  
Albany, New York 12205

### MINUTES

**PRESENT:** Betty Barnette, Willard Bruce, Henry Dennis, John Graziano, Lucille McKnight, Judy Breselor, Mike Stammel, Fred Acunto, John Murray, Barbara Mauro, David Vincent

**ABSENT:** Stan Brownell, Jayne Regan Harris, James Shaughnessy, Philip Barrett, Christopher Callaghan, Spencer Hellwig, Raymond Gillen, Gary Hughes, Michael Petta

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

#### 1. WELCOME/INTRODUCTION OF GUESTS

#### 2. AUGUST 16, 2006 MEETING MINUTES

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

##### Action Taken

Bill Bruce made a motion to approve the minutes, and John Murray seconded. The motion was approved unanimously.

#### 3. FINANCIAL STATEMENT THROUGH SEPTEMBER 30, 2006.

Rocky reported that this statement reflects the current statements through September 2006. Revenues are at 77.5% and expenses are at 68.1%. Third quarter billings have been prepared and sent out to the contracting entities.

There is approximately \$95,400 cash in the bank and outstanding receivables totaling \$134,000.

John Murray inquired about the total revenue for the end of the year. Rocky responded that the total should be close to 100%. The contractual services should all come in as projected. The revenue projected for the Foreign Trade Zone will come in after the first of the year per our agreement with Capital District Trade Strategies.

##### Action Taken

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

#### **4. PROPOSED LINE ITEM BUDGET ADJUSTMENTS**

A list of proposed line item adjustments to the 2006 budget was sent out prior to the meeting for the Board's review and approval.

Under Revenue, there is a \$6000 increase from NYSERDA associated with the wind energy activities. This would be offset by the elimination of the \$5000 that was budgeted for Aviation Planning and the reduction of revenue for technical services to CARES for \$1000.

Under Expenses, Rocky is recommending \$1500 be transferred from Furniture and Furnishings in order to increase the Equipment line item by \$1000 and Miscellaneous by \$500. The increase in Office Equipment is necessary for the purchase of a new computer for Todd which will cost \$2600. The new computer will have the additional capacity for the storage and operation for the GIS work and an enhanced graphics card. This does not include a new monitor.

The requested transfers will have no impact on budget revenues and expenditures since it only involves the transfer/adjustments of funds from one account to the other.

Bill Bruce inquired about the activities that are involved with the NYSERDA grant. The total grant for NYSERDA is approximately \$19000 and it extends into 2007. The purpose of the grant is to determine to what extent local communities need assistance addressing Wind Energy issues

#### **Action Taken**

Mike Stammel made a motion to approve the Proposed Line Item Budget Adjustments, and Judy Breselor seconded. The motion was approved unanimously.

#### **5. CEG MEMO OF UNDERSTANDING**

Per the request of the Board, Rocky met with Michael Hall about the two concerns raised at the last Board meeting regarding the proposed MOU. Section 5 Confidentiality and Section 9 Nonbinding raised some concerns.

Michael Hall recommended keeping Section 5 in the contract because there is no legal concern to keep it in since the paragraph states that there would not be a breach of paragraph by disclosing confidential information in compliance with "applicable laws, subpoena or court order". Michael also recommended a few word changes in this section as well.

Regarding Section 9 Non binding, since this is not a formal contract outlining specific responsibilities, it should not be an issue. The MOU outlines general requirements and activities. Michael Hall recommends signing the MOU with the modifications suggested.

### **Action Taken**

John Graziano made a motion to approve the contract with Michael Hall's recommendations, and Barbara Mauro seconded. The motion was approved unanimously.

## **6. OFFICERS NOMINATING COMMITTEE**

The nominating committee for 2007 officers is Stan Brownell, Barbara Mauro, Lucille McKnight and Spencer Hellwig. Barbara Mauro will Chair the committee and report back at the December Commission meeting the recommendations of the nominating committee.

## **7. LTCP – CSO UPDATE**

Rocky reported that Part A of the contract is near completion. The Scope of Work was presented to the Technical Advisory Committee to prepare Part B of the LTCP. The Technical Advisory Committee has also approved a cost allocation plan to pay for the preparation of the LTCP. A final draft is being prepared to submit to NYS DEC for their review and approval as well as the US EPA.

The study to complete Part B of the LTCP is \$4.9 million. The State of NY has provided \$2 million towards the study, leaving the communities responsible for \$2.9 million of the cost. The communities will be applying for an additional grant of approximately \$900,000 from the State through the Round 9 Water Quality Improvement Program. The \$4.9 million does include a fee of \$300,000 to CDRPC to coordinate and facilitate the preparation of the plan for the next three years beginning January 1, 2007.

Rocky is requesting Board approval for CDRPC to apply for the Round 9 grant money on behalf of the Albany Pool Communities.

John Graziano inquired if the municipalities agree to the Cost Allocation Plan. The Technical Advisory Committee has approved the Cost Allocation Plan as presented.

### **Action Taken**

Henry Dennis made a motion to approve CDRPC move forward in applying for the WQIP Round 9 grant money. Mike Stammel seconded. The motion was approved unanimously.

## **8. FALL BOARD/STAFF RETREAT**

The Fall Board/Staff Retreat is scheduled for October 18, 2006 immediately following the regular Board meeting. Jon Allen will facilitate the discussion and review and discuss the results of the satisfaction survey that was distributed to the County Executives and County Planning Departments along with the Board self evaluation survey.

**9. COMMUNITY DESIGN STANDARDS PRESENTATION**

CDRPC recently signed a contractual agreement with CEG to analyze the fiscal impact of alternative population growth scenarios in the region. Part of the study included visitations by members of the team to other areas in the United States to investigate how they accommodated growth in their regions.

Todd Fabozzi visited Portland, Oregon and Denver, Colorado to investigate their growth patterns. His investigations included visits to several new development sites that have utilized traditional urban design techniques to create walkable, mixed-use centers.

Todd made a PowerPoint Presentation showing photos of his visit to suburban Denver and how these concepts are being applied to create “New Centers” in communities surrounding the City of Denver.

**10. STAFF ACTIVITY REPORT**

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

**11. OTHER BUSINESS**

There is a Local Government Planning & Zoning Workshop scheduled for November 1, 2006 at HVCC.

Capital District Trade Strategies has been in contact with the Economic Development Departments in each of the four counties to put together a single application for the Foreign Trade Zone Expansion. The cost to each county will be \$15,000. The application will be presented to the CDRPC Board in the Spring of 2007 for approval for submittal to the Foreign Trade Zone Board.

On February 2, 2007, the ECOS Group is sponsoring their second annual Sustainable Development Conference. The program will focus on the Fiscal Impact Analysis being prepared by CDRPC in conjunction with CDTC and U-Albany with funding from CEG.

**12. NEXT COMMISSION MEETING DATE**

The next Commission meeting will be held December 20, 2006 at 8:30am. The date had been changed from December 13<sup>th</sup> to accommodate schedule conflicts with Saratoga County representatives.

**13. ADJOURNMENT**

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

Respectfully submitted,

John Graziano  
Secretary



FTZ #121

# CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

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FAX: 518/453-0856

WEB SITE AT <http://cdrpc.org>

E-MAIL: [cdrpc@cdrpc.org](mailto:cdrpc@cdrpc.org)

## 2006 Officers

### Chair

Fred Acunto

### Vice Chair

Gary Hughes

### Secretary

John Graziano, Jr.

### Treasurer

Michael Stammel

## Members

### Albany County

Betty J. Barmette  
Willard A. Bruce  
John Graziano, Jr.  
Henry E. Dennis, Jr.  
Lucille M. McKnight

### Rensselaer County

Judy H. Breselor  
Stan Brownell  
Jayne Regan Harris  
James D. Shaughnessy  
Michael Stammel

### Saratoga County

Fred Acunto  
Philip Barrett  
J. Christopher Callaghan  
Spencer Hellwig III  
John Murray

### Schenectady County

Raymond Gillen  
Gary Hughes  
Barbara Mauro  
Michael Petta  
David Vincent

## Staff

### Executive Director

Rocco Ferraro, AICP

### Director of

### Information Services

David Lang Wardle, AICP

### Program Manager/GIS

Todd M. Fabozzi

### Program Manager

Leif C. Engstrom

### Office Manager

Donna M. Reinhart

### Planning Intern

Deborah A. Shannon

## MEMORANDUM (#06-37)

**To:** Commissioners  
**From:** Rocky Ferraro, Executive Director  
**Date:** December 12, 2006  
**Re:** Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through November 2006.

With one month remaining in the fiscal year, revenues are at 82.7% of the approved budget while expenses are at 88.7%. However, the revenue does not reflect work completed during October and November for contracts that are billed on a quarterly basis (October –December). With the exception of December utility costs, the rent expense has been fully paid for 2006 as well as the employee Health Insurance. Also, the New York State Retirement bill payment was made in the amount of \$30,961.

As noted on the Statement of Financial Condition, we have approximately \$52,500 cash in the bank, including a Certificate of Deposit, and outstanding receivables totaling \$84,000.

Board action is requested to approve the financial statements

**CDRPC 2006 Income Statement**

| <b>Account</b>                    | <b>Rev. Budget</b>   | <b>Sep 06</b>       | <b>Oct 06</b>         | <b>Nov 06</b>         | <b>Year-to-Date</b>   | <b>Balance</b>      | <b>YTD %</b> |
|-----------------------------------|----------------------|---------------------|-----------------------|-----------------------|-----------------------|---------------------|--------------|
| <b>2006 REVENUE</b>               |                      |                     |                       |                       |                       |                     |              |
| 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       | 1,200.00             | 131.96              | 40.23                 | 1,029.19              | 2,499.72              | (1,299.72)          | 208.3%       |
| R2770.1 Miscellaneous             | 500.00               | -                   | -                     | -                     | -                     | 500.00              | 0.0%         |
| R2770.3 Contractual Services      | 50,000.00            | 3,000.00            | -                     | -                     | 20,668.31             | 29,331.69           | 41.3%        |
| R2770.4 FTZ#121                   | 11,500.00            | -                   | -                     | -                     | -                     | 11,500.00           | 0.0%         |
| R2770.5 Conferences               | 5,000.00             | -                   | 2,160.00              | 1,500.00              | 3,712.00              | 1,288.00            | 74.2%        |
| R2770.6 CDYCI                     | 35,000.00            | 8,750.00            | -                     | -                     | 26,250.00             | 8,750.00            | 75.0%        |
| R3900.3 Empire State Dev.         | 7,000.00             | -                   | -                     | -                     | 8,996.70              | (1,996.70)          | 128.5%       |
| R3900.4 Other NYS Aid (NYSERDA)   | 6,000.00             | 3,355.48            | -                     | -                     | 5,361.85              | 638.15              | 89.4%        |
| R3900.6 EFC CSO Grant             | 20,000.00            | 9,261.64            | -                     | -                     | 11,098.47             | 8,901.53            | 55.5%        |
| R4000.1 Fed. Reg. Aviation        | -                    | -                   | -                     | -                     | -                     | -                   |              |
| R4000.2 EDA                       | 52,000.00            | 8,815.09            | -                     | -                     | 34,815.09             | 17,184.91           | 67.0%        |
| R4000.3 Water Quality             | 47,000.00            | 8,928.86            | -                     | -                     | 36,549.71             | 10,450.29           | 77.8%        |
| R4000.4 UPWP                      | 85,000.00            | 28,294.64           | -                     | -                     | 67,973.64             | 17,026.36           | 80.0%        |
| R4000.5 Other Federal Aid (HUD)   | 9,000.00             | 1,367.61            | -                     | -                     | 6,980.06              | 2,019.94            | 77.6%        |
| R4000.6 EPA CSO Grant             | 15,000.00            | -                   | -                     | -                     | 20,000.00             | (5,000.00)          | 133.3%       |
| <b>Gross Revenue</b>              | <b>\$ 572,494.00</b> | <b>\$ 71,905.28</b> | <b>\$ 27,147.48</b>   | <b>\$ 2,529.19</b>    | <b>\$ 473,199.55</b>  | <b>\$ 99,294.45</b> | <b>82.7%</b> |
| <b>2006 EXPENSE</b>               |                      |                     |                       |                       |                       |                     |              |
| E.1010 Salaries                   | \$ 303,500.00        | \$ 25,270.34        | \$ 25,270.34          | \$ 25,270.34          | \$ 277,973.74         | \$ 25,526.26        | 91.6%        |
| E.1030 Temporary Services         | 15,000.00            | 951.50              | 378.00                | 738.00                | 10,620.00             | 4,380.00            | 70.8%        |
| E.2010 Office Equipment           | 5,000.00             | 169.00              | 2,714.75              | 447.88                | 4,683.63              | 316.37              | 93.7%        |
| E.2020 Furniture & Furnishings    | 500.00               | -                   | -                     | -                     | -                     | 500.00              | 0.0%         |
| E.4020 Workshops & Conferences    | 5,000.00             | -                   | 2,759.50              | 586.00                | 3,345.50              | 1,654.50            | 66.9%        |
| E.4030 Consultant Services        | 7,500.00             | 1,905.00            | -                     | 210.00                | 7,692.70              | (192.70)            | 102.6%       |
| E.4040 Agency Memberships         | 3,500.00             | 1,000.00            | -                     | -                     | 3,035.00              | 465.00              | 86.7%        |
| E.4051 Computer Supplies/Software | 4,000.00             | -                   | 21.57                 | 42.83                 | 3,794.69              | 205.31              | 94.9%        |
| E.4055 Data Purchases             | 500.00               | -                   | -                     | -                     | -                     | 500.00              | 0.0%         |
| E.4060 Equipment Maintenance      | 1,500.00             | -                   | -                     | 108.00                | 972.00                | 528.00              | 64.8%        |
| E.4070 Office Supplies            | 3,000.00             | 130.05              | 25.87                 | 654.80                | 2,221.34              | 778.66              | 74.0%        |
| E.4080 Books & Journals           | 800.00               | 101.40              | -                     | 16.00                 | 323.40                | 476.60              | 40.4%        |
| E.4090 Printing & Publishing      | 7,000.00             | 579.79              | -                     | -                     | 2,580.47              | 4,419.53            | 36.9%        |
| E.4110 Rent                       | 62,000.00            | 5,240.95            | 4,871.50              | 4,871.50              | 58,701.16             | 3,298.84            | 94.7%        |
| E.4120 Telephone                  | 3,000.00             | 255.78              | 255.12                | 257.73                | 2,669.15              | 330.85              | 89.0%        |
| E.4121 Internet                   | 3,000.00             | 224.80              | 765.98                | 224.80                | 2,985.12              | 14.88               | 99.5%        |
| E.4130 Travel                     | 11,000.00            | 1,207.85            | 932.03                | -                     | 5,167.12              | 5,832.88            | 47.0%        |
| E.4140 Equipment Repairs          | 500.00               | -                   | -                     | -                     | -                     | 500.00              | 0.0%         |
| E.4150 Postage                    | 2,800.00             | 328.82              | 57.75                 | -                     | 1,560.97              | 1,239.03            | 55.7%        |
| E.4160 Miscellaneous              | 894.00               | 104.67              | 48.59                 | 144.31                | 657.07                | 236.93              | 73.5%        |
| E.4170 Payroll Services           | 1,300.00             | 102.90              | 102.90                | 110.90                | 1,035.20              | 264.80              | 79.6%        |
| E.4190 Contingent Fund            | 3,000.00             | -                   | 1,500.00              | -                     | 1,700.00              | 1,300.00            | 56.7%        |
| E.4200 Insurance-General          | 1,500.00             | -                   | -                     | -                     | 1,194.53              | 305.47              | 79.6%        |
| E.8010 NYS Retirement             | 37,000.00            | -                   | -                     | 30,961.00             | 30,961.00             | 6,039.00            | 83.7%        |
| E.8030 FICA                       | 24,200.00            | 2,005.97            | 1,962.11              | 1,989.63              | 22,077.41             | 2,122.59            | 91.2%        |
| E.8040 Ins.-Worker's Comp. & Dis. | 2,500.00             | -                   | -                     | -                     | 1,937.95              | 562.05              | 77.5%        |
| E.8050 Ins.-Health                | 60,000.00            | 4,926.13            | 4,926.13              | 4,926.13              | 58,470.07             | 1,529.93            | 97.5%        |
| E.8060 Ins.-Unemployment          | 1,400.00             | -                   | -                     | -                     | 1,101.02              | 298.98              | 78.6%        |
| E.8070 Prof. Memberships          | 800.00               | -                   | -                     | -                     | 570.00                | 230.00              | 71.3%        |
| E.8080 Continuing Education       | 800.00               | -                   | -                     | -                     | -                     | 800.00              | 0.0%         |
| <b>Gross Expenses</b>             | <b>\$ 572,494.00</b> | <b>\$ 44,504.95</b> | <b>\$ 46,592.14</b>   | <b>\$ 71,559.85</b>   | <b>\$ 508,030.24</b>  | <b>\$ 64,463.76</b> | <b>88.7%</b> |
| <b>Net Operating Income</b>       | <b>\$ -</b>          | <b>\$ 27,400.33</b> | <b>\$ (19,444.66)</b> | <b>\$ (69,030.66)</b> | <b>\$ (34,830.69)</b> |                     |              |
| A909 Fund Balance-Unreserved      | -                    | -                   | -                     | -                     | -                     |                     |              |
| <b>Net Income</b>                 | <b>\$ -</b>          | <b>\$ 27,400.33</b> | <b>\$ (19,444.66)</b> | <b>\$ (69,030.66)</b> | <b>\$ (34,830.69)</b> |                     |              |



# Capital District Regional Planning Commission

## GENERAL FUND

### Statement of Financial Condition

November 30, 2006

#### Assets

|  |                          |                   |
|--|--------------------------|-------------------|
| Cash — Checking                        | \$                       | 15,546.80         |
| Cash — Money Market                    |                          | 7,034.25          |
| Cash — PayPal Account                  |                          | 86.54             |
| Cash — Certificates of Deposit         |                          | 30,000.00         |
| Petty Cash                             |                          | 200.00            |
| Due from Private Persons/Organizations |                          | 3,087.75          |
| Due from State & Federal Governments   |                          | 72,718.29         |
| Due from Other Governments             |                          | 8,000.00          |
| Prepaid Expenses                       |                          | 1,412.74          |
| Carryover Revenue                      |                          | -                 |
|  | <i>Sub-Total: Assets</i> | \$ 138,086.37     |
| Expenses — Year-to-Date                |                          | <u>508,030.24</u> |

**Total** \$ 646,116.61

#### Liabilities & Fund Balance

|                                      |  |                   |
|--------------------------------------|--|-------------------|
| Due to Other Governments             | \$   | (74.18)           |
| Due to Private Persons/Organizations |  | 286.00            |
| Deferred Project Revenue             |  | 17,184.91         |
| Fund Balance — Restricted            |  | -                 |
| Fund Balance — Unrestricted          |  | 155,520.33        |
|                                      | <i>Sub-Total: Liabilities &amp; Fund Balance</i> | \$ 172,917.06     |
| Revenue — Year-to-Date               |  | <u>473,199.55</u> |

**Total** \$ 646,116.61

## MEMORANDUM (#06-38)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** December 12, 2006

**Re:** MPM Silicones FTZ Subzone Application

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MPM Silicones, LLC, an affiliate of Momentive Performance Materials (MPM), is the former GE Advanced Materials business unit of the General Electric Company, acquired by Apollo Management on December 4, 2006. MPM Silicones is requesting that an expedited Application for a Grant of Authority be submitted by CDRPC to the Foreign-Trade Zones Board. Specifically, MPM Silicones is requesting the establishment of a special purpose manufacturing and distribution subzone consisting of 609 acres located entirely within the Town of Waterford. A subzone serves the interest of an individual company that cannot conveniently locate in one of the existing general-purpose zones in the Region.

The proposed subzone boundary includes multiple buildings as well as undeveloped land to accommodate future expansion of the facility. There are currently 1,000 employees at the facility. An Executive Summary of the proposal along with a map delineating the proposed subzone is attached.

The FTZ designation will allow MPM Silicones to manufacture, assemble, produce, warehouse, and distribute a variety of products at its facilities in Waterford. By employing more cost effective and efficient techniques allowable through the foreign-trade subzone designation, MPM Silicones will be able to compete and sell its products more effectively in the global market place.

Attached are letters in support of MPM Silicones' request to establish a subzone in Waterford.

Commission action is being requested to authorize CDRPC to submit a subzone application to the Foreign-Trade Zones Board to establish a special purpose manufacturing and distribution subzone for the area identified on the attached map. Representatives from MPM Silicones will attend the meeting to discuss their proposal and respond to questions from Commissioners.

EXECUTIVE SUMMARY  
OF  
APPLICATION FOR  
FOREIGN-TRADE ZONE #121 SUBZONE  
&  
REQUEST FOR MANUFACTURING  
AUTHORITY

*Grantee*

Capital District Regional Planning Commission  
One Park Place  
Albany, New York 12205

*User*

MPM Silicones, LLC, an affiliate of Momentive Performance Materials Inc.  
(formerly GE - Advanced Materials, Silicones)  
260 Hudson River Road  
Waterford, New York 12188

*Prepared by*  
PointTrade Services, Inc.

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## EXECUTIVE SUMMARY

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### *1. Executive Summary*

The Capital District Regional Planning Commission (“CDRPC”), as Grantee of Foreign-Trade Zone #121, hereby submits this Application for a Grant of Authority to establish a special-purpose manufacturing and distribution subzone consisting of 608.55 +/- acres (referred to as “proposed subzone site”) in Waterford, New York for MPM Silicones, LLC (“Momentive”), an affiliate of Momentive Performance Materials Inc. (formerly GE - Advanced Materials, Silicones). As well as benefiting Momentive, establishment of this subzone will benefit the Town of Waterford and nearby communities such as Halfmoon, Stillwater, and Cohoes, Saratoga County, the Albany-Schenectady-Troy Metropolitan Area, and the State of New York.

#### IDENTIFY THE COMPANY

##### *Momentive Performance Materials Inc.*

Momentive Performance Materials Inc. is headquartered in Wilton, Connecticut and employs approximately 5,000 people in 38 locations with annual revenues estimated at \$2.6 billion globally. The proposed subzone site in Waterford, New York is a part of Momentive Performance Materials Inc. Momentive Performance Materials Inc. is the former GE - Advanced Materials business unit of General Electric Company, which was acquired by Apollo Management, LP through an acquisition completed on December 4, 2006.

### ***Apollo Management***

Apollo Management (“AM”), founded in 1990, is a recognized leader in private equity, debt and capital markets investing. Since its inception, AM has successfully invested over \$16 billion in companies representing a wide variety of industries, both in the U.S. and internationally. AM is currently investing its sixth private equity fund, Apollo Investment Fund VI, L.P., which along with related co-investment entities, represents approximately \$12 billion of new capital.

### ***Momentive Silicones***

Momentive, the silicones-related business of Momentive Performance Materials Inc., is its largest component business with approximately \$2.2 billion annual revenue. Momentive is a manufacturer and marketer of specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and other related products. Key industries served include personal care, automotive, tire and rubber, construction, healthcare, electronics, household and institutional, agriculture, textiles, appliances, bedding and furnishings and foam control, as well as the consumer do-it-yourself market.

Momentive has facilities in the U.S. and Canada, China, Germany, Switzerland, Italy, Japan, Korea, The Netherlands, Thailand, United Kingdom, and Brazil.

Momentive has U.S. locations in:

- Waterford, New York
- Sistersville, West Virginia

- Chino, California
- Euless, Texas
- New Smyrna Beach, Florida
- Garrett, Indiana
- Huntersville, North Carolina

Momentive's manufacturing facility located in Waterford, New York generates significant payroll and directly provides approximately 1,000 jobs.

The Momentive Waterford facility is historic and has been part of the Waterford, New York community since 1945. The process for making silicones was developed by General Electric Company at its research and development center in Niskayuna, New York in Schenectady County in the 1940s, and the Waterford plant opened in 1945.

***Request for Expedited Approval***

The CDRPC, as Grantee of Foreign-Trade Zone #121, hereby requests expeditious processing of the special-purpose manufacturing and distribution subzone application for MPM Silicones, LLC, an affiliate of Momentive Performance Materials Inc, in Waterford, New York.

Zone procedures will strengthen Momentive's ability to develop, manufacture, and sell its products domestically and globally from a U.S. base. Expedited processing is requested in an effort to help counter the erosion of employment, improve exports, more efficiently move goods and to compete more effectively in the global market place.

The facility at Waterford, New York has seen a steady and sizable decline over the past decade in employment, with current employment levels at approximately 1,000 employees. The latest downsizing event was a 10% reduction in workforce in January 2006.

There is precedent in the industry for expedited approval of this application with the Foreign-Trade Zones Board's approval of a similar application for Wacker Chemical Corporation in 2004. [FTZ #70U (silicone/ceramics products), 69 FR 26066, 5/11/04]

**SUMMARIZE THE SUBZONE SITE**

On behalf of Momentive, this expedited application requests authority to operate under zone procedures within a special-purpose subzone to manufacture, assemble, produce, warehouse and distribute specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and related products from its facilities in Waterford, New York. The proposed subzone site includes multiple buildings located on 608.55 +/- acres within Saratoga County:

MPM Silicones, LLC/Momentive Performance Materials Inc.  
260 Hudson River Road  
Waterford, New York 12188  
Saratoga County  
608.55 +/- acres  
1.2 million square feet

The Momentive facility is located within the Albany Customs Port of Entry.

**SUMMARIZE PROPOSED FTZ ACTIVITY**

The Grantee requests manufacturing authority from the Foreign-Trade Zones Board to encompass Momentive's current and future operations related to the manufacture of specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and related products.

Operations within the subzone facilities will include research and development, manufacturing, kitting, processing, assembling, testing, displaying, packaging, warehousing, distributing, and scrapping of specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and related products.

The FTZ benefits afforded Momentive complement local economic development efforts. Benefits to assist Momentive to maintain current operations will ultimately benefit the Waterford community in addition to the surrounding area and nearby communities such as Halfmoon, Stillwater, and Cohoes.

Under the FTZ program cost-saving measures will be implemented to lower current and future operating costs by streamlining processes. In addition to any monetary savings, potential zone benefits to Momentive include enhanced Customs procedures and planning, increased Customs compliance, and expedited import and export processes. The potential FTZ benefits and savings over the next few years correlate to plans by Momentive to lower costs, streamline processes, and meet expected return on investment targets.



Due to under capacity, U.S. production does not satisfy the demand for Momentive's major raw material, silicon metal. The price for U.S. produced silicon metal also exceeds the world market prices. It is necessary for Momentive to purchase imported silicon metal based on both supply and price. Because of the dominant U.S. supplier's ability to guarantee delivery within a short timeframe, Momentive will likely continue to purchase U.S. produced silicon metal, but will also purchase silicon metal at world market prices. Products subject to antidumping/countervailing duties (AD/CVD) orders, such as imported silicon metal, will be admitted under Privileged Foreign (PF) status and the appropriate duties paid if entered into the U.S. commerce or into Canada or Mexico under NAFTA rules.

**WHY APPROVAL OF THE ACTIVITY WOULD BE BENEFICIAL FOR THE U.S. OVERALL**

Granting subzone status to the Momentive site will benefit the public and contribute positively to the community.

Capital District Regional Planning Commission, as Grantee, recognizes the substantial benefits that Momentive has added to the Waterford, New York area. The establishment of the subzone to manufacture, process, assemble, kit, test, package, research, scrap, develop, display, warehouse, and distribute specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and related products will result in economic benefits to the region and thereby serve the public interest.

Granting subzone status to the Momentive site will be beneficial for the U.S. overall by encouraging the company to maintain its operations in the U.S.,

thus promoting U.S. competitiveness in the global economy. The global economy has created increased competition among countries for jobs, commerce, and capital investment. The Foreign-Trade Zones program plays an important role in providing a level playing field for capital investment, location, and production decisions.

In addition to the economic benefits to the U.S. as a whole through Momentive's exports and domestic purchases, the proposed subzone site currently provides the following economic benefits to the Waterford, New York area, and nearby communities such as Halfmoon, Stillwater, and Cohoes, Saratoga County, Albany-Schenectady-Troy metropolitan area, the state of New York, and the United States:

- Significant capital investment in facilities
- Approximately 1,000 jobs
- Significant annual payroll
- Indirect job creation through exports, domestic suppliers, and service providers

In response to the intense pressure GE Silicones faced because of price erosion and a slowdown in the marketplace, GE Silicones experienced a reduction in its work force of 95 positions at its Waterford facility in January 2006. Momentive's goal is to stabilize operation levels. In the face of these challenges, Momentive seeks subzone status to lower costs for this facility. The company's goal is to be the highest quality, lowest cost producer thereby maintaining its already reduced workforce and assisting in retaining its operations in the United States. These actions represent best efforts to reorganize the business according to market demand and growth strategy.

Momentive plans to monitor the marketplace and position the business for growth and sustained profitability.

As Grantee of FTZ #121, the CDRPC recognizes that the benefits Momentive will receive from operating in a subzone can assist the company in retaining employment in the Waterford area during times of market slowdown.

The silicones industry is cyclical in nature, dependent on several factors including economic conditions and end use applications such as, construction, healthcare, industrial and consumer applications. The Foreign-Trade Zones program is important to Momentive's domestic business because it will provide a means of remaining competitive during downturns. Momentive not only competes with other offshore companies it also competes with its Asian and European counterparts both internally and externally. Foreign-Trade Zone benefits will be helpful in both instances of competition.

Offshore companies have advantages such as reduced labor costs; reduced transportation and logistics costs related to shorter shipping times, depending on location; lower raw materials costs; fewer tariff restrictions; and reduced energy costs for some locations.

As an example, in the United Kingdom antidumping duties (ADD) are not viewed as penalties, only as a tariff, and companies have the ability to drawback all ADD in the United Kingdom; also ADD is less than half of the amount in the U.S. The use of zone procedures will assist Momentive in Waterford to remain competitive with the offshore producers of similar products, thereby assisting in maintaining operations in the United States.

Momentive has been part of the Waterford community since 1945. It was also the largest employer in Saratoga, before the reduction in work force. Momentive provides a significant payroll. Momentive has made significant capital investments in the facilities. Momentive's Waterford facility produces specialty fluids, elastomers, silanes, resins and specialties, urethane additives, RTVs (room temperature vulcanizing), adhesives, sealants, caulks, intermediaries, and related products.

The initial production process begins with the receipt of the key raw materials of silicon, platinum, methanol, and methyl chloride, and other inputs for silicone production. The raw materials proceed through the preparation phase and then to the production and manufacturing process to produce the finished products. The product is moved through finishing, testing, and final inspection and packaging for shipment.

Momentive's goal is to attempt to stabilize the operation levels at its Waterford facility. Granting the facility special-purpose manufacturing and distribution status will aid Momentive in this regard and in turn provide Waterford and nearby communities such as Halfmoon, Stillwater, and Cohoes, and the Albany-Schenectady-Troy Metropolitan Area further economic security. Subzone status for the Momentive facility will assist in the goals of lower costs and assist in allowing more investment in the Waterford community.

Momentive is combating the market downturn through aggressive cost reductions. The use of the FTZ program will be part of this aggressive effort to maintain U.S.-based operations at current levels.

Momentive requires the flexibility that is inherent in the FTZ program as its strategies shift to meet market conditions.

In 2005, exports represented approximately 20% of sales for the Waterford facility, creating a positive public impact for the local economy and the U.S. as a whole. The benefits associated with subzone status may result in increased exports of Momentive's products over time.

The following companies already have access to benefits similar to those that subzone status will provide Momentive when this application is granted.

Raw Materials Suppliers:

- Globe Metallurgical Inc., Beverly, OH, 138D (ferroalloys/silicon metals), approved 7/10/98 (63 FR 39070, 7/21/98)

Competitors:

- Wacker Chemical Corporation, Adrian, MI, 70U (silicone/ceramics products), approved 4/22/04 (69 FR 26066, 5/11/04)

Related Industry:

- AZ Electronic Materials USA Corp. (approved as Clariant Corp.), Somerville, NJ, 49I (electronic chemicals), approved 6/21/00 (65 FR 39866, 6/28/00)
- BP Products North America, Inc. (approved as Amoco Chemical Company), Brazoria County, TX, 149E (petrochemical complex), approved 8/25/98. Extension of non-privileged status auth approved 8/24/00 (65 FR 52696, 8/30/00).
- Cedar Chemical, West Helena, AR, 14B (agricultural/ specialty chemicals), approved 11/4/96 (61 FR 58512, 11/15/96)

- Dow Chemical Company, Brazoria County, TX, 149G (petrochemical complex), approved 4/18/00 (65 FR 24677, 4/27/00). Extension of non-privileged status auth approved 12/9/05 (70 FR 76022-76023, 12/22/05).
- E.I. DuPont de Nemours and Company, Circleville, OH, 138F (chemical products), approved 3/29/02 (67 FR 17049, 4/9/02)
- ESCO Company, Muskegon, MI, 189B (colorformer chemicals), approved 3/23/99 (64 FR 15726, 4/1/99)
- Gowan Company, Yuma, AZ, 219B (agricultural chemical products), approved 2/10/00 (65 FR 8337, 2/18/00)
- ISP Technologies, Inc., Texas City, TX, 199E (specialty chemicals), approved 9/27/01 (66 FR 52742, 10/17/01)
- ISP Chemicals, Inc., Calvert City, KY, 29H (specialty chemicals), approved 9/27/01 (66 FR 52740, 10/17/01)
- Lanxess, Inc. (approved as Bayer Corporation), Goose Creek, SC, 21C (rubber chemicals), approved 2/19/98 (63 FR 10189, 3/2/98)
- Sony Technology Center-Pittsburgh, Mt. Pleasant, PA, 33C (televisions, specialty chemicals, thermal transfer ribbon), approved 9/27/01 (66 FR 52741, 10/17/01). Scope of authority expansion approved 8/21/03 (68 FR 52385, 9/3/03)
- Syngenta Crop Protection (approved as Zeneca, Inc.), Omaha, NE, 19A (agricultural chemical products), approved 3/24/00 (65 FR 18282, 4/7/00)
- Taiyo America, Inc., Carson City, NV, 126B (electronic chemicals), approved 1/8/03 (68 FR 2312, 1/16/03)

The ability to manufacture with domestic and imported products for entry into the commerce of the U.S. or re-export abroad while maintaining a U.S. production base removes the disincentive associated with manufacturing in the U.S. due to higher duty rates on components versus finished products.

Foreign manufacturers are extended a lower duty rate on finished products than Momentive is required to apply to components, irrespective of the fact that foreign manufacturers may not employ U.S. labor or incorporate domestically sourced goods and services into the production process.

The value-added to Momentive's finished products is an estimated 8% to 10%.

Momentive imports approximately 25% to 35% of the raw materials utilized at the Waterford facility. Momentive needs the flexibility of the FTZ to expand sourcing options to meet product demands for export markets. Momentive makes sourcing decisions based on a number of factors including pricing, availability, specifications, production capability, reliability, and delivery commitments.

Granting manufacturing authority to Momentive has the potential to assist in promoting economic stability in the Waterford, New York community, increasing exports, and stabilizing Momentive's operation levels.

Based on the above noted benefits, the Grantee hereby respectfully requests a waiver of the public hearing and expedited approval of this application for a manufacturing and distribution subzone for Momentive's Waterford, New York facilities without restrictions.

Given the positive public benefits that will result from subzone status for Momentive's facility, the Grantee hereby respectfully requests expedited review and approval of this manufacturing and distribution subzone application by May 2007.





**Capital District  
Trade Strategies, Inc.**

**100 State Street  
Suite 210  
Albany, NY 12207  
Tel: 518-694-8676**

December 11, 2006

Capital District Regional Planning Commission  
One Park Place  
Albany, NY 12205

Dear Sirs,

We would like to add our unqualified endorsement of the Application for Foreign Trade Zone Subzone Status and the Request for Manufacturing Authority for MPM Silicones, LLC facilities located at 260 Hudson River Road, Waterford, NY.

We have worked closely with the company and, more particularly their consultants – PointTrade Services, Inc. – in developing this application and can assure you that, from our evaluation, it meets both the letter and spirit of the requirements of the U.S. Department of Commerce Foreign Trade-Zones Board for such applications.

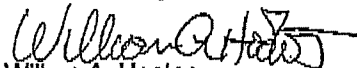
Not only can the company benefit from Foreign Trade Zone status but those benefits are necessary to better defend the Waterford Plant and manufacturing activities from foreign competition, thus keeping that important capital plant and employees in this region.

The fact that Apollo Management, the new owner of MPM Silicones LLC, has seen fit to acquire and capitalize the plant, and continues to support this application for Foreign Trade Zone status, is a further indication of the underlying viability of the enterprise and the importance of Foreign Trade Zone status for its continued vitality. It is likely that approval of Zone status for the site will make this particular plant and thus our region strategically more important for the wider corporate development of the company and attract additional investment and jobs to Waterford and the surrounding areas.

From a compliance point of view, we can testify that the use of PointTrade Services in the development of this project, and the employment of Kenneth Carlstedt by MPM Silicones to operate and ensure compliance of the Foreign Trade Zone with trade, import, Customs and Foreign Trade Zone Board regulations and requirements, indicates a comforting professionalism and concern for the success of the project by MPM.

As your Zone Administrator, we both welcome and endorse this application.

Yours faithfully,



William A. Hooton  
CDTS – Administrators FTZ #121

**Administrators FTZ #121 – The Capital Region Foreign Trade Zone**



TEL: 518.371.7748

FAX: 518.371.5025

15 Park Avenue

Suite Seven

P.O. Box 399

Clifton Park

New York 12065



November 1, 2006

Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce,  
1401 Constitution Ave., NW  
Room 1115  
Washington, DC 20230

**Expedited Treatment of FTZ Subzone Application  
GE Silicones/Apollo Management  
Waterford, New York**

Dear Executive Secretary,

It is my understanding that the Capital District Regional Planning Commission, Grantee of FTZ #121, has filed an Expedited Subzone Application for GE Silicones' facilities in Waterford, New York. I also understand that approval of the Application will benefit the retention of existing industry and employment and may also attract new business to the Waterford, New York, and Saratoga County area.


The Chamber of Southern Saratoga County supports and encourages companies in chemical-related industries to retain employment, production, research and development, and technology in New York State and the United States. This facility has been located in Waterford, New York for more than 50 years and has benefited this region through its employment opportunities, community involvement, and positive economic impact. The FTZ Program offers important benefits to counter-balance foreign incentives. We are in support of approving the Expedited FTZ Subzone Application for this long-standing corporate citizen in Waterford.

We request that your office provide the necessary assistance to the Capital District Regional Planning Commission and GE Silicones in obtaining an FTZ Grant of Authority for this facility in Waterford. The facility and its continued operations are very important to our region and to the State of New York. GE's ongoing investments in the United States, as opposed to offshore investment in foreign countries, is beneficial for both Saratoga County, New York and the U.S. as a whole.

If I can provide any assistance in this matter, please feel free to contact me.

Thank you for your assistance.

Sincerely,

  
Peter L. Aust  
President & CEO



[www.southernsarotoga.org](http://www.southernsarotoga.org)



November 6, 2006

Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce,  
1401 Constitution Ave., NW  
Room 1115  
Washington, DC 20230

**Expedited Treatment of FTZ Subzone Application  
GE Silicones/Apollo Management  
Waterford, New York**

Dear Executive Secretary,

I understand the Capital District Regional Planning Commission, Grantee of FTZ #121, has filed an Expedited Subzone Application for GE Silicones' facilities in Waterford, New York. I also understand that approval of the application will benefit the retention of existing industry and employment and may attract new business to the Waterford, New York, and Saratoga County area.

It is important to support and encourage companies in chemical-related industries to retain employment, production, research and development, and technology in the United States. This facility has been located in Waterford for more than 50 years and has benefited the area through its community involvement and positive economic impact. The FTZ Program offers important benefits to counter-balance foreign incentives. I am in support of approving the Expedited FTZ Subzone Application for this long-standing corporate citizen in Waterford.

I request that your office provide the necessary assistance to the Capital District Regional Planning Commission and GE Silicones in obtaining an FTZ Grant of Authority for this facility in Waterford. The facility and its continued operations are very important to the Waterford area and to the State of New York. GE's continued investment in the United States as opposed to offshore investment in foreign countries is beneficial for Saratoga County, New York and the U.S. as a whole.

If I can provide any assistance in this matter, please contact me.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Green", written over a horizontal line.

Kenneth A. Green  
President

**Building Futures...Today!**

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2540 Route 9  
Malta, NY 12020-6312



(518) 899-3434  
Fax: (518) 899-3207  
Email: psausville@malta-town.org

## TOWN OF MALTA

PAUL J. SAUSVILLE  
Supervisor, Town of Malta

November 17, 2006

Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce,  
1401 Constitution Ave., NW  
Room 1115  
Washington, DC 20230

**Expedited Treatment of FTZ Subzone Application  
GE Silicones/Apollo Management  
Waterford, New York**

Dear Executive Secretary,

The Capital District Regional Planning Commission, Grantee of FTZ #121, has recently filed an Expedited Subzone Application for GE Silicones' facilities in Waterford, New York. The approval of the Application will benefit the retention of existing industry and employment and may also attract new business to Southern Saratoga County and the Town of Malta, New York.

The FTZ Program offers important benefits to counter-balance foreign incentives. I am in support of approving the Expedited FTZ Subzone Application for GE Silicone.

Please provide the necessary assistance to the Capital District Regional Planning Commission and GE Silicones in obtaining an FTZ Grant of Authority for this facility. GE's continued investment in the United States as opposed to offshore investment in foreign countries is beneficial for Saratoga County, New York and the U.S. as a whole.

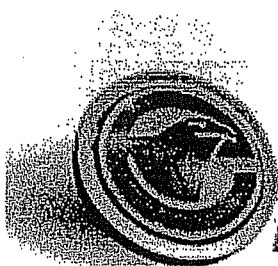
If I can provide any assistance in this matter, please contact me.

Thank you for your assistance.

Sincerely,

Paul J. Sausville, Supervisor  
Town of Malta

CC: Peter Aust ✓  
Supervisor Lawler  
Congresswomen-elect Kirsten Gillibrand



*Eagle Systems, Inc.*

**21 Hackensack Avenue  
South Kearny, NJ 07205**

**973-344-5509 PHONE  
973-344-4502 FAX**

September 12, 2006

Foreign Trade Zones Board  
U.S. Dept. of Commerce  
1401 Constitution Avenue, NW  
Room 1115  
Washington, DC 20230

RE: Foreign Trade Zone License Application for GE Silicones, Waterford, NY

To whom it may concern:

At the request of Mr. Kenneth Carlstedt of GE Silicones in Waterford, NY, we are writing this letter to indicate our support for their application for foreign trade zone licensing. We have conducted business with GE over the past two years, and understand that in order to situate themselves competitively for the future, it would be advantageous to acquire a foreign trade zone status.

Awarding this important status would be mutually beneficial to both of the business enterprises cited, thus improving the respective local economic scenarios, as well as positively impacting the overall nationwide GDP by increasing import/export activity. We wholeheartedly support GE in this endeavor, and recommend that consideration be given to granting this license.

Should you require any further amplification, please feel free to contact us.

Very truly yours,

***Container Transport Services, LLC  
An Agent of Eagle Systems, Inc.***

Carl Frederick  
Senior Partner

CF:pf



# Town of Clifton Park

One Town Hall Plaza • Clifton Park, New York 12065 • (518) 371-6651 • FAX: (518) 371-1136

November 16, 2006

Executive Secretary, Foreign-Trade Zones Board  
U.S. Department of Commerce,  
1401 Constitution Ave., NW  
Room 1115  
Washington, DC 20230

**Expedited Treatment of FTZ Subzone Application  
GE Silicones/Apollo Management, Waterford, New York**

Dear Executive Secretary,

I understand the Capital District Regional Planning Commission, Grantee of FTZ #121, has filed an Expedited Subzone Application for GE Silicones' facilities in Waterford, New York. I also understand that approval of the Application will benefit the retention of existing industry and employment and potentially attract new business to the Waterford, New York, and Saratoga County area.

It is important to support and encourage companies in chemical-related industries to retain employment, production, research and development, and technology in the United States. This facility has been located in Waterford for more than 50 years and has benefited the surrounding area through its community involvement and positive economic impact. The FTZ Program offers important benefits to counter-balance foreign incentives. I am in support of approving the Expedited FTZ Subzone Application for this long-standing corporate citizen in Waterford.

I encourage your office provide the necessary assistance to the Capital District Regional Planning Commission and GE Silicones in obtaining an FTZ Grant of Authority for this facility in Waterford. The facility and its continued operations are very important to our area and to the State of New York. GE's continued investment in the United States as opposed to offshore investment in foreign countries is beneficial for Saratoga County, New York and the U.S. as a whole.

If I can provide any further assistance in this matter, please contact me.

Thank you for your assistance.

Sincerely,

  
Philip C. Barrett  
Supervisor

---

PHILIP C. BARRETT  
Supervisor  
(518) 371-6651

PATRICIA O'DONNELL  
Town Clerk  
(518) 371-6681

THOMAS PAOLUCCI  
Councilman

SANFORD I. ROTH  
Councilman

ROY SPECKHARD  
Councilman

LYNDA M. WALOWIT  
Councilwoman

## MEMORANDUM (#06-39)

**To:** Commissioners  
**From:** Rocky Ferraro, Executive Director  
**Date:** December 12, 2006  
**Re:** Capital District Community Loan Fund

---

The Mission of the Capital District Community Loan Fund (CDCLF) *is a community based nonprofit financial institution that promotes sustainable community development efforts for economically underserved people and communities in the Capital Region.* It is a community based non profit federally certified financial institution that provides loans and technical services support to small businesses and homeowners in Albany, Columbia, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington Counties.

Since its inception in 1985, the CDCLF has financed over 600 units of affordable housing, 118 businesses, 40 community facilities, and child and health care providers serving close to 18,000 persons. The CDCLF is also a member of the Capital District Homeownership Collaborative working with the Charitable Leadership Foundation to promote home ownership and neighborhood revitalization initiatives.

Bob Radliff, Executive Director, will make a presentation outlining the objectives of the Capital District Community Loan Fund.

## MEMORANDUM (#06-40)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** December 12, 2006

**Re:** Nominating Committee

---

Commissioner Barbara Mauro, Chair of the Nominating Committee, will present the proposed slate of officers for 2007 to the Board for your discussion and approval. The term of office is one year for the following positions: Chair, Vice Chair, Secretary, and Treasurer.



## MEMORANDUM (#06-41)

**To:** Commissioners  
**From:** Rocky Ferraro, Executive Director  
**Date:** December 12, 2006  
**Re:** Proposed 2007 Budget

---

Enclosed for your review and approval is the proposed 2007 Budget for CDRPC operations.

The proposed budget includes three columns in addition to the Account names. The first column identifies the 2006 Budgeted amount, the second is the proposed 2007 Budget amount, and the third column represents the difference between the 2006 and 2007 Budgets.

Budget highlights include the following:

- The revenue amount from each county remains unchanged from 2006.
- The \$30,000 in Contractual Services represents the aggregate amount of signed contracts with CDTA, the Onesquethaw-Coeymans Council, and the Shenendehowa Central School District.
- The increase from CDYCI reflects CDRPC taking over the responsibility from Berkshire Farm the direct billing to the counties for children sent to the Detention facility.
- Under Other NYS Aid, CDRPC along with the other regional councils in New York State, responded to an RFP by NYSERDA to provide support services to communities on wind energy related issues. No decision has been made by NYSERDA in the award of the proposed five year contract.

- Anticipated revenue from the Combined Sewer Overflow study is \$75,000.
- Under salaries, the proposed increase includes hiring a full time professional planner at a 2007 annual salary of \$40,000 per year on July 1, 2007. Filling the position is dependent upon the Combined Sewer Overflow Project moving forward with CDRPC serving as Project Manager. Other salary related costs, such as FICA, have been increased accordingly.
- The increase in Agency membership includes CDRPC becoming a member of the National Association of Development Organizations (NADO). Each of the other regional councils in NYS is either a member or planning to become a member of NADO during 2007.
- The Retirement amount, though less than budgeted for 2006, reflects the hiring of another full time staff member on July 1, 2007. The projected 2008 bill (paid in December 2007) for existing staff is approximately \$30,000.
- The Health Insurance costs reflect the actual increases for 2007 and the anticipated hiring of a new person on July 1, 2007. For budget purposes, it assumes the new staff person will elect to participate on the family plan with CDRPC responsible for 85% of the costs.
- The primary purpose of the contingent fund is for costs associated with the annual retreat and other miscellaneous items.
- A projected 2008 and 2009 budget has also been prepared for planning purposes but is not included in this packet.

### CDRPC 2007 Proposed Budget

| Account                           | 2006 Revised         | 2007 Proposed Budget |                     |
|-----------------------------------|----------------------|----------------------|---------------------|
|                                   | Actual Budget        | Amount               | Change              |
| <b>REVENUE</b>                    |                      |                      |                     |
| R2390.1 Albany County             | \$ 84,663.00         | \$ 84,663.00         | \$ -                |
| R2390.2 Rensselaer County         | 43,842.00            | 43,842.00            | -                   |
| R2390.3 Saratoga County           | 57,666.00            | 57,666.00            | -                   |
| R2390.4 Schenectady County        | 42,123.00            | 42,123.00            | -                   |
| R2401.0 Interest & Earnings       | 1,200.00             | 1,200.00             | -                   |
| R2770.1 Miscellaneous             | 500.00               | 100.00               | (400.00)            |
| R2770.3 Contractual Services      | 50,000.00            | 30,000.00            | (20,000.00)         |
| R2770.4 FTZ#121                   | 11,500.00            | 12,000.00            | 500.00              |
| R2770.5 Conferences               | 5,000.00             | 5,000.00             | -                   |
| R2770.6 CDYCI                     | 35,000.00            | 70,000.00            | 35,000.00           |
| R3900.3 Empire State Dev.         | 7,000.00             | -                    | (7,000.00)          |
| R3900.4 Other NYS Aid (NYSERDA)   | 6,000.00             | 20,000.00            | 14,000.00           |
| R3900.6 EPF CSO Grant             | 20,000.00            | 75,000.00            | 55,000.00           |
| R4000.1 Fed. Reg. Aviation        | -                    | -                    | -                   |
| R4000.2 EDA                       | 52,000.00            | 52,000.00            | -                   |
| R4000.3 Water Quality             | 47,000.00            | 46,000.00            | (1,000.00)          |
| R4000.4 UPWP                      | 85,000.00            | 85,000.00            | -                   |
| R4000.5 Other Federal Aid (HUD)   | 9,000.00             | 3,000.00             | (6,000.00)          |
| R4000.6 EPA CSO Grant             | 15,000.00            | -                    | (15,000.00)         |
| <b>Gross Revenue</b>              | <b>\$ 572,494.00</b> | <b>\$ 627,594.00</b> | <b>\$ 55,100.00</b> |
| <b>EXPENSE</b>                    |                      |                      |                     |
| E.1010 Salaries                   | \$ 303,500.00        | \$ 336,000.00        | \$ 32,500.00        |
| E.1030 Temporary Services         | 15,000.00            | 16,000.00            | 1,000.00            |
| E.2010 Office Equipment           | 5,000.00             | 5,000.00             | -                   |
| E.2020 Furniture & Furnishings    | 500.00               | 2,000.00             | 1,500.00            |
| E.4020 Workshops & Conferences    | 5,000.00             | 5,000.00             | -                   |
| E.4030 Consultant Services        | 7,500.00             | 8,000.00             | 500.00              |
| E.4040 Agency Memberships         | 3,500.00             | 5,500.00             | 2,000.00            |
| E.4051 Computer Supplies/Software | 4,000.00             | 5,000.00             | 1,000.00            |
| E.4055 Data Purchases             | 500.00               | 500.00               | -                   |
| E.4060 Equipment Maintenance      | 1,500.00             | 1,500.00             | -                   |
| E.4070 Office Supplies            | 3,000.00             | 3,000.00             | -                   |
| E.4080 Books & Journals           | 800.00               | 800.00               | -                   |
| E.4090 Printing & Publishing      | 7,000.00             | 8,000.00             | 1,000.00            |
| E.4110 Rent                       | 62,000.00            | 63,000.00            | 1,000.00            |
| E.4120 Telephone                  | 3,000.00             | 3,500.00             | 500.00              |
| E.4121 Internet                   | 3,000.00             | 3,200.00             | 200.00              |
| E.4130 Travel                     | 11,000.00            | 11,000.00            | -                   |
| E.4140 Equipment Repairs          | 500.00               | 500.00               | -                   |
| E.4150 Postage                    | 2,800.00             | 2,800.00             | -                   |
| E.4160 Miscellaneous              | 894.00               | 1,294.00             | 400.00              |
| E.4170 Payroll Services           | 1,300.00             | 1,500.00             | 200.00              |
| E.4190 Contingent Fund            | 3,000.00             | 3,500.00             | 500.00              |
| E.4200 Insurance-General          | 1,500.00             | 1,500.00             | -                   |
| E.8010 NYS Retirement             | 37,000.00            | 34,000.00            | (3,000.00)          |
| E.8030 FICA                       | 24,200.00            | 27,000.00            | 2,800.00            |
| E.8040 Ins.-Worker's Comp. & Dis. | 2,500.00             | 3,000.00             | 500.00              |
| E.8050 Ins.-Health                | 60,000.00            | 72,000.00            | 12,000.00           |
| E.8060 Ins.-Unemployment          | 1,400.00             | 1,500.00             | 100.00              |
| E.8070 Prof. Memberships          | 800.00               | 1,000.00             | 200.00              |
| E.8080 Continuing Education       | 800.00               | 1,000.00             | 200.00              |
| <b>Gross Expenses</b>             | <b>\$ 572,494.00</b> | <b>\$ 627,594.00</b> | <b>\$ 55,100.00</b> |
| <b>Net Operating Income</b>       | <b>\$ -</b>          | <b>\$ -</b>          | <b>\$ -</b>         |
| A825 Fund Balance-Reserved        | -                    | -                    | -                   |
| A909 Fund Balance-Unreserved      | -                    | -                    | -                   |
| <b>Net Income</b>                 | <b>\$ -</b>          | <b>\$ -</b>          | <b>\$ -</b>         |

## MEMORANDUM (#06-42)

**To:** Commissioners  
**From:** Rocky Ferraro, Executive Director  
**Date:** December 12, 2006  
**Re:** 2007 Proposed Meeting Schedule

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The following are proposed dates for the 2006 Commission meetings. All the meetings are scheduled for the third Wednesday of the month and are scheduled to begin at 8:30 AM.

January 17, 2007

March 21, 2007

May 16, 2007

August 15, 2007

October 17, 2007

December 19, 2007

## MEMORANDUM (#06-43)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** December 12, 2006

**Re:** CDYCI Board Appointment

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As difficult as it is for me to bring up the issue, the Commission needs to consider a replacement for Jayne Regan Harris as a member of the CDYCI Board. As you are aware, Jayne served as President of that Board. Per their bylaw requirements, the CDYCI Board, will designate new officers at their first meeting in 2007.

Since Jayne was designated a "Commission Representative" on the CDYCI Board, her replacement is the responsibility of the CDRPC Board. The newly appointed representative to replace her must also be from Rensselaer County.

Though action is not required at this meeting, the first CDYCI Board meeting in 2007 is scheduled for January 17th immediately following the Commission meeting.

## MEMORANDUM (#06-44)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** December 12, 2006

**Re:** Follow-up to Fall Board/Staff Retreat

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As you are aware, the Fall Board/Staff "Retreat" immediately followed the Board meeting on October 18, 2006. Jon Allen from Performance Matters, Inc. facilitated the session. Once again, I would like to thank those of you who participated in the retreat. Your input and insight are critical in order to appropriately serve the needs of the region.

Attached is a summary of the notes and some suggested ideas generated at the session prepared by Jon. As a follow-up, I had a staff meeting regarding the GIS/IT/Website support suggestion. The unanimous staff preference, revenue sources permitting, is to hire a professional planner to assist in the work tasks outlined in our work program for the next several years. Though GIS/IT/Website knowledge would be useful in a support capacity, it would not be the primary responsibility of the staff person.

## **Feedback and Comments from CDRPC Retreat**

### **Ideas and Suggestions for Potential Follow-up:**

**Rocky to visit with staff and explore potential adds to staffing, i.e. GIS, IT and Website support**

**Explore the possibility of creating a two year financial budget that forecasts additional needs in advance so that Counties can prepare for possibility of higher funding**

**Continue to evaluate possibility of additional marketing of CDRPC to increase public awareness**

**Increase visibility of the CDRPC Mission Statement by displaying it on Board Meeting agendas, through signage in the Conference Room, etc.**

### **Ideas for Improved Board Practices (provided by individual Commissioners)**

**Consider once/year Commission meeting out in the community, i.e. Harriman Campus, Luther Forest Park, etc.**

**Commissioners should work more closely with County Legislature to keep them informed of CDRPC's work**

**Sponsor an Economic Development Committee meeting at County levels to communicate CDRPC projects/issues**

**Implement a periodic evaluation of the Board's performance as a unit, i.e. every 18-24 months**

## MEMORANDUM (#06-45)

**To:** Commissioners

**From:** Rocky Ferraro, Executive Director

**Date:** December 12, 2006

**Re:** Long Term Control Plan – Combined Sewer Overflow Study

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The following is a status report of the Albany Pool Long Term Control Plan (LTCP).

The proposed Scope of Work to prepare The Long Term Control Plan has been completed and approved by the Technical Advisory Committee. It has been submitted to NYS DEC for their review and approval. A meeting is scheduled with DEC to review the scope of work on December 12<sup>th</sup>.

A cost allocation plan to pay for the preparation of the LTCP has also been approved by the Technical Advisory Committee. Total population and the amount of impervious surface in each community were the criteria used to determine each community's share of costs to prepare the LTCP. The actual cost is dependent upon approval of the scope of work by NYS DEC and the US EPA.

The estimated cost to prepare the LTCP, excluding the in-kind match, is \$4.9 million. The state has already provided \$2 million toward the study leaving the communities responsible for \$2.9 million of the cost. CDRPC has submitted a \$473,000 grant application on behalf of the communities under the NYS Department of State Shared Municipal Services Incentive Grant program and a \$475,000 grant application from the State through the Round 9 Water Quality Improvement Program to help defray some of the costs.



# ***CAPITAL DISTRICT REGIONAL PLANNING COMMISSION***

## **STAFF ACTIVITY REPORT October 9, 2006 to December 10, 2006**

### **A. ADMINISTRATION**

1. The 2006 Q3 billings were prepared and submitted to the funding agencies for the CSO project, Water Quality, Transportation, HMIS, EDA, and Wind Energy projects.
2. The Proposed Indirect Cost Allocation Schedule based on the 2005 audited financial records was submitted to EPA for their review and approval for use with the CSO grant.

### **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 12,965 visitors in October 2006, a 20.5% decrease from October 2005, and 13,222 visitors in November 2006, a 12.2% decrease from November 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. A new GIS computer has been purchased and is up and running.
3. The staff continues to process, analyze, and disseminate Census data and data released by the U.S. and N.Y.S. Departments of Labor. Information is posted on the web site on an ongoing basis, including, most recently, the 2005 Census population estimates for municipalities and the 2005 Census components of population change for counties. Also, a number of queries have occurred since the Census Bureau's release of the 2005 American Community Survey for areas with population of greater than 65,000 persons.

#### **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. CDRPC sponsored a local government planning and zoning workshop on November 1 at HVCC. Topics included Planning and Zoning Board Overviews, Wind Energy Planning and SEQR, and Stormwater Code Enforcement Training.
3. As part of the 604b program, CDRPC is coordinating a four-county public service announcement campaign on stormwater issues, initially focusing on billboards. The

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initial billboards went up on September 25. An intermunicipal agreement has been signed and CDRPC is collecting the money from the counties and is paying for the contract with the billboard company.

4. Staff continues to work on the Onesquethaw-Coeymans Watershed report, which is being funded by a grant received by the Onesquethaw-Coeymans Watershed Council.
5. 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 06-45 for the most recent update of activities.
6. The staff continues to participate on CDTC's Planning Committee and the Quality Region Initiative Taskforce.
7. Staff has been participating on the Saratoga Springs Downtown Transportation Plan Advisory Committee, the Harriman Campus Area Linkage Plan and the Town of Bethlehem Rt. 9W Corridor Plan. These studies are funded through the CDTC Linkage program.
8. Staff has been participating on the South End Albany Master Plan Advisory Committee.
9. Staff created poster-size trunk route maps of Schenectady for CDTA, which are for use in public meetings. This effort is part of an ongoing contract for GIS services between CDTA and CDRPC.
10. Staff has completed a draft report of the Portland, Oregon and Denver, Colorado regions case study projects, which are part of the CEG Fiscal Impacts of Alternative Futures report. In addition, CDRPC is coordinating the project and working with the University at Albany and CDTC in the preparation of the report. A conference is planned for February 2, 2007 at Union College sponsored by ECOS to present and discuss the report's findings. The study is being financed with a grant from CEG.
11. CDRPC coordinated with CDTC an adjacent property owner and trail user survey of the Zim-Smith Trail, the Uncle Sam Bikeway, and the Mohawk Hudson Bike Hike Trail. CDRPC has initiated a review and analysis of the residential property owner survey and trail user survey results.
12. Commission staff has continued to work on the TAZ-level employment projections for CDTC, using Census Bureau, Bureau of Labor Statistics, and NYS Dept. of Labor data. Employment projections at the Regional and county levels by major sector were completed for the base growth scenario, and preliminary Regional and county projections for the other three scenarios (concentrated growth, trend hyper-growth, and concentrated hyper-growth) were also completed.
13. Staff has completed a set of enrollment projections for the Shenendehowa School District and is completing projections for the Ballston Spa School District. Averill Park School District has contacted CDRPC requesting enrollment projections.

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### **HUMAN RESOURCES & CRIMINAL JUSTICE**

1. The Juvenile Detention facility utilization rate was 89.1% in October 2006, and 93.5% in November 2006.
2. New billing procedures have been approved by the CDYCI Board. CDRPC will assume responsibility from Berkshire Farm, on behalf of CDYCI, to invoice and collect fees from the counties using the Detention facility. The direct deposit procedures into the account maintained by JP Morgan will remain intact.
3. The CDYCI Board approved a new three year agreement with Berkshire Farm regarding the operation of the facility.
4. 2007 per diem rates, along with the 2007 budget, was prepared and approved by the CDYCI Board.
5. Staff are members of the Executive Committee of both the Albany County and Rensselaer County Committees to End Homelessness and continue to be an active participant of these studies under the direction of CARES. Staff has continued to provide support to CARES to monitor the four-county Homeless Management Information System data base.

### **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 estimated economic impact on Albany County of the proposed Harriman Campus redevelopment was computed, yielding a total economic impact of \$2.7 billion.

## ***CAPITAL DISTRICT REGIONAL PLANNING COMMISSION***

### **C. MEETINGS AND CONTACTS**

- 10/11/06 Engstrom: Met with Halfmoon officials regarding Shenendehowa projections.
- 10/12/06 Fabozzi: Harriman Campus linkage study advisory committee meeting.
- 10/13/06 Ferraro: Meeting with Berkshire Farm to review billing and collection procedures.
- 10/16/06 Engstrom: NYSARC Water Quality Staff meeting in Syracuse.
- 10/16/06 Ferraro: February 2, 2007 Alternative Growth Futures study conference planning committee meeting.
- 10/16/06 Ferraro: Project Advisors Group meeting re: the Mohawk River Waterfront Revitalization Strategy & Action Plan.
- 10/17/06 Fabozzi: CDTC Regional Linkage Communities meeting
- 10/18/06 Ferraro: Rensselaer County 10 Year Plan to End Homelessness Executive Committee meeting.
- 10/19/06 Fabozzi: Onesquethaw-Coeymans Watershed Council meeting.
- 10/19/06 Ferraro&Engstrom: Met with CDTC staff regarding the Bike Trails Study.
- 10/20/06 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 10/23-25/06 Engstrom: NYS Data Center Affiliate Conference, Saratoga Springs.
- 10/24/06 Ferraro: Participant in panel discussion at Affiliate conference.
- 10/24/06 Ferraro& Fabozzi: Meeting with UAlbany and CDTC personnel regarding the Fiscal Impacts report.
- 10/26/06 Engstrom: Albany County MS4 meeting.
- 10/30/06 Ferraro: February 2, 2007 Alternative Growth Futures study conference planning committee meeting.
- 11/1/06 Fabozzi: Schenectady County Water Quality Coordinating Committee meeting.
- 11/1/06 Ferraro, Engstrom&Dillenbeck: Local Government Planning Workshop.
- 11/1/06 Engstrom: Met with Clifton Park officials regarding Shenendehowa projections.

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- 11/3/06 Ferraro & Wardle: Meeting at Marist College with Sandy Baruah (EDA Head) and other regional council EDs and economic development staff to discuss EDA procedures and priorities.
- 11/6/06 Engstrom: Met with Milton Town officials regarding Ballston Spa Projections.
- 11/8/06 Engstrom: Met with Malta Town officials regarding Shenendehowa and Ballston Spa Projections.
- 11/8/06 Engstrom: Met with Ballston Town officials regarding Shenendehowa and Ballston Spa Projections.
- 11/8/06 Ferraro: NYSARC meeting in Syracuse
- 11/9/06 Ferraro: Presentation to the Citizens Transportation Committee of Saratoga County
- 11/9/06 Engstrom: Saratoga County Water Quality Coordinating Committee meeting.
- 11/13/06 Ferraro: Meeting with Albany County reps. to discuss the FTZ expansion proposal.
- 11/14/06 Ferraro: Regional Development Coordinating Council meeting
- 11/14/06 Ferraro: Moderator at the Rensselaer County Ten Year Plan to End Homelessness press conference
- 11/15/06 Ferraro: CDYCI Board meeting
- 11/20/06 Fabozzi: Bethlehem Rt.9W corridor linkage advisory committee meeting.
- 11/20/06 Engstrom: Met with Shenendehowa officials regarding projections.
- 11/21/06 Ferraro: Presentation to the Capital Region Local Government Council re: the Fiscal Analysis of the Alternative Growth Scenarios.
- 11/22/06 Ferraro: Meeting with Rensselaer County reps. to discuss the FTZ expansion proposal
- 11/28/06 Engstrom: Presented enrollment projections to the Shenendehowa Board of Education.
- 11/28/06 Ferraro: Presentation on Comprehensive Planning at the Zoning & Planning Breakfast briefing at the Saratoga Hotel & Conference Center.
- 11/30/06 Ferraro & Wardle: Meeting with Chris O'Neil, Deb Stacey, and Sreekumar Nampoothiri of CDTC to review preliminary Regional and county-level employment projections for the four growth scenarios.

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- 11/30/06 Ferraro: Presentation on Comprehensive Planning at the Zoning & Planning Breakfast briefing at the Desmond Hotel & Conference Center.
- 12/1/06 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 12/6/06 Fabozzi: Schenectady County Water Quality Coordinating Committee meeting.
- 12/6/06 Ferraro: Capital Region Community Foundation Empowering Communities Committee meeting
- 12/6/06 Engstrom: Attended the NYS Healthy Environment Healthy Economy conference in Albany.
- 12/7/06 Fabozzi: NYS GIS Coordinating Body meeting.
- 12/8/06 Ferraro: A & F Committee meeting