COMMISSION MEETING

8:30 am, Wednesday, August 15th, 2007 CDRPC Office One Park Place Albany, New York 453-0850

AGENDA

- 1. Welcome/Introduction of Guests
- 2. May 16th, 2007 Meeting Minutes*
- 3. Financial Statement through July 31, 2007 (Memo 07-15)*
- 4. 2006 Audit Report, Presentation by Dorfman-Robbie (Memo 07-16)*
- 5. 2008 Proposed Preliminary Budget (Memo 07-17)*
- 6. Foreign-Trade Zone Program Zone Administrator Report/Presentation (Memo 07-18)
- 7. CDRPC Satisfaction Survey (Memo 07-19)*
- 8. LTCP CSO Update (Memo 07-20)
- 9. Staff Activity Report
- 10. Other Business
- 11. Next Commission Meeting Date: October 17th, 8:30 am

^{*}Formal Board Action Anticipated

COMMISSION MEETING

May 16, 2007 CDRPC Conference Room One Park Place, Suite 102 Albany, New York 12205

MINUTES

PRESENT: Betty Barnette, Willard Bruce, Henry Dennis, John Graziano, Stan

Brownell, Judy Breselor, Fred Acunto, Philip Barrett, Christopher

Callaghan, Spencer Hellwig, John Murray, Gary Hughes, Barbara Mauro,

Michael Petta, David Vincent

ABSENT: Lucille McKnight, James Shaughnessy, Mike Stammel, Raymond Gillen

PRESIDING: Gary Hughes, Chair, called the meeting to order at 8:30am.

1. Welcome/Introduction of Guests

David Lewis from University at Albany and Chris Fish and Jeff Christoff from Vistec.

2. March 21, 2007 Meeting Minutes

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

Action Taken

John Graziano made a motion to approve the minutes, and Stan Brownell seconded. The motion was approved unanimously.

3. Financial Statement through April 30, 2007

The financial statement reflects activities through April 2007. With one third of the year complete, the revenues are at 36.4% and the expenses are at 30.0%.

The first quarter billings were sent out to the appropriate billing agencies for the Water Quality Program, Wind Energy Initiative, UPWP, CDYCI, and CSO. There is approximately \$121,000 cash in the bank and outstanding receivables totaling just over \$136,000. We have three CD's, one for \$20,000 that expires in July, another for \$30,000 that expires in December, and another for \$20,000 that expires next April.

Dorfman-Robbie, PC has begun the 2006 Audit. A report will be presented to the Board at the August Board meting.

Action Taken

John Graziano made a motion to approve the Financial Statement, and Mike Petta seconded. The motion was approved unanimously.

4. Foreign Trade Zone Amendment: Name Change

Albany Molecular Research, Inc. is requesting an amendment to the existing Foreign Trade Sub Zone Operations Agreement to reflect the change in its corporate entity. Previously know as Organichem, it is requesting the change to reflect its reference name as Albany Molecular Research-Rensselaer, Inc. (AMRI-Rensselaer, Inc.)

There will be no changes in operation or any other activity on the site as a result of the name change.

Action Taken

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

5. National Nanotechnology Foundry – EDA Proposal

Chris Fish and Jeff Christoff of Vistec gave a PowerPoint presentation to the Board to request approval for inclusion of the National Nanotechnology Foundry Study on CDRPC's CEDS approved project list.

Nanotechnology is the field of applied science and technology, which covers the formation of structures of a few nanometers in size, with a nanometer being a billionth of a meter. The College for Nanoscale Science and Engineering (CNSE) at UAlbany has made the Capital Region one of world leaders in nanotechnology research and development.

To accelerate the growth of nanotechnology in the U.S., it is proposed that a study be initiated to establish a fully integrated National Nanotechnology Foundry Center to foster nanotechnology-based manufacturing from research through prototyping. The study would encompass both the defense and commercial sectors to leverage related nanotechnology applications, and would be conducted through the Watervliet Arsenal Business & Technology Partnership in conjunction with CNSE and Vistec Semiconductor Lithography, Inc.

The elements of the study include an evaluation of the requirements for the creation of a Foundry Center, as assessment of equipment needs, development of a business model, identification of commercial and defense nanotechnology applications, and the creation of a four year business plan.

David Vincent asked what the expected cost for the facility and who would share in those costs. That information is part of the study and it will depend on how long it takes to get through the study.

Fred Acunto inquired how many new jobs this project would create. That information will be more precise once the study is done. However, Mr. Christoff expects 50-100+ new positions will be created from this project.

Bill Bruce inquired how the project would be financed after the study was done. The project would be funded through private and government funding. There is approximately \$1-4million available in grant funding.

Rocky added that this proposed study does meet EDA criteria and will be located in a census tract eligible for EDA funding. The EDA has not had any discussion with Vistec regarding this project and will wait until CDRPC Board authorizes its inclusion on CEDS approved project list.

Action Taken

Henry Dennis made a motion to authorize inclusion of the National Nanotechnology Foundry Study on CDRPC's CEDS approved project list. Christ Callaghan seconded. The motion was approved unanimously.

6. Presentation of the Fiscal Impacts of the Alternative Development Scenarios in the Capital Region.

David Lewis, a professor in the Department of Planning & Geography at the University at Albany, gave a presentation on the Fiscal Impacts of the Alternative Development Scenarios to Board. This is the third presentation associated with the fiscal impact analysis. Mr. Lewis went over the study's findings and potential fiscal impacts on Water, Sewer, Schools, and Emergency Management Services for each of the four scenarios.

The four alternative growth patterns are being evaluated based on two sets of projections: CDRPC's targeted projections showing an increase of 72,707 persons to 867,000 by 2030 and a "high growth" scenario that assumes the rate of population growth in the Capital Region will be comparable to the national rate of approximately 1% per year or a 229,341 increase to 1,023,634 by 2030.

A copy of the presentation is included.

7. Combined Sewer Overflow Long Term Control Plan Update

A joint partnership has been created by the Consultant Team of Clough Harbour, Malcolm Pirnie and CDM and they have submitted an agreement for services o prepare the Long Term Control Plan to CDRPC. The proposed agreement is presently under review by Michael Hall. CDRPC and the six communities have provided feedback and comments and will be negotiating with the Consultant Team on any changes made to the agreement.

The Public Participation Plan has been approved by DEC and is in the early stages of implementation. Invitations to join the PPP's Citizen Advisory Committee (CAC) have been mailed to environmental, sporting, and community groups. A CAC meeting is planned for this summer. A letter of interest will also be sent out to Federal & State elected officials to invite them to an informational session about the CSO project.

8. Staff Activity Report

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

9. Other Business

The LUCA Workshops were very successful and had very good participation by the municipalities within the four counties. There will be follow-up training sessions within the next couple of months to work with local municipalities to review the materials from the census bureau.

10. Next Meeting Date

The next Commission meeting will be held August 15, 2007 at 8:30am.

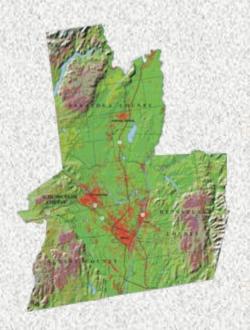
11. Adjournment

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

Respectfully submitted,

Michael Stammel Secretary

Estimating the Fiscal Impact of Alternate Futures for the Capital Region













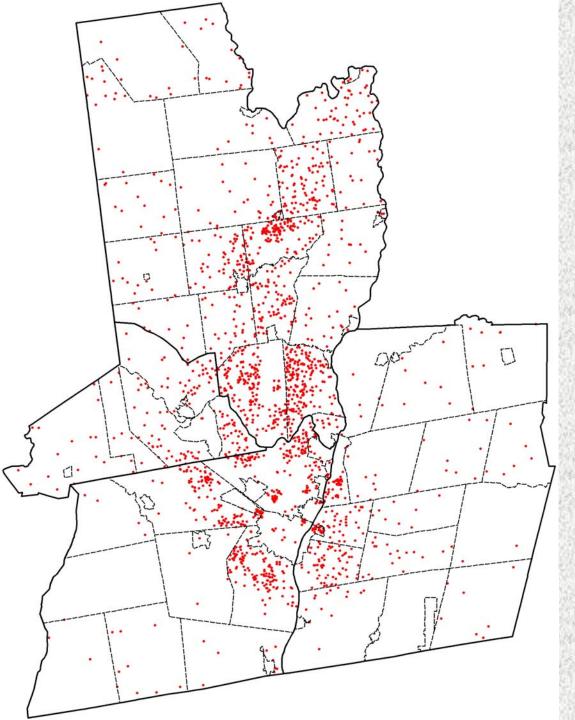
The Objective

Provide the basis for a constructive Regional and community dialogue about what policy options may be worth pursuing to manage the direction of future growth to achieve sustainable development in the Capital Region.

The Research Team

- Capital District Regional Planning Commission
- Capital District Transportation Committee
- University at Albany, Dept. of Geography & Planning

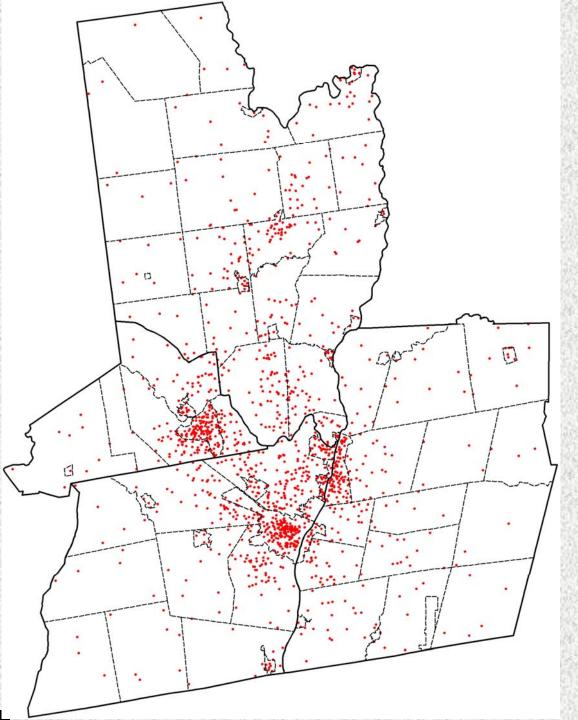
Funding Support & Collaboration: the Center for Economic Growth



2000-2030 Status Quo Trend

72,707 net persons

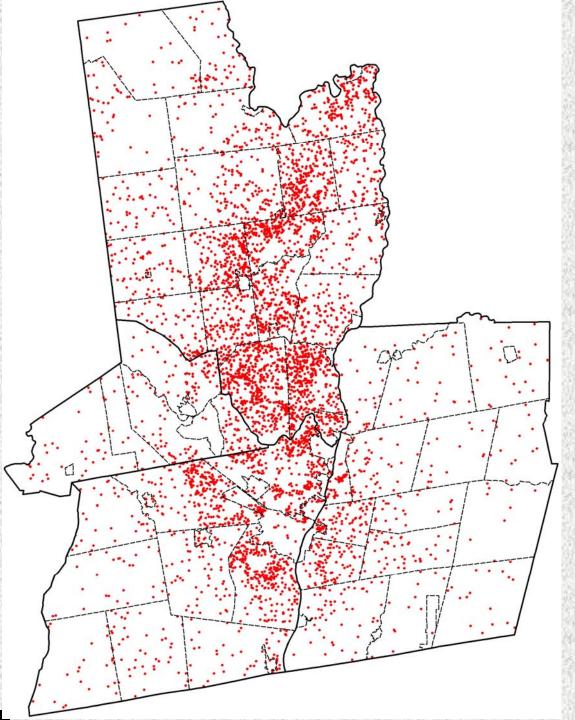
- CDRPC Projections
- Current Policies



2000-2030 Concentrated Growth

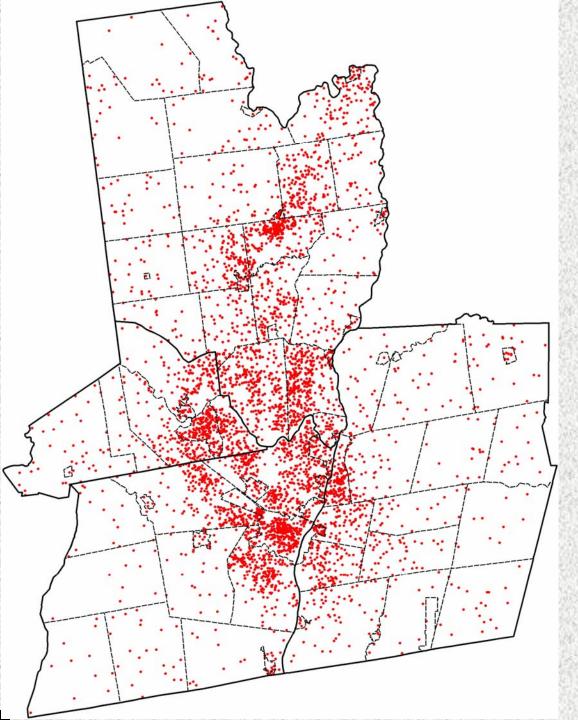
72,707 net persons

- CDRPC Projections
- Higher Density
- Urban Policy Initiatives



2000-2030 Trend Hyper-Growth 229,341 net persons

- Average U.S. Growth Rate (1%/year)
- Current Policies



2000-2030 Concentrated Hyper-Growth 229,340 net persons

- Average U.S. Growth Rate (1%/year)
- Higher Density
- Urban Policy Initiatives

Study Components

1. Data Collection & Analysis of Infrastructure Needs

Transportation

Schools

Water

Fire/EMS

Sewer

- 2. Estimated Costs for Selected Services for Each Growth Scenario
- 3. Service Provider Interviews
- 4. Adjacent County Qualitative Analysis
- 5. Case Studies

Minneapolis/Saint Paul

Portland

Albuquerque

Denver

Alternative Visions for the Capital District: Transportation

Chris O'Neill

CDTC New Visions Regional Transportation Plan: Review of what the Plan already covers

- •Extensive public participation: three years, nine task forces, 3 structured conferences, over 30 public presentations
- Developed strong land use recommendations including urban reinvestment
- Suburban and urban consensus

New Visions Regional Transportation Plan

- Encourage town and city land use planning
- Transportation investment follows land use plans and corridor studies
- Land Use Planning: 55 Linkage Studies in 30 communities so far
- Public process essential in linkage studies; also confirms regional vision for land use

New Visions Regional Transportation Plan

Transportation investments will encourage:

- Urban reinvestment, infill development
- Mixed use, transit oriented development
- Land use plans and corridor studies
- Community Context Sensitive Design-NYSDOT

New Visions Regional Transportation Plan

Transportation investments will encourage:

- Regional and community quality of life
- Protection of urban, suburban and rural character

New Visions 2030

If we experience the growth that regional leaders are pressing for, how can we maintain our quality region — walkable communities, vibrant urban areas, etc.?

How can we avoid hazards of growth — continued suburban sprawl?

- To support the quality region vision, CDTC is proposing **Big Ticket Initiatives**:
- Under the high growth scenario, larger scale initiatives can be considered.
- These initiatives will be presented to the public
- These are concepts that would be contingent upon higher growth and/or higher funding levels—they are not currently funded

Big Ticket InitiativesEvaluated for each alternative future:

| * | plausible but unlikely |
|------|-------------------------------------------------------------------------------------------------|
| ** | plausible, with a good chance of implementation |
| *** | the growth and development scenario will create a strong interest and demand for the initiative |
| **** | implementation very likely |

| | Hypothetical "Big Initiative" | Approximate <i>Maximum</i> Twenty- year scale in the Capital District | Twenty-year cost estimate | Status Quo Trend | Concen- trated Growth | Trend Hyper- Growth | Concen- trated Hyper Growth |
|------------|----------------------------------------------------------|-----------------------------------------------------------------------|------------------------------|------------------------|-----------------------------|---------------------------|--------------------------------------|
| No. | Regional greenway program | 10 miles per year; 280 total including existing | \$150 M | * | ** | ** | *** |
| | Riverfront access and urban development program | Implementation of a majority of existing plans | \$1,000 M. | * | ** | ** | **** |
| *** | Street Reconstruction and Reconfiguration | 40 lane miles per year; 800 total | \$2,400 M | * | ** | ** | *** |
| P | Roadway widening and connections program | 10-15 lane miles per year; 200 total | \$1,000 M | * | ** | **** | *** |

| | Hypothetical "Big Initiative" | Approximate Maximum Twenty- year scale in the Capital District | Twenty-year cost estimates | Status Quo Trend | Concen- trated Growth | Trend Hyper- Growth | Concen- trated Hyper Growth |
|----------|------------------------------------------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------|--------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| T | Major highway system construction | Approx. 20-25 arterial and 5- 10 lane miles of expressway annual | \$3,000 M to \$5,000 M | Not consistent with community values | Not consistent with community values | Not consistent with community values | Not consistent with community values |
| | Suburban town center development | 5-10 lane miles per year; 150 total | \$175 M | * | ** | ** | *** |
| | Bus service expansion, BRT program with transit oriented development | 100 route miles total including NY 5 | \$200 M capital \$400 M add'l oper | * | *** | ** | **** |
| | Guideway transit system with transit- oriented development | 50 route miles guideway with 50 route miles of non- guideway BRT. | \$2,100 M capital \$1,450 M add'l oper.; | * | ** | ** | *** |

| | Hypothetical "Big Initiative" | Approximate <i>Maximum</i> Twenty- year scale in the Capital District | Twenty-year cost estimate | Status Quo Trend | Concen- trated Growth | Trend Hyper- Growth | Concen- trated Hyper Growth |
|----------------------------------------------|----------------------------------|-----------------------------------------------------------------------|----------------------------------------|------------------------|-----------------------------|---------------------------|--------------------------------------|
| | Managed lane program | 50 route miles total with approx. 75 lane miles | \$750 M \$10 M operating | * | ** | **** | *** |
| | Take-a-lane program | No feasible implementation for contra-flow lanes. | more than supported with toll revenue. | Not supported | Not supported | Not supported | Not supported |
| / | Highway noise program | 40 locations on expressway system | \$40 M | * | ** | *** | *** |
| | Demand management program | 40,000 participants | \$50 M (public) | * | ** | ** | *** |

| | Hypothetical "Big Initiative" | Approximate Maximum Twenty- year scale in the Capital District | Twenty-year cost estimate Comment | Status Quo Trend | Concen- trated Growth | Trend Hyper- Growth | Concen- trated Hyper Growth |
|-------------|--------------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|------------------------|-----------------------------|---------------------------|--------------------------------------|
| | Clean, efficient vehicle program | public transit fleets, private vehicle incentive to double hybrid sales (2010), | \$550 M | * | ** | ** | *** |
| 2 | Intelligent traffic management program | Full ITS deployment on priority network | \$135 M | * | ** | *** | *** |
| To A | Video surveillance and enforcement program | Full deployment on priority ITS network | Supported by fines; Red light running cameras possibly, speed enforcement cameras | * | ** | ** | ** |
| ★. ★ | Comprehensive Traffic Safety program | Capital investment at several times the set aside in SAFETEA-LU, plus other features | \$200 M Capital improvements, driver education, traffic enforcement, improved community and site design. | * | ** | ** | ** |

- CDTC STEP Model was used to model existing and future traffic for 4 alternative futures
- Link by link analysis of traffic congestion, all roads in four counties on federal aid system (Interstates, arterials, collectors; urban and rural)

Status Quo Trend-

- 9% increase population
- 15% increase households
- 65% growth in congestion
- Transit service comparable, larger proportion has no access to transit

Concentrated Growth-

- 9% increase population
- 15% increase households
- 28% less congestion than status quo
- Transit service improves: frequency, ridership, Bus Rapid Transit

Concentrated Growth-

- More transit oriented development on transit or BRT corridors
- Higher likelihood of managed lane on the Northway
- Segments of regional greenway

Concentrated Growth-

- Better pedestrian access due to proximity of development
- less mileage of new residential streets (vs. status quo) therefore lower town maintenance costs
- greater protection of open space

Trend Hyper Growth-

- 29% growth in population
- 35% growth in households
- 200% growth in congestion (triple) compared with year 2000
- 65% to 95% traffic growth on roads that are currently rural collectors

Trend Hyper Growth-

- Same transit service as today, with greatly reduced access for 29% more people
- Highest total vehicle operating costs, fuel consumption, and vehicle greenhouse gas emissions (35% growth over 2000)
- Highest consumption of open space

Concentrated Hyper Growth-

- 18% less congestion than Trend Hyper Growth; still a 92% growth in per capita congestion from 2000
- Highest transit service and frequency
- Strongest option for BRT, Fixed Guideway Transit, Transit Oriented Development

Concentrated Hyper Growth-

- Most of the Big Ticket Initiatives would have the highest feasibility: greenways, managed lanes
- Highest quality of overall transportation service

Total vehicle operating cost savings over twenty-five years:

Compared with the Status Quo Trend scenario, the Concentrated Growth scenario saves \$2.3 billion.

Compared with the Trend Hyper Growth scenario, the Concentrated Hyper-Growth scenario saves \$3.8 billion.

Conclusions

 CDTC New Visions Plan supports concentrated development

Tools to encourage concentrated growth:

- Investing in community planning
- Transportation investment in cities, urban areas, "urban service area"

Analysis of Alternative Futures: Transportation

Tools to encourage concentrated growth:

 Investments in pedestrian, bicycle and transit access, community quality, land use design are supported in the New Visions Plan

Analysis of Alternative Futures: Transportation

Tools to encourage concentrated growth:

 Major new highway system construction is not supported in the New Visions Plan, under any growth future

Analysis of Alternative Futures: Transportation

- CDTC proposes "Big Ticket Initiatives"—
 greenways, managed lanes on expressways,
 Bus Rapid Transit, Fixed Guideway
 Transit, Riverfront access and urban
 development...
- ...to support concentrated development and regional vitality

Alternative Visions for the Capital District: Transportation

Chris O'Neill

MEMORANDUM (#07-15)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through July 2007. Both revenue and expenses are tracking as projected. With more than half the year complete (58%), revenues are at 65.5% and expenses are at 51.9%.

Second half invoices were sent to Albany and Rensselaer counties and third quarter invoices were sent to Saratoga and Schenectady Counties. Second quarter invoices were sent to the appropriate billing agencies for the Water Quality Program, Wind Energy Initiative, UPWP (Transportation), CDYCI, and Combined Sewer Overflow Program.

As noted on the Statement of Financial Condition, we have approximately \$148,000 cash in the bank, including three CD's: one for \$20,000 that expires next July, another for \$30,000 that expires in December, and another for \$20,000 that expires next April. We have outstanding receivables totaling just over \$136,000.

CDRPC 2007 Income Statement

| Account | Budget | May 07 | Jun 07 | Jul 07 | Year-to-Date | Balance | YTD % |
|------------------------------------------------------|---------------------|----------------|--------------|--------------|---------------|---------------|----------|
| 2007 REVENUE | | | | | | | |
| R2390.1 Albany County | \$ 84,663.00 | \$ - | \$ - | \$ 42,331.50 | \$ 84,663.00 | \$ - | 100.0% |
| R2390.2 Rensselaer County | 43,842.00 | | <u> </u> | 21,921.00 | 43,842.00 | | 100.0% |
| R2390.3 Saratoga County | 57,666.00 | | | 14,416.50 | 43,249.50 | 14,416.50 | 75.0% |
| R2390.4 Schenectady County | 42,123.00 | | | 10,530.75 | 31,592.25 | 10,530.75 | 75.0% |
| R2401.0 Interest & Earnings | 1,200.00 | 118.03 | 93.50 | 88.97 | 1,314.61 | (114.61) | 109.6% |
| R2770.1 Miscellaneous | 1,200.00 | 567.91 | 93.30 | 00.97 | 854.03 | (754.03) | 854.0% |
| R2770.1 Miscenaneous R2770.3 Contractual Services | 30,000.00 | 307.91 | 6 504 04 | - | | | 69.7% |
| R2770.3 Contractual Services R2770.4 FTZ#121 | | - | 6,584.94 | - | 20,909.70 | 9,090.30 | |
| | 12,000.00 | - 2 770 00 | 1 200 00 | 510.00 | | 12,000.00 | 0.0% |
| R2770.5 Conferences | 5,000.00 | 2,770.00 | 1,290.00 | 510.00 | 5,770.00 | (770.00) | 115.4% |
| R2770.6 CDYCI | 70,000.00 | - | 17,500.00 | | 35,000.00 | 35,000.00 | 50.0% |
| R3900.3 Empire State Dev. | - | - | | - | 4,798.16 | (4,798.16) | 07.70/ |
| R3900.4 Other NYS Aid (NYSERDA) | 20,000.00 | - | 868.05 | - | 5,419.34 | 14,580.66 | 27.1% |
| R3900.6 EFC CSO Grant | 75,000.00 | - | 12,694.97 | - | 19,647.15 | 55,352.85 | 26.2% |
| R4000.1 Fed. Reg. Aviation | - | - | • | - | | - | |
| R4000.2 EDA | 52,000.00 | - | 9,265.82 | - | 26,000.00 | 26,000.00 | 50.0% |
| R4000.3 Water Quality | 46,000.00 | - | 11,728.81 | - | 19,173.01 | 26,826.99 | 41.7% |
| R4000.4 UPWP | 85,000.00 | - | 27,611.92 | - | 65,828.61 | 19,171.39 | 77.4% |
| R4000.5 Other Federal Aid (HUD) | 3,000.00 | - | 1,946.78 | - | 3,125.50 | (125.50) | 104.2% |
| R4000.6 EPA CSO Grant | _ | | | - | - | - | |
| Gross Revenue | \$ 627,594.00 | \$ 3,455.94 | \$ 89,584.79 | \$ 89,798.72 | \$ 411,186.86 | \$ 216,407.14 | 65.5% |
| 2007 EXPENSE | | | | | | | |
| E.1010 Salaries | \$ 336,000.00 | \$ 26,177.82 | \$ 26,177.82 | \$ 29,559.14 | \$ 188,236.06 | \$ 147,763.94 | 56.0% |
| E.1030 Temporary Services | 16,000.00 | 1,246.25 | 775.00 | - | 6,516.50 | 9,483.50 | 40.7% |
| E.2010 Office Equipment | 5,000.00 | 638.70 | 169.00 | 169.00 | 4,482.64 | 517.36 | 89.7% |
| E.2020 Furniture & Furnishings | 2,000.00 | - | | - | - | 2,000.00 | 0.0% |
| E.4020 Workshops & Conferences | 5,000.00 | 5,196.75 | | 500.00 | 5,696.75 | (696.75) | 113.9% |
| E.4030 Consultant Services | 8,000.00 | | 2,770.00 | 1,182.50 | 3,952.50 | 4,047.50 | 49.4% |
| E.4040 Agency Memberships | 5,500.00 | - | 2,770.00 | 1,000.00 | 3,085.00 | 2,415.00 | 56.1% |
| E.4051 Computer Supplies/Software | 5,000.00 | 39.95 | 70.53 | 1,000.00 | 3,704.97 | 1,295.03 | 74.1% |
| E.4055 Data Purchases | 500.00 | 33.33 | | | 10.00 | 490.00 | 2.0% |
| E.4060 Equipment Maintenance | 1,500.00 | 226.70 | | | 561.40 | 938.60 | 37.4% |
| E.4070 Office Supplies | 3,000.00 | 304.53 | 34.25 | 151.60 | 1,373.79 | 1,626.21 | 45.8% |
| E.4070 Office Supplies E.4080 Books & Journals | 800.00 | 134.00 | 48.00 | 131.00 | 646.00 | 154.00 | 80.8% |
| E.4080 Books & Journals E.4090 Printing & Publishing | 8,000.00 | 512.98 | 480.06 | 489.87 | 2,138.66 | 5,861.34 | 26.7% |
| E.4110 Rent | 63,000.00 | 4,668.74 | 4,454.16 | 4,471.42 | 36,945.27 | 26,054.73 | 58.6% |
| E.4120 Telephone | 3,500.00 | 330.22 | 254.21 | 243.08 | 1,728.08 | 1,771.92 | 49.4% |
| E.4121 Internet | 3,200.00 | 224.80 | 224.80 | 224.80 | 1,614.69 | 1,585.31 | 50.5% |
| | | 947.73 | 112.00 | 297.00 | 2,138.87 | 8,861.13 | 19.4% |
| E.4130 Travel E.4140 Equipment Repairs | 11,000.00 500.00 | 741.13 | 112.00 | 231.00 | ۷,1,30.07 | 500.00 | 0.0% |
| | | 99.00 | 28.15 | 277.50 | 1,357.16 | 1,442.84 | 48.5% |
| E.4150 Postage E.4160 Miscellaneous | 2,800.00 | 37.00 | 51.38 | 43.50 | 560.81 | 733.19 | 43.3% |
| | 1,294.00 | 112.26 | 105.26 | 102.26 | 812.32 | 687.68 | 54.2% |
| E.4170 Payroll Services | 1,500.00 | 113.26 | 103.20 | 102.20 | 012.32 | 3,500.00 | 0.0% |
| E.4190 Contingent Fund | 3,500.00 | - | _ | | 1 2/4 70 | 255.21 | 83.0% |
| E.4200 Insurance-General | 1,500.00 | | _ | | 1,244.79 | | |
| E.8010 NYS Retirement | 34,000.00 | 0.007.00 | 0.061.07 | 0.000.70 | 1401000 | 34,000.00 | 0.0% |
| E.8030 FICA | 27,000.00 | 2,097.92 | 2,061.87 | 2,282.78 | 14,919.96 | 12,080.04 | 55.3% |
| E.8040 InsWorker's Comp. & Dis. | 3,000.00 | | . 4.645.00 | | 1,894.41 | 1,105.59 | 63.1% |
| E.8050 InsHealth | 72,000.00 | 5,131.80 | 4,645.92 | 5,247.41 | 40,544.35 | 31,455.65 | 56.3% |
| E.8060 InsUnemployment | 1,500.00 | 23.68 | 14.72 | 57.14 | 928.44 | 571.56 | 61.9% |
| E.8070 Prof. Memberships | 1,000.00 | - | - | 220.00 | 420.00 | 580.00 | 42.0% |
| E.8080 Continuing Education | 1,000.00 | - | - | - | - | 1,000.00 | 0.0% |
| Gross Expenses | \$ 627,594.00 | \$ 48,114.83 | \$ 42,477.13 | \$ 46,519.00 | \$ 325,513.42 | \$ 302,080.58 | 51.9% |
| Net Operating Income | \$ - | \$ (44,658.89) | \$ 47,107.66 | \$ 43,279.72 | \$ 85,673.44 | | |
| A909 Fund Balance-Unreserved | - | - | | _ | - | | |
| Net Income | \$ - | \$ (44,658.89) | \$ 47,107.66 | \$ 43,279.72 | \$ 85,673.44 | | |
| | <u> </u> | <u> </u> | | - | <u> </u> | <u> </u> | <u> </u> |

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition July 31, 2007

| A | S | C | P | ts | 3 |
|----------|----|---|---|----|---|
| Γ | J. | J | v | | , |

| Cash — Checking | \$ | 16,553.78 | | | |
|----------------------------------------|----|------------|----|------------|--|
| Cash — Money Market | | 61,172.91 | | | |
| Cash — PayPal Account | | 5,167.25 | | | |
| Cash — Certificates of Deposit | | 70,000.00 | | | |
| Petty Cash | | 200.00 | | | |
| Due from Private Persons/Organizations | | 46,824.19 | | | |
| Due from State & Federal Governments | | 79,527.01 | , | | |
| Due from Other Governments | | 14,416.50 | | | |
| Prepaid Expenses | | 41.00 | | | |
| Carryover Revenue | | _ | | | |
| Sub-Total: Assets | \$ | 293,902.64 | • | | |
| Expenses — Year-to-Date | | 325,513.42 | - | | |
| Total | | | \$ | 619,416.06 | |
| | | | | | |
| Liabilities & Fund Balan | ce | • | | | |
| Due to Other Governments | \$ | - | | | |
| Due to Private Persons/Organizations | | - | | | |
| Deferred Project Revenue | | - | | | |
| Fund Balance — Restricted | | - | | | |

| Total | \$ | 619,416.06 |
|-------|--------|------------|
| | | |

208,229.20

208,229.20

411,186.86

Net Income (Loss) \$ 85,673.44

Sub-Total: Liabilities & Fund Balance \$

Fund Balance — Unrestricted

Revenue — Year-to-Date

MEMORANDUM (#07-16)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: FY-2006 Audit Report

Enclosed for your review and approval is the FY-2006 Audit Report prepared by the accounting firm Dorfman-Robbie Certified Public Accountants, P.C. Included in the Audit Report is a management letter dated July 24, 2006 providing information related to the audit.

A representative from Dorfman-Robbie will make a presentation and respond to Board questions about the audit findings at the Commission meeting.

Board action is requested to approve the 2006 Audit Report.



July 24, 2007

Board of Directors Capital District Regional Planning Commission Albany, New York

Dear Board Members:

In planning and performing our audit of the financial statements of Capital District Regional Planning Commission (CDRPC) as of and for the year ended December 31, 2006, in accordance with auditing standards generally accepted in the United States of America and government auditing standards issued by the Comptroller General of the United States, we considered Capital District Regional Planning Commission's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of CDRPC's internal control. Accordingly, we do not express an opinion on the effectiveness of CDRPC's internal control.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or a combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or a combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control was for the limited purpose described in the first paragraph and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above. However, we identified the following deficiency in internal control that we consider to be a significant deficiency:

Preparation of Complete GAAP Basis Financial Statements

Management does not currently prepare full and complete financial statements in accordance with Generally Accepted Accounting Principles (GAAP). In order to satisfy GAAP, the year-end financial statements are required to include extensive notes to the financial statements. At year-end, management has provided assistance to our firm in the preparation of the various disclosures. Although management is capable of preparing the basic financial statements and notes, management has engaged our firm to provide assistance and/or prepare certain of these required financial statement components.

Board of Directors Capital District Regional Planning Commission Page 2

Preparation of Complete GAAP Basis Financial Statements (Cont.)

It should be noted that this is not a new condition that developed during 2006. It is being reported to you now due to new auditing standards that require that we communicate this type of issue.

In recent years, management has maintained a complete and accurate general ledger and issued internal financial reports that include most GAAP accounting adjustments. At times, management does request our assistance with certain GAAP accounting issues such as recording capital assets, and compensated absences which are required under the full accrual method of accounting for the government-wide financial statements.

We believe that the internal financial statements prepared by management may not completely and/or consistently comply with generally accepted accounting principles without external assistance.

Other Recommendations - Not Significant Deficiencies

Improvements Needed in Accounting for the Special Revenue Fund

During our audit, we noted that additional entries were required in order to properly account for the Combined Sewer Overflow Project (CSO) through the special revenue fund. Expenditures were posted by accounting personnel without the corresponding revenue source being recorded. This produced what appeared to be a sizable deficit in the preliminary trial balance.

We recommend that each time an expenditure is incurred in the special revenue fund, an entry to record the corresponding revenue should be made either by recording a receivable or reducing the deferred revenue balance. This will aid in identifying what funding source is being utilized to pay for expenses of the CSO.

This communication is intended solely for the information and use of management and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.

Sincerely.

DORFMAN-ROBBIE, P.C.

Varfue Robli

MEMORANDUM (#07-17)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: Proposed 2008 Preliminary Budget

Enclosed for your review and approval is the proposed 2008 Preliminary Budget. A final budget will be prepared for the December Commission meeting. The adoption of the Preliminary Budget will allow us to send out the Commission's request for next year's county contributions. The counties are preparing their FY 2008 budgets and need to receive our budget request for inclusion in their budget proposals.

Preliminary budget highlights include the following:

- The amount requested from each county will remain unchanged from 2007. There has been no increase since 2004. This reflects the successful effort by the Commission during the last four years to secure outside grant funding support to carry out the mission of CDRPC.
- The contractual services reflects work anticipated to be under contract in 2008 including mapping support assistance to CDTA and school district enrollment projections.
- The activities associated with Empire State Development are related to the 2010 Census.
- Through the New York State Association of Regional Councils, CDRPC has entered into a contract with NYSERDA to provide wind support services to communities in the Capital Region.

- CDRPC will continue to facilitate and coordinate the work associated with the Combined Sewer Overflow project through 2008. Funding support is being provided through a variety of funding sources, the largest being an EPF grant from the NYS Department of Environmental Conservation. CDRPC is maintaining a separate set of financial records for this particular project, including the establishment of separate banking accounts. Similar to CDYCI, CDRPC is being reimbursed for the services provided.
- Similar to the previous three years, we do not anticipate getting any financial support from the FAA during 2007.
- The Other Federal Aid is associated with our activities to provide technical staff support to CARES to address affordable housing issues.
- The overall salary line item was increased primarily to reflect the full time status of the Assistant Planner. For 2007, funding was provided for the full time position for half the year beginning July 1, 2007. The final budget proposal in December will include more detailed information regarding staff salaries.
- The NYS Retirement system assumes no change in the funding formula in relationship to salaries.
- The health insurance line item assumes an 8% increase in health premium costs.
- There were minor increases, and in some cases decreases, to most of the remaining expense line items as noted.

CDRPC 2008 Proposed Budget

| 2007 2008 Proposed Budget | | | | |
|--------------------------------------------|-----------------------------------------|-----------------------------------------|-----------------------------------------|--|
| Account | 2007 Actual Budget | | sed Budget Change | |
| REVENUE | . recum Dungel | THIOGHT | Change | |
| 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 | 1,500.00 | 300.00 | |
| R2770.1 Miscellaneous | 100.00 | 100.00 | _ | |
| R2770.3 Contractual Services | 30,000.00 | 20,000.00 | (10,000.00) | |
| R2770.4 FTZ#121 | 12,000.00 | 15,000.00 | 3,000.00 | |
| R2770.5 Conferences | 5,000.00 | 5,000.00 | - | |
| R2770.6 CDYCI | 70,000.00 | 74,000.00 | 4,000.00 | |
| R3900.3 Empire State Dev. | - | 5,000.00 | 5,000.00 | |
| R3900.4 Other NYS Aid (NYSERDA) | 20,000.00 | 20,000.00 | - | |
| R3900.6 EPF CSO Grant | 75,000.00 | 100,000.00 | 25,000.00 | |
| R4000.1 Fed. Reg. Aviation | | - | | |
| R4000.2 EDA | 52,000.00 | 60,000.00 | 8,000.00 | |
| R4000.3 Water Quality . | 46,000.00 | 49,000.00 | 3,000.00 | |
| R4000.4 UPWP | 85,000.00 | 100,000.00 | 15,000.00 | |
| R4000.5 Other Federal Aid (HUD) | 3,000.00 | 1,000.00 | (2,000.00) | |
| R4000.6 EPA CSO Grant | - | - | - | |
| Gross Revenue | \$ 627,594.00 | \$ 678,894.00 | \$ 51,300.00 | |
| EXPENSE | | | , | |
| E.1010 Salaries | \$ 336,000.00 | \$ 375,000.00 | \$ 39,000.00 | |
| E.1030 Temporary Services | 16,000.00 | 14,000.00 | (2,000.00) | |
| E.2010 Office Equipment | 5,000.00 | 5,000.00 | - | |
| E.2020 Furniture & Furnishings | 2,000.00 | 1,000.00 | (1,000.00) | |
| E.4020 Workshops & Conferences | 5,000.00 | 5,000.00 | - | |
| E.4030 Consultant Services | 8,000.00 | 8,500.00 | 500.00 | |
| E.4040 Agency Memberships | 5,500.00 | 6,000.00 | 500.00 | |
| E.4051 Computer Supplies/Software | 5,000.00 | 5,500.00 | 500.00 | |
| E.4055 Data Purchases | 500.00 | 500.00 | - | |
| E.4060 Equipment Maintenance | 1,500.00 | 1,800.00 | 300.00 | |
| E.4070 Office Supplies | 3,000.00 | 3,000.00 | - | |
| E.4080 Books & Journals | 800.00 | 1,000.00 | 200.00 | |
| E.4090 Printing & Publishing | 8,000.00 | 8,500.00 | 500.00 | |
| E.4110 Rent | 63,000.00 | 64,000.00 | 1,000.00 | |
| E.4120 Telephone | 3,500.00 | 4,000.00 | 500.00 | |
| E.4121 Internet | 3,200.00 | 3,500.00 | 300.00 | |
| E.4130 Travel | 11,000.00 | 10,000.00 | (1,000.00) | |
| E.4140 Equipment Repairs | 500.00 | 500.00 | _ | |
| E.4150 Postage | 2,800.00 | 3,000.00 | 200.00 | |
| E.4160 Miscellaneous | 1,294.00 | 794.00 | (500.00) | |
| E.4170 Payroll Services | 1,500.00 | 1,700.00 | 200.00 | |
| E.4190 Contingent Fund | 3,500.00 | 3,000.00 | (500.00) | |
| E.4200 Insurance-General | 1,500.00 | 1,600.00 | 100.00 | |
| E.8010 NYS Retirement | 34,000.00 | 37,500.00 | 3,500.00 | |
| E.8030 FICA | 27,000.00 | 30,000.00 | 3,000.00 | |
| E.8040 InsWorker's Comp. & Dis. | 3,000.00 | 3,000.00 | - | |
| E.8050 InsHealth | 72,000.00 | 78,000.00 | 6,000.00 | |
| E.8060 InsUnemployment | 1,500.00 | 1,500.00 | | |
| E.8070 Prof. Memberships | 1,000.00 | 1,000.00 | - | |
| E.8080 Continuing Education | 1,000.00 | 1,000.00 | - | |
| Gross Expenses | \$ 627,594.00 | \$ 678,894.00 | \$ 51,300.00 | |
| Net Operating Income | \$ - | \$ - | \$ - | |
| A825 Fund Balance-Reserved | | | - | |
| A909 Fund Balance-Unreserved | - | - | - | |
| Net Income | \$ - | \$ - | \$ - | |
| Zenocoocoocoocoocoocoocoocoocoocoocoocooco | 000000000000000000000000000000000000000 | 000000000000000000000000000000000000000 | 000000000000000000000000000000000000000 | |

8/7/2007:10:45 AM

MEMORANDUM (#07-18)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: Foreign-Trade Zone Expansion Application Status Report

Attached is a memo from Capital District Trade Strategies outlining the status of the Foreign-Trade Zone Expansion application. As noted in the memo, significant progress has been made and it is anticipated that the application will be ready for Board review and approval at the October Commission meeting. A representative from Capital District Trade Strategies will present the report and respond to questions from the Board about the proposed expansion application.

Capital District Trade Strategies

100 State St., Suite 210 Albany, NY 12207 T 518-694-8676 F 518-694-8678 Tradestrat@hvc.rr.com

TO:

CDRPC Commissioners

FROM:

Bill Hooton - Capital District Trade Strategies

RE:

Up Date on FTZ Expansion Application

DATE:

August 2, 2007

Dear CDRPC Board Members:

The following report summarizes progress to date with regard to the development and submission of an application to expand the meets and bounds of FTZ # 121, the Capital Region Foreign Trade Zone, to include appropriate businesses and critical regional infrastructure assets in the four Counties served by CDRCP and in the wider region.

I am pleased to report that all four of the 'inner Counties' have favorably evaluated advancing the \$15,000 Tariff mandated, per site, Application Fee, thus qualifying an unlimited number of 'sub-sites' in each County to be included in the application provided that they meet the mutually agreed criteria for participation and they pay their individual 'fair share' of the application Fee (determined by taking the number of individual properties from each County and dividing that number into the \$15,000 Application Fee). CDTS will collect those 'fair share' fees from the individual property owners and reimburse the Counties in full for their advanced expenditure.

At the moment, it looks as though those 'fair share fees' will be as low as \$250 per property. The whole process will be revenue neutral to the Counties and the individual businesses and properties will pay the least cost possible for this important federal benefit and economic incentive. Background information on the application process and the formal requirements for participation is attached for your review and consideration.

In addition ensuring the lowest cost for individual participants, this 'partnership' with the inner Counties has enabled the Counties to have an appropriate and active role in identifying and qualifying the properties and critical infrastructure assets to be included and ensuring that this Zone Expansion meets, and is integrated with, their overall economic development goals and strategies. This 'collaborative' approach has worked very well. With the help of the Counties, we have reached out to any and all interested parties (individual business and property owners and the economic development representatives of the smaller political jurisdictions within the Counties) and we have provided public forums where any attendee is introduced to the project and have what ever questions they had answered. We have provided, and continue to offer, private meetings with any and all 'interested parties' who wish to discuss these opportunities in a more private and confidential setting.

With regard to the methodology for choosing sites, all of the Counties agreed to begin the process by reviewing the suitability of their existing industrial zoned Empire Zone locations and businesses. Overlaying Foreign Trade Zone status on existing Empire Zone status provides a powerful double incentive for business to remain in or move to these locations that have already been chosen as appropriate sites for the concentration of industrial development. We have, in addition, been identifying individual businesses, within or without the Empire Zones, whose business profile and activities suggest that Zone status might be of significant value and that their inclusion would serve the public interest. As a consequence of this thorough approach, the time required for the evaluative process and the considerable interest expressed by the business community, we are keeping the site selection process open until the end of September and will have a draft Application ready for your review and approval at you October Board Meeting.

The following 'sub- sites' have already been identified for inclusion in that Application:

Albany County:

The Port of Albany and contiguous industrial properties.
Albany International Airport and contiguous industrial properties.
Watervliet Arsenal and contiguous industrial properties
Railroad Avenue Industrial Corridor and contiguous industrial properties
Northeastern Industrial Park and contiguous industrial properties
Selkirk Yards and contiguous industrial properties
The Port of Coeymans and contiguous industrial properties
Green Island Industrial Park and contiguous properties

Rensselaer County:

The South Troy Industrial Park and contiguous properties
The Port of Rensselaer and contiguous industrial properties
The Mill Creek Industrial Park and contiguous industrial properties
The South Schodack Industrial Park and contiguous industrial properties
The Berlin Industrial Park and contiguous properties

Saratoga County:

Moreau Industrial Park and contiguous industrial properties
Alpine Business Park and contiguous industrial properties
Wilton Development Center and contiguous industrial properties
Stone Bridge Iron & Steel and contiguous industrial properties
W.J Grande Industrial Park and contiguous industrial properties
Corporate Technology Park and contiguous industrial properties
Luther Forest Industrial Park and contiguous industrial properties
New Abele Industrial Park and contiguous industrial properties
Mechanicville Industrial Park and contiguous industrial properties

Schenectady County:

Scotia – Glenville Industrial Park and contiguous industrial properties Rotterdam Industrial Park and contiguous industrial properties G.E. Business Park and contiguous Industrial properties Duane Avenue Industrial Park and contiguous industrial properties Nott Street Industrial Park and contiguous industrial properties Riverside Technology Park and contiguous industrial properties

In addition to the inner Counties, we are soliciting participation from all of Counties covered by the Albany Port District which also defines the natural boundaries of FTZ #121. To date, we have had expressed interest from Washington, Warren, Ulster, Schoharie, Greene and Columbia to have sites from their counties included in the expansion application.

We will keep you advised of our progress and propose to have a completed draft application for your review and approval at your next Board meeting in October.

Yours faithfully,

William A. Hooton
President
CDTS – Administrators FTZ #121,
The Capital Region Foreign Trade Zone

FTZ #121 Expansion - Property Owner Concurrence and Support Letter

Mr. Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
U.S. Department of CoFmmerce
1401 Constitution Ave., NW, Room 2111
Washington, DC 20230

| Date: | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dear Mr. McGilvray | |
| I, | (company, if applicable) (street address) |
| General Purpose Foreign Trade Zone # 12 approved by the grantee, Capital District I | erty (ies) listed below to be included in the 2007 Expansion Application to be reviewed and Regional Planning Commission, prior to its mmerce, International Trade Administration, on DC. |
| of FTZ #121, I believe that the Expansion enable my particular property to be more to support the Expansion Application and the Property #1 Street Address, City, State, Zip | |
| Section, Block, Lot(s) (If applicable, a board resolution of my co | mpany is attached.) |
| SignedName | |
| Address | |
| City, State, Zip | |
| Tel Witnessed by: | |
| | |
| Signed | (print) |
| NameAddress | (hime) |
| City, State, Zip | |
| Tel | |
| | |

FTZ #121 EXPANSION PARTICIPATION AGREEMENT

| Made this day of | , 2007 between: |
|---------------------------------------------------------------------------|-----------------|
| Capital District Trade Strategies 100 State Street Albany, NY 12207 | |
| Here after referred to as CDTS, and | |
| Applicant: | |
| Here after referred to as Applicant | |

WITNESSETH:

RECITALS

WHEREAS, CDTS is the Administrator of FTZ #121 and is authorized by the Grantee and committed through its approved Zone Development Plan to timely undertake a Major Expansion of FTZ #121 to include appropriate and willing properties in the Capital District Region and;

WHEREAS, CDTS personnel have experience and expertise in preparing and successfully accomplishing such Major Expansions and have the ability to and interest in working with APPLICANT and/or his tenants to include their property(s) within the expanded boundaries of FTZ #121 and to work with APPLICANT, its existing and prospective tenants and sub-sites to evaluate and, as appropriate, activate and operate Foreign Trade Zone environments for the betterment of their businesses and in compliance with Customs and Commerce regulations and;

WHEREAS, CDTS will submit this application for a Major Expansion of the Boundaries of General Purpose Foreign Trade Zone FTZ #121 to the CDRPC; who, upon the approval of its' Board, will in turn timely submit the application to the US Department of Commerce Foreign Trade-Zones Board in the third quarter of 2007, or thereabout and;

WHEREAS, APPLICANT is interested in obtaining Foreign Trade Zone status through participation in a Major Expansion Application of FTZ #121 and in working with CDTS to accomplish this goal and is interested in CDTS providing APPLICANT and its existing and prospective tenants or sub-sites with knowledge about and an ability to activate and operate successfully within a Foreign Trade Zone environment

NOW THEREFORE, the parties hereto, in consideration of the mutual agreements herein contained and promises herein expressed, and for other good and valuable consideration acknowledged by each of them to be satisfactory and adequate, do hereby agree as follows:

AGREEMENT:

APPLICANT hereby contracts to participate in a Major Expansion of FTZ #121 as an approved sub-site(s) of their particular County in the Expansion Application of FTA #121 and to facilitate the timely provision of all the required information on their sub-site(s), including a letter of concurrence from the owner of the property acknowledging his awareness of and willingness to include their property in an application to expand the meets and bounds of FTZ # 121 and to provide a legal property description(s) of their sub-site(s), as necessary to qualify their sub-site(s) for inclusion in the Expansion Application and CDTS hereby agrees to include, subject to County and Grantee approval Applicant's sub-site(s) in the FTZ #121 Major Expansion Application and to timely develop, submit and seek approval for that Application under the following terms and conditions.

SECTION ONE - DESCRIPTION OF SERVICES

For the duration of this agreement, CDTS will be at the disposal of APPLICANT as necessary and practicable to insure that APPLICANT's site and/or sub-site(s) are included as a proposed site(s) in a Major General Purpose Zone Expansion Application for FTZ #121, the Capital Region Foreign Trade Zone; that that Application is timely submitted to the U.S. Department of Commerce Foreign Trade Zones Board for their review and approval; and that CDTS will make a best effort to answer any questions the FTZB may have regarding the overall Application and/or any particular sub-site(s) thereof, to ensure that the Application meets the requirement of the FTZB and that the Application is timely reviewed and acted upon by the FTZB.

SECTION TWO - PAYMENT

APPLICANT and/or its agent will pay CDTS an Application Fee equivalent to their prorated share of the County Site \$15,000 Application Fee. The Fee will be calculated, due and payable at the time the inclusion of Applicant's property(s) in the completed Application is approved by the Grantee and prior to the submission of that approved Application to the Foreign Trade Zones Board of the US Department of Commerce in Washington, DC. The prorated share shall be determined by dividing the number of properties included in the Grantee approved Application from a particular County into the \$15,000 County Site Fee. If payment of Applicant's prorated portion of the Fee is not received with in two weeks of the approval of the Application containing Applicant's property by the Grantee, CDTS has the right to strike Applicants property from the Application.

SECTION THREE - RELATIONSHIP OF THE PARTIES

The parties intend that an independent, non-exclusive, contractor relationship will be created by this AGREEMENT. APPLICANT is interested only in the results of CDTS's work. The conduct and control of that work will lie solely with CDTS. CDTS is not to be considered an agent or employee of APPLICANT for any purpose, and the employees of the separate parties are not entitled to any of the benefits that the other employers provide for their employees.

SECTION FOUR - LIABILITY

The work to be performed by all parties under this agreement will be performed entirely at their own risk, and the parties assume all responsibility for the conduct of the work they are to perform in relation to this AGREEMENT.

SECTION FIVE - DURATION

This AGREEMENT shall remain in full force and effect for one (1) year from the date of its execution and /or until the Major Expansion of FTZ has been reviewed and acted upon by the U.S. Department of Commerce Foreign Trade-Zones Board, which ever is later.

SECTION SIX - CONFIDENTIALITY

CDTS is aware that its personnel will be receiving confidential information from APPLICANT and/or its' sub-sites. CDTS will hold any information it receives from participants in strict confidence and will not divulge any information received as a result of this consultancy to third parties without the prior written consent of concerned party.

SECTION SEVEN - NOTICES.

All notices to APPLICANT shall be hand delivered or sent by certified mail, return receipt requested, addressed to:

or at such other address as APPLICANT designates in writing.

All notices to CDTS shall be hand delivered or sent by certified mail, return receipt requested, addressed to:

Capital District Trade Strategies, Inc. 100 State Street Albany, NY 12207 ATTN: Mr. Bill Hooton, President or at such other address as CDTS designates in writing.

The date of delivery shall be the date of hand delivery or as evidenced by the postal return receipt.

SECTION EIGHT - MISCELLANEOUS.

- 8.1 <u>Construction</u> -- This Agreement shall be governed by and construed in accordance with the applicable laws of the State of New York.
- 8.2 <u>Counterparts</u> -- This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but such counterparts together shall constitute but one and the same Agreement.
- 8.3 <u>Headings</u> -- Headings and captions in this Agreement are solely for the convenience of reference and shall not affect its interpretation.
- 8.4 <u>Integration</u> -- This Agreement is intended to set forth the precise relationship between the parties hereto.
- 8.5 <u>Conflict With Terms of Grant</u> -- In case of any difference between this Agreement and the regulations of the grant of FTZ# 121, said regulations of the grant shall apply.
- 8.6 <u>Privilege Non-Exclusive</u> -- The privilege granted by this Agreement shall be non-exclusive.
- 8.7 <u>Non-Liability of Individuals</u> -- CDTS nor any officer, agent or employee thereof shall be charged personally by the APPLICANT, with any liability, or held liable to it under any term or provision of this Agreement or because of any breach or attempted or alleged breach thereof.
- 8.8 <u>Severability</u> -- If any provision of this Agreement is declared void or ineffective, that declaration will not affect the validity of any other provision of this Agreement.
- 8.9 <u>Waiver</u> -- No failure of either party hereto to exercise any right or power given it hereunder, or to insist upon strict compliance by the other party of any obligation hereunder, and no custom or practice at variance with the terms hereof, shall constitute a waiver of the party's right to demand exact compliance with the terms hereof.
- 8.7 <u>Gender</u> -- All terms and words used in this Agreement, regardless of the number and gender in which they are used, shall be deemed and construed to include any other number, singular or plural, any other gender, masculine, feminine, or neuter, as the context or sense of this Agreement or any paragraph or clause herein may require.

| INI WITNESS WHEI | REOF the parties | hereto have caused this Agreement to be |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| duly executed as of this | | |
| ATTEST: Inc. | , | Capital District Trade Strategies, |
| Ву:_ · | ************************************** | |
| Title: | roperture and the second secon | |
| ATTEST: | | APPLICANT |
| Ву: | | |
| Title: | | |

8.8 <u>Amendment</u> – This Agreement cannot be changed orally but only by an agreement in writing executed by all parties hereto.

MEMORANDUM (#07-19)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: CDRPC Satisfaction Survey

It is important that the Commission receive feedback in order to continually provide quality services to each of the four counties it serves. As such, it is recommended that Jon Allen of Performance Matters be hired to prepare a "customer satisfaction survey" that would be distributed to the County Executive/Administrator and County Planning Director in each of the four counties along with contracting agencies receiving services from CDRPC. Similar to last year, evaluation surveys would also be prepared for staff and Board members to respond.

Jon Allen will report back the results of his findings to the Board at the October Commission meeting. This effort would be in lieu of a Board/Staff "Retreat" for which money has been included in this year's budget.

MEMORANDUM (#07-20)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: August 7, 2007

Re: Long Term Control Plan – Combined Sewer Overflow Study

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

A scope of work has been approved by NYSDEC. The total estimated project cost to prepare the LTCP is \$5,010,355, excluding the in kind match by the six communities and two sewer districts. State grants cover \$2,948,293 of the cost with the remainder the responsibility of the Albany Pool Communities (Albany Water Board, Cohoes, Green Island, Rensselaer, Troy, and Watervliet).

The Inter-municipal agreement, which outlines the communities' financial obligation, has been finalized and signed by the six Albany Pool communities.

CDRPC and the Consultant Team have signed the agreement for Professional Services and work on the Part B Scope of Work has begun. Two submissions from the consultants to NYSDEC, one on September 1st and the other on October 1st, mark the first milestones of the Part B LTCP development.

The Public Participation Plan (PPP), which has been approved by DEC, is in the early stages of implementation. The membership of the Citizen Advisory Committee (CAC) has been set and includes environmental, sporting, and community group representatives. The initial CAC meeting was held on August 9th. Federal & State elected officials will be invited to an informational session about the CSO project in September.

STAFF ACTIVITY REPORT May 7, 2007 to August 1, 2007

A. ADMINISTRATION

- 1. The 2007 Q2 billings were prepared and submitted to the funding agencies for the CSO project, CDYCI, Water Quality, Transportation, EDA, HMIS, Wind Energy, and Onesthequaw-Coeymans projects.
- 2. The 2006 Audit of CDRPC's finances and practices has been completed.
- 3. An application was prepared and submitted to the Economic Development Administration for a continuation of CDRPC's economic planning grant.
- 4. Deborah Shannon started as a full time Assistant Planner on July 1, 2007.

B. REGIONAL PLANNING

REGIONAL INFORMATION SYSTEM & DATA SERVICES

- The staff responded to approximately 75 data requests during the reporting period. CDRPC's Web site had 14,004 visitors in May 2007, a 39.7% decrease from May 2006, 13,580 visitors in June 2007, a 43.9% decrease from June 2006, and 15,449 visitors in July 2006, a 32.1% decrease from July 2006. CDRPC's traffic web cam page, http://cdrpc.org/DOTpopCCTV.html, got well over 22,000 hits for the three-month period.
- 2. The staff continues to update and maintain its GIS, and to provide GIS products and services to local governments, agencies and citizens on request.
- 3. The staff continues to process, analyze, and disseminate Census 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.
- 4. Staff has continued to provide support to CARES to monitor the four-county Homeless Management Information System data base and to serve as a member or resource to the individual County 10 Year Plans to End Homelessness. Staff is also providing technical support to each of the four counties in addressing the issue of affordable and workforce housing in their respective counties.
- 5. An initial training session was provided by the Census Bureau in preparation for the Local Update of Census Address (LUCA) Program. Follow-up training sessions are being scheduled for late summer and early fall to assist communities in the review of the files that are an important pre-cursor to the 2010 Census.

WATER QUALITY PLANNING

- 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 conducting the review of all Year Four MS4 annual reports submitted by each of the
 communities.
- 2. 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 07-20 for the most recent update of activities.
- 3. Staff has completed the draft Onesquethaw-Coeymans Watershed report, which has been submitted to the Onesquethaw-Coeymans Watershed Council for review and comment. The report is funded by a grant received by the Onesquethaw-Coeymans Watershed Council.

TRANSPORTATION

- 1. The staff continues to participate on CDTC's Planning Committee and the Quality Region Initiative Taskforce.
- 2. Staff has been participating on the Saratoga Springs Downtown Transportation Plan Advisory Committee (plan now completed), the Harriman Campus Area Linkage Plan, the City of Schenectady State Street Transit Oriented Development study, and the Town of Bethlehem Rt. 9W Corridor Plan. These studies are funded through the CDTC Linkage program.
- 3. Staff has been participating on the South End Albany Master Plan Advisory Committee.
- 4. A draft report *Estimating the Fiscal Impact of the Alternative Futures for the Capital Region* has been completed and submitted to CEG for review prior to completion fo the final report. The report's preparation is being coordinated with the other members of the study team: CDTC and the University at Albany. A related report titled *New Centers* has also been released and presentations have been made on the findings. The *New Centers* report documents the implementation of various New Urbanism projects in the Denver, Colorado, and Portland, Oregon, regions.
- 5. 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. The final report has been competed and submitted to CDTC.
- 6. Commission staff has revised the initial draft TAZ-level employment projections for CDTC, based on qualitative inputs and GIS mapping data.

TECHNICAL ASSISTANCE

1. In September, staff will begin work on enrollment projections for the Shenendehowa School District.

HUMAN RESOURCES & CRIMINAL JUSTICE

- 1. The Juvenile Detention facility utilization rate was 92.5% in May 2007, 85.3% in June 2007 and 85.6% in July.
- 2. CDRPC has assumed responsibility for billing the counties using the facility, and has computed and sent out the bills for the first six months of 2007. Total billings are \$1,295,895.57 through the end of June.
- 3. The 2006 reconciliation statement is being prepared by CDRPC, and CDYCI's accountant is preparing a compilation report on the 2006 financial statements.

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 January/February 2006 issue of *Capital District Data* was prepared and published with a report on the 2006 residential building permits, and 2007 income eligibility requirements for U.S. Dept. of Housing & Urban Development programs.
- 3. The March/April 2006 issue of *Capital District Data* was prepared and published with a report on 2006 municipal real property tax rates and 2006 existing home sales through the Multiple Listing Service.
- 4. The May/June 2006 issue of *Capital District Data* was prepared and published with a report on FY2005 Capital Region municipal and school district finances and 2006 Census Bureau population estimates for municipalities.
- 5. CDRPC has continued to work with MPM Silicones to support the application to the Foreign-Trade Zones Board for Subzone status at its plant in Waterford. See Memo 07-18 for additional work associated with the Foreign Trade Zone expansion application.
- 6. CDRPC has continued to work with Vistec and the UAlbany College of Nanoscale Science & Engineering CNSE to investigate the EDA funding possibilities for market research to determine the feasibility of a nanotech foundary at CNSE.

7. New 2007 RIMS II economic impact multipliers were obtained from the U.S. Dept. of Commerce, Bureau of Economic Analysis for Schenectady County for use in preparing an economic impact estimate for Union College.

WIND POWER PLANNING

- 1. Staff continues to work with the Town of Knox to evaluate the potential for a municipally owned wind farm. MSE Power Systems, Inc., one of the leading wind cost estimators for wind power projects is participating with the Town of Knox and Green Island Power Authority in the evaluation.
- Staff continues to respond to technical questions on addressing small scale and commercial wind development within comprehensive plans, zoning, and land use regulations.

C. MEETINGS AND CONTACTS

- 5/7/07 Fabozzi: Presentation on regional development trends/issues at the HVCC land use workshop.
- 5/7/07 Ferraro, Engstrom & Shannon: HVCC Local Government Land Use Workshop.
- 5/10/07 Engstrom: State Affiliate Data Center Conference in Hamilton, NY.
- 5/10/07 Shannon: Saratoga County Water Quality Coordinating Committee meeting.
- 5/10/07 Ferraro: Regional Development Coordinating Council meeting.
- 5/11/07 Ferraro: Presentation to the Tech Valley Leadership Group.
- 5/14/07 Ferraro: Presentation at Tech Valley Summit.
- 5/15/07 Fabozzi: Presentation on regional development trends/issues at the American Institute of Architects Albany Lobby Day.
- 5/16/07 Fabozzi: South Albany Plan advisory committee meeting.
- 5/17/07 Ferraro: Rensselaer County Executive Committee to End Homelessness meeting.
- 5/21/07 Ferraro: NYSARC Executive Director's meeting.
- 5/23/07 Ferraro: Presentation at Tech Valley Symposium.
- 5/23/07 Ferraro: Scotia-Glenville Industrial Park Master Plan Charrette.

- 5/23/07 Fabozzi: CDTC Planning Committee meeting.
- 5/24/07 Engstrom: Albany County MS4 committee meeting.
- 5/24/07 Ferraro & Engstrom: Meeting with CDRPC attorney, Albany and Troy officials, and consultants regarding the consultant contract for the CSO LTCP development.
- 5/24/07 Ferraro: Presentation at Government Law Center re: Affordable Housing.
- 5/24/07 Fabozzi: NYS GIS Coordinating Body meeting.
- 5/30/07 Fabozzi: Capital District GIS Association meeting.
- 5/30/07 Fabozzi: South Albany Plan advisory committee meeting.
- 5/30/07 Ferraro: Skidmore College release of Economic Impact report prepared by CDRPC.
- 5/31/07 Ferraro: Scotia-Glenville Industrial Park Master Plan Charrette
- 6/4/07 Ferraro: ECOS meeting in Schenectady.
- 6/5/07 Fabozzi: CDTC Planning Committee meeting.
- 6/6/07 Fabozzi: Conference on Upstate Cities, Albany Inst. of History and Art.
- 6/6/07 Ferraro: CDTC Operations Committee meeting.
- 6/6/07 Engstrom: Schenectady County Water Quality Coordinating Committee meeting.
- 6/7/07 Fabozzi: NYS NYS GIS Coordinating Body meeting.
- 6/8/07 Fabozzi: NYS GeoSpatial Summit, Skaneateles
- 6/11/07 Ferraro, Wardle, & Fabozzi: Meeting with Chris O'Neil, Deb Stacey, & Sreekumar Nampoothiri of CDTC to revise the draft TAZ-level employment projections.
- 6/12/07 Fabozzi: Schenectady Transit Oriented Development Linkage Study meeting.
- 6/12/07 Ferraro: Meeting w/ Times Union Business editors re: Fiscal Impact study.
- 6/13/07 Fabozzi: Harriman Campus Linkage Study meeting.
- 6/14/07 Ferraro & Engstrom: Meeting with DEC officials and consultants regarding CSO LTCP development.
- 6/14/07 Ferraro: Albany County Dept. of Social Services Advisory Council meeting.
- 6/18/07 Ferraro: Hudson River Crossing Advisory Council meeting.

- 6/19/07 Ferraro, Wardle, & Fabozzi: Meeting with Chris O'Neil, Deb Stacey, & Sreekumar Nampoothiri of CDTC to revise the draft TAZ-level employment projections.
- 6/20/07 Fabozzi: Meeting with city of Watervliet official regarding redevelopment issues.
- 6/20/07 Fabozzi: Albany South Plan advisory committee meeting.
- 6/20/07 Ferraro: Canal Recreationway Commission meeting.
- 6/21/07 Fabozzi: Cornell U. Smart Growth Focus Group meeting.
- 6/21/07 Ferraro & Wardle: Lunch at the Linda Norris Auditorium to discuss WAMC capital projects.
- 6/21/07 Ferraro, Engstrom & Shannon: Conference on stormwater financing.
- 6/21/07 Shannon: Town of Bethlehem Rte 9 Corridor Plan meeting.
- 6/22/07 Ferraro & Engstrom: Meeting with CDTC regarding the bike trail study.
- 6/22/07 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 6/25/07 Ferraro: NYSARC Executive Director's meeting.
- 6/26/07 Ferraro & Fabozzi: Meeting with the mayor of the Village of Menands regarding redevelopment options/issues.
- 6/27/07 Ferraro: CDTC Planning Committee meeting.
- 6/27/07 Ferraro: Albany County Executive Committee to End Homelessness meeting.
- 6/28/07 Engstrom: Albany County MS4 committee meeting.
- 7/2/07 Ferraro, Wardle, & Fabozzi: Meeting with Chris O'Neil, Deb Stacey, & Sreekumar Nampoothiri of CDTC to revise the draft TAZ-level employment projections.
- 7/3/07 Ferraro & Engstrom: Meeting with City of Albany officials regarding the CSO LTCP development.
- 7/10/07 Ferraro, Engstrom & Shannon: NYSARC 2010 Census LUCA conference.
- 7/10/07 Engstrom: NYSARC wind program conference call.
- 7/10/07 Ferraro: Albany County Foreign Trade Zone Public Hearing.
- 7/11/07 Engstrom & Ferraro: Meeting with Albany County officials regarding LUCA.
- 7/12/07 Engstrom & Shannon: Saratoga County MS4 committee meeting.

- 7/12/07 Engstrom: Meeting with Saratoga County Planning regarding Census 2010 LUCA.
- 7/12/07 Engstrom: Saratoga County Water Quality Coordinating Committee meeting.
- 7/12/07 Ferraro: CDTC Policy Board meeting.
- 7/16/07 Ferraro & Wardle: Meeting with Kevin McCoy to discuss CDYCI's 2006 Reconciliation statement and other billing issues.
- 7/16/07 Ferraro: Albany Guardian Society forum on Naturally Occurring Retirement Communities.
- 7/17/07 Fabozzi: Meeting with Town of Ballston officials regarding traditional neighborhood design.
- 7/18/07 Fabozzi & Ferraro: CDTC Quality Region taskforce meeting.
- 7/19/07 Fabozzi: CDTC Regional Linkage Forum meeting.
- 7/19/07 Ferraro: Saratoga Workforce Housing Partnership meeting.
- 5/17/07 Ferraro: Rensselaer County Executive Committee to End Homelessness meeting.
- 7/19/07 Shannon: Town of Bethlehem Rte 9 Corridor Plan meeting.
- 7/23/07 Engstrom: Meeting with DEC officials and consultants regarding CSO LTCP development.
- 7/24/07 Fabozzi: NYS Route 5 Bus Rapid Transit project meeting.
- 7/24/07 Fabozzi: Presentation on traditional neighborhood design at the Town of Ballston Town Hall
- 7/26/07 Ferraro & Wardle: Meeting with Ken Carlstadt and Tommy Berry to discuss FTZ issues and progress related to the MPM Silicones application for Subzone status.
- 7/27/07 Ferraro: Schenectady County Trust Fund meeting.
- 8/1/07 Engstrom & Shannon: Meeting with Schenectady County Planning regarding Census 2010 LUCA.