



CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

TEL: 518/453-0850

FAX: 518/453-0856

FTZ #121

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

E-MAIL: cdrpc@cdrpc.org

2008 Officers

Chair

John Graziano, Jr.

Vice Chair

Michael Stammel

Secretary

Philip Barrett

Treasurer

Barbara Mauro

Members

Albany County

Willard A. Bruce
John Graziano, Jr.
Henry E. Dennis, Jr.
Lucille M. McKnight
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Stan Brownell
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Fred Acunto
Philip Barrett
J. Christopher Callaghan
Jason Kemper
John Murray

Schenectady County

Robert Godlewski
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, AICP

Assistant Planner

Deborah A. Shannon

Office Manager

Donna M. Reinhart

Planning Intern

Joanna H. King

COMMISSION MEETING

8:30 am, Wednesday, December 17th, 2008

CDRPC Office

One Park Place

Albany, New York

453-0850

AGENDA

1. Welcome/Introduction of Guests
2. October 15th, 2008 Meeting Minutes*
3. Presentation by Judith Saidel, Director, Center for Women in Government & Civil Society (Memo 08-28)
4. Financial Statement through November 30, 2008 (Memo 08-29)*
5. Report from Nominating Committee (Memo 08-30)*
6. Proposed 2009 Budget (Memo 08-31)*
7. Proposed 2009 Meeting Schedule (Memo 08-32)*
8. Foreign-Trade Zone Application Status & Zone Tariff (Memo 08-33)*
9. LTCP - CSO Update (Memo 08-34)
10. Staff Activity Report
11. Other Business
12. Next Commission Meeting Date: January 21st, 8:30 am

*Formal Board Action Anticipated

COMMISSION MEETING

October 15, 2008

CDRPC Conference Room

One Park Place, Suite 102

Albany, New York 12205

MINUTES

- PRESENT:** Willard Bruce, Henry Dennis, Jr., Mike Whalen, Stan Brownell, Leon Fiacco, Mike Stammel, Fred Acunto, Philip Barrett, Chris Callaghan, Jason Kemper, Barbara Mauro, Michael Petta, David Vincent
- ABSENT:** Lucille McKnight, Judy Breselor, Jim Shaughnessy, John Murray, Robert Godlewski, Gary Hughes
- PRESIDING:** John Graziano, President, called the meeting to order at 8:30am.
- GUESTS:** Bill Hooton from Capital District Trade Strategies and Ann Luby from NYS DOL

1. Welcome

Anne Luby, Capital Region Rep, from NYS Department of Labor was introduced to the Board.

2. July 16, 2008 Meeting Minutes

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

Action Taken

Fred Acunto made a motion to approve the minutes, and Mike Stammel seconded. The motion was approved unanimously.

3. Presentation by Anne Luby, Capital Region Rep. NYS DOL

Anne Luby discussed with the board some of the initiatives that the Department of Labor is involved with that relates to the Capital Region. Discussion focused on workforce needs of the future including job training programs that match skill sets with employer needs. Also, the proactive role that the NYS DOL will play in participating in economic development efforts.

4. Financial Statement through September 30, 2008

The financial statement reflects activities through September 30, 2008. The revenues are at 79.3% and the expenses are at 69.6%. There is approximately \$75,000 cash in the bank.

Action Taken

Fred Acunto made a motion to approve the Financial Statement, and Henry Dennis seconded. The motion was approved unanimously.

5. Responses to Audit RFT

Two proposals were received in response to the RFP for Audit and Financial Services to CDRPC for the three year period beginning with the fiscal year ending December 31, 2008. The two firms and their bid amount were Dorfman-Robbie, CPA's bidding \$7,100 for 2008, \$7,500 for 2009 and \$8,000 for 2010. And the second firm was Pryba, Tobin & Company, PC bidding \$8,500 for 2008, \$8,900 for 2009 and \$9,400 for 2010.

Dorfman-Robbie has provided audit services to CDRPC since 1994 and the staff have been pleased with their services.

Action Taken

David Vincent made a motion to accept Dorfman-Robbie's three year proposal and Mike Stammel seconded. The motion was approved

6. Status of Foreign Trade Zone Application and Agreement with CDTS

Rocky informed the Board that a notice was sent to CDTS on August 12, 2008 providing them the required sixty day notification that CDRPC was planning to terminate the existing Agreement between CDRPC and CDTS. There had been no communication from CDTS in response to the notice prior to the Board meeting (footnote: An e-mail was sent to Rocky from CDTS the evening before the meeting but was not received until after the Board meeting; it was subsequently distributed to all Board members later that day). Effective October 12, 2008 the Agreement was no longer in effect.

The major modification application is being prepared by CDRPC staff and will be submitted shortly after the first of the year when the new FTZ guidelines go into effect. Meetings have been held with the county economic development representatives from the counties in the region and their response has been very positive to CDRPC taking over the major modification application.

CDRPC has also been in contact with the Foreign Trade Zone Board staff seeking their input in order to assure compliance with the new guidelines. Upon submittal to the FTZ Board, the approval process will be from 8 months to a year.

CDRPC will also be hosting the inaugural meeting of the Foreign Trade Zone Grantees from throughout New York State on October 27, 2008 at CDRPC's offices. A primary objective of the meeting is to determine interest to create a statewide association.

7. Expansion of Grant of Authority for a Foreign Trade Zone

The Foreign Trade Zone Board has raised an issue as to whether or not CDRPC has the power to act on behalf of the counties outside of the 4 counties represented on our Board. The existing Four-County Agreement creating CDRPC was amended in 1984 to provide the Commission with the authority to apply to the Foreign-Trade Zones Board for a grant of Authority for FTZ #121 at Albany, NY and to exercise that Authority when granted.

Subsequent to 1984, additional counties have become part of our jurisdiction including Fulton, Montgomery, Columbia, Greene, Warren and Washington Counties. Senate Assembly bills authorizing CDRPC to include those counties in the Foreign Trade Zone were issued.

Rocky requested Board action to approve a resolution to expand the definition of the "Capital District area" for Foreign Trade Zone related activities in order to clarify any concerns about the jurisdictional coverage being permitted by the CDRPC Board.

The proposed resolution is as follows:

RESOLVED; that the reference to the "Capital District area" in Article III, Powers and Duties of the Four-County Agreement, Section II, which allows the Board to receive grants of authority for a Foreign-Trade Zone, means the entire Albany Port Customs & Border Protection District.

Action Taken

Mike Stammel made a motion to approve the resolution to the Four County Agreement, and Henry Dennis seconded. The motion was approved unanimously.

8. Proposed Staff Internet Policy

Rocky proposed adding a Staff Internet Policy to the existing CDRPC Administrative Guidelines. The Board agreed to the proposed policy.

Action Taken

Fred Acunto made a motion to adopt the proposed Staff Internet Policy, and Barbara Mauro seconded. The motion was approved with Chris Callaghan abstaining.

9. Combined Sewer Overflow Long Term Control Plan Update

The water sampling and sewer system monitoring have been completed and the primary focus is now on analyzing the data and incorporating it into the system models.

Once the data analysis is complete and the models calibrated, discussions will begin regarding CSO control alternatives.

Technical Committee meetings were held on August 5th and October 9th. The next CAC and public meetings will be held in the late fall, after the sampling and monitoring data has been analyzed.

10. Staff Activity Report

Highlighting the staff report, Rocky reported that the 2010 Census Project continues to move forward. CDRPC has entered into a contract with Empire State Development effective August 1, 2008 for the next phase of activities.

Staff is actively involved in the Metrics Taskforce, one of four task forces created in conjunction with the Tech Valley Civic Forum, and whose findings will be reported to the Tech Valley Civic Forum Collaboration Council.

Staff continues to work on the 604b water quality program and continues participating in water quality coordinating committee activities, MS4 activities, and to provide technical support to the counties and local government.

Staff continues to work collaborately with CDTC in the preparation of a Land Use Sustainability guidebook for use by local government entities. A series of presentations have been arranged with the Capital Region Stakeholders Group, an organization representing young professionals throughout the region.

Contractual discussions are underway with Berkshire Farm for the renewal of their operations contract in 2010. The existing agreement expires December 31, 2009.

11. Other Business

John Graziano selected David Vincent to Chair the nominating committee for 2009 officers. John also selected Henry Dennis, Fred Acunto and Stan Brownell to serve on the nominating committee. The nominating committee will report back at the December commission meeting the recommendations for 2009 officers.

Action Taken

Henry Dennis made a motion to approve the nominating committee, and Chris Callaghan seconded. The motion was approved unanimously.

Adjournment

Fred Acunto made a motion to adjourn the meeting and Chris Callaghan seconded. The motion was approved unanimously.

Respectfully submitted,


Phil Barrett,
Secretary



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MEMORANDUM (#08-28)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: December 9, 2008

Re: Presentation by Judith Saidel

Judith Saidel, the Director for Women in Government & Civil Society and founder of the Non-Profit Executive Roundtable will make a presentation to the Board about the work underway as a result of the Tech Valley Civic Forum held in the Fall of 2007. Four Task forces have been created (Tech Valley & Community Outreach, New Economy and P-16 Education, Metrics for Success, and Tech Valley Workforce Network) with the charge to identify strategies to connect High Tech Growth to Community Well-Being in the Capital Region as it applies to each of these areas. The recommended findings will be reported out at a second Tech Valley Civic Forum scheduled for the Spring of 2009. Dr. Saidel will discuss the objectives, process, and activities of the Tech Valley Civic Forum leading to the Spring event.



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MEMORANDUM (#08-29)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: December 9, 2008
Re: Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through November 2008.

With one month remaining in the fiscal year, revenues are at 83.4% of the approved budget and expenses area at 88.8%. The revenues do not reflect work completed during October and November for contracts that are billed on a quarterly basis. (October – December). For expenses, with the exception of the utility costs, the rent has been fully paid for 2008 along with the employee health insurance. Also, the New York State Retirement bill payment due in February 2009 was fully paid in the amount of \$33,138 which is reflected on the statement.

As noted on the Statement of Financial Condition, we have over \$76,000 cash in the bank plus four Certificates of Deposit: one for \$30,000 that expires this month and will be renewed, two for \$20,000 (one expiring in April and the other in July), and a fourth for \$60,000 that expires in November, 2009.

CDRPC 2008 Income Statement

Account	Budget	Sep 08	Oct 08	Nov 08	Year-to-Date	Balance	YTD %
2008 REVENUE							
R2390.1 Albany County	\$ 84,663.00	\$ -	\$ -	\$ -	\$ 84,663.00	\$ -	100.0%
R2390.2 Rensselaer County	43,842.00	-	-	-	43,842.00	-	100.0%
R2390.3 Saratoga County	57,666.00	-	14,416.50	-	57,666.00	-	100.0%
R2390.4 Schenectady County	42,123.00	-	10,530.75	-	42,123.00	-	100.0%
R2401.0 Interest & Earnings	1,500.00	72.66	74.88	44.10	1,131.18	368.82	75.4%
R2770.1 Miscellaneous	100.00	-	-	-	-	100.00	0.0%
R2770.3 Contractual Services	20,000.00	279.71	-	-	21,653.80	(1,653.80)	108.3%
R2770.4 FTZ#121	15,000.00	-	-	-	-	15,000.00	0.0%
R2770.5 Conferences	6,000.00	-	1,170.00	1,170.00	8,880.00	(2,880.00)	148.0%
R2770.6 CDYCI	72,000.00	18,000.00	-	-	54,000.00	18,000.00	75.0%
R3900.3 Empire State Dev.	5,000.00	-	-	-	1,916.34	3,083.66	38.3%
R3900.4 Other NYS Aid (NYSERDA)	20,000.00	439.84	-	-	2,388.16	17,611.84	11.9%
R3900.6 EFC CSO Grant	95,000.00	19,915.86	-	-	64,717.26	30,282.74	68.1%
R4000.1 Fed. Reg. Aviation	-	-	-	-	-	-	-
R4000.2 EDA	60,000.00	30,000.00	-	-	60,000.00	-	100.0%
R4000.3 Water Quality	49,000.00	5,295.34	-	-	36,976.06	12,023.94	75.5%
R4000.4 UPWP	100,000.00	28,071.60	-	-	80,979.07	19,020.93	81.0%
R4000.5 Other Federal Aid (HUD)	1,000.00	-	-	-	-	1,000.00	0.0%
R4000.6 EPA CSO Grant	-	-	-	-	-	-	-
Gross Revenue	\$ 672,894.00	\$ 102,075.01	\$ 26,192.13	\$ 1,214.10	\$ 560,935.87	\$ 111,958.13	83.4%
2008 EXPENSE							
E.1010 Salaries	\$ 371,000.00	\$ 30,669.12	\$ 30,669.12	\$ 30,669.12	\$ 339,360.32	\$ 31,639.68	91.5%
E.1030 Temporary Services	16,000.00	276.00	-	252.00	8,802.00	7,198.00	55.0%
E.2010 Office Equipment	6,000.00	169.00	169.00	169.00	3,842.68	2,157.32	64.0%
E.2020 Furniture & Furnishings	1,500.00	-	-	-	612.41	887.59	40.8%
E.4020 Workshops & Conferences	6,000.00	-	275.00	3,440.00	9,467.25	(3,467.25)	157.8%
E.4030 Consultant Services	8,500.00	2,737.50	87.50	-	12,490.32	(3,990.32)	146.9%
E.4040 Agency Memberships	6,000.00	-	-	-	4,285.00	1,715.00	71.4%
E.4051 Computer Supplies/Software	5,500.00	-	40.00	51.90	3,922.34	1,577.66	71.3%
E.4055 Data Purchases	500.00	4.00	20.00	-	24.00	476.00	4.8%
E.4060 Equipment Maintenance	2,000.00	-	-	75.57	923.09	1,076.91	46.2%
E.4070 Office Supplies	3,000.00	385.90	170.66	174.73	3,030.76	(30.76)	101.0%
E.4080 Books & Journals	1,000.00	179.40	-	-	415.40	584.60	41.5%
E.4090 Printing & Publishing	8,000.00	259.20	-	75.00	3,764.72	4,235.28	47.1%
E.4110 Rent	64,000.00	4,631.47	4,600.15	4,454.16	55,714.41	8,285.59	87.1%
E.4120 Telephone	3,500.00	251.57	262.07	240.17	2,773.34	726.66	79.2%
E.4121 Internet	3,200.00	360.37	154.90	154.90	2,526.69	673.31	79.0%
E.4130 Travel	10,000.00	1,147.00	2,887.92	420.57	8,071.61	1,928.39	80.7%
E.4140 Equipment Repairs	500.00	-	-	-	-	500.00	0.0%
E.4150 Postage	3,300.00	-	59.93	-	2,186.79	1,113.21	66.3%
E.4160 Miscellaneous	1,094.00	89.86	125.74	211.24	1,153.71	(59.71)	105.5%
E.4170 Payroll Services	1,700.00	130.66	128.91	127.16	1,363.11	336.89	80.2%
E.4190 Contingent Fund	3,500.00	-	-	-	-	3,500.00	0.0%
E.4200 Insurance-General	1,600.00	-	-	-	1,200.56	399.44	75.0%
E.8010 NYS Retirement	34,000.00	-	-	33,138.00	33,138.00	862.00	97.5%
E.8030 FICA	30,000.00	2,390.51	2,369.40	2,388.67	26,889.76	3,110.24	89.6%
E.8040 Ins.-Worker's Comp. & Dis.	3,000.00	-	-	-	1,437.00	1,563.00	47.9%
E.8050 Ins.-Health	75,000.00	5,709.18	5,709.18	5,709.18	67,860.51	7,139.49	90.5%
E.8060 Ins.-Unemployment	1,500.00	2.49	20.00	4.79	1,071.31	428.69	71.4%
E.8070 Prof. Memberships	1,000.00	-	180.00	-	580.00	420.00	58.0%
E.8080 Continuing Education	1,000.00	-	-	-	950.00	50.00	95.0%
Gross Expenses	\$ 672,894.00	\$ 49,393.23	\$ 47,929.48	\$ 81,756.16	\$ 597,857.09	\$ 75,036.91	88.8%
Net Operating Income	\$ -	\$ 52,681.78	\$ (21,737.35)	\$ (80,542.06)	\$ (36,921.22)		
A909 Fund Balance-Unreserved	-	-	-	-	-		
Net Income	\$ -	\$ 52,681.78	\$ (21,737.35)	\$ (80,542.06)	\$ (36,921.22)		

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition

November 30, 2008

Assets

Cash — Checking	\$	17,461.17
Cash — Money Market		58,943.54
Cash — PayPal Account		10.94
Cash — Certificates of Deposit		131,445.35
Petty Cash		200.00
Due from Private Persons/Organizations		9,098.00
Due from State & Federal Governments		(2,136.66)
Due from Other Governments		11,684.55
Prepaid Expenses		355.01
Carryover Revenue		4,717.91
		<hr/>
<i>Sub-Total: Assets</i>	\$	231,779.81
Expenses — Year-to-Date		597,857.09
		<hr/>

Total \$ 829,636.90

Liabilities & Fund Balance

Due to Other Governments	\$	-
Due to Private Persons/Organizations		33.29
Deferred Project Revenue		-
Fund Balance — Restricted		-
Fund Balance — Unrestricted		268,667.74
		<hr/>
<i>Sub-Total: Liabilities & Fund Balance</i>	\$	268,701.03
Revenue — Year-to-Date		560,935.87
		<hr/>

Total \$ 829,636.90

Net Income (Loss) \$ (36,921.22)



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MEMORANDUM (#08-30)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: December 9, 2008

Re: Nominating Committee

Commissioner David Vincent, Chair of the Nominating Committee, will present the proposed slate of officers for 2009 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.



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MEMORANDUM (#07-31)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: December 9, 2008
Re: Proposed 2009 Budget

Enclosed for your review and approval is the proposed 2009 Budget for CDRPC operations.

The proposed budget includes three columns in addition to the Account names. The first column identifies the 2008 Budget amount, the second is the proposed 2009 Budget amount, and the third column represents the difference between the 2008 and 2009 Budgets.

Budget highlights include the following:

- The revenue amount from each county remains unchanged from 2008. There has been no increase in county contributions since 2004.
- The \$30,000 in Contractual Services represents the aggregate amount of signed contracts with several of the area school districts to complete work during 2009 plus other possible contractual arrangements presently under discussion.
- The activities associated with Empire State Development are related to the 2010 Census. In September, we signed a contract for work to be undertaken through March 2009 and anticipate a similar contract to continue the work through the remainder of 2009 and into 2010.
- Anticipated revenue from the Combined Sewer Overflow study is \$98,000 per the contract agreement with the Albany Pool communities.

- Under salaries, the proposed increase is 3.5%. Other salary related costs, such as FICA, have been increased accordingly.
- The increase in Consultant services is primarily for legal services associated with the Foreign Trade Zone program.
- Our 5 year lease here at One Park Place expires on May 31, 2009. We've been paying \$14.35 per square foot for each of the past five years and anticipate an increase to \$15.75 per square foot beginning June 1st. The proposed lease would also be for a five year period ending May 31, 2014.
- The increase in Travel expenses is related to staff taking over responsibility for the Foreign Trade Zone program and attending the FTZ sponsored training sessions.
- The Health Insurance costs reflect the actual increase for 2009 for CDPHP and an anticipated comparable increase for MVP.

CDRPC 2009 Proposed Budget

Account	2008	2009 Proposed Budget	
	Actual Budget	Amount	Change
REVENUE			
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	1,500.00	1,500.00	-
R2770.1 Miscellaneous	100.00	100.00	-
R2770.3 Contractual Services	20,000.00	30,000.00	10,000.00
R2770.4 FTZ#121	15,000.00	20,000.00	5,000.00
R2770.5 Conferences	6,000.00	6,000.00	-
R2770.6 CDYCI	72,000.00	75,000.00	3,000.00
R3900.3 Empire State Dev.	5,000.00	15,000.00	10,000.00
R3900.4 Other NYS Aid (NYSERDA)	20,000.00	17,000.00	(3,000.00)
R3900.6 CSO Grant	95,000.00	98,000.00	3,000.00
R4000.1 Fed. Reg. Aviation	-	-	-
R4000.2 EDA	60,000.00	60,000.00	-
R4000.3 Water Quality	49,000.00	50,000.00	1,000.00
R4000.4 UPWP	100,000.00	100,000.00	-
R4000.5 Other Federal Aid (HUD)	1,000.00	-	(1,000.00)
R4000.6 EPA CSO Grant	-	-	-
Gross Revenue	\$ 672,894.00	\$ 700,894.00	\$ 28,000.00
EXPENSE			
E.1010 Salaries	\$ 371,000.00	\$ 385,000.00	\$ 14,000.00
E.1030 Temporary Services	16,000.00	16,000.00	-
E.2010 Office Equipment	6,000.00	6,000.00	-
E.2020 Furniture & Furnishings	1,500.00	1,500.00	-
E.4020 Workshops & Conferences	6,000.00	6,000.00	-
E.4030 Consultant Services	8,500.00	11,000.00	2,500.00
E.4040 Agency Memberships	6,000.00	6,000.00	-
E.4051 Computer Supplies/Software	5,500.00	5,500.00	-
E.4055 Data Purchases	500.00	500.00	-
E.4060 Equipment Maintenance	2,000.00	2,000.00	-
E.4070 Office Supplies	3,000.00	3,500.00	500.00
E.4080 Books & Journals	1,000.00	1,000.00	-
E.4090 Printing & Publishing	8,000.00	7,500.00	(500.00)
E.4110 Rent	64,000.00	67,000.00	3,000.00
E.4120 Telephone	3,500.00	3,500.00	-
E.4121 Internet	3,200.00	3,200.00	-
E.4130 Travel	10,000.00	11,000.00	1,000.00
E.4140 Equipment Repairs	500.00	500.00	-
E.4150 Postage	3,300.00	3,300.00	-
E.4160 Miscellaneous	1,094.00	1,094.00	-
E.4170 Payroll Services	1,700.00	1,700.00	-
E.4190 Contingent Fund	3,500.00	3,000.00	(500.00)
E.4200 Insurance-General	1,600.00	1,600.00	-
E.8010 NYS Retirement	34,000.00	36,000.00	2,000.00
E.8030 FICA	30,000.00	31,000.00	1,000.00
E.8040 Ins.-Worker's Comp. & Dis.	3,000.00	3,000.00	-
E.8050 Ins.-Health	75,000.00	80,000.00	5,000.00
E.8060 Ins.-Unemployment	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	\$ 672,894.00	\$ 700,894.00	\$ 28,000.00
Net Operating Income	\$ -	\$ -	\$ -
A825 Fund Balance-Reserved			-
A909 Fund Balance-Unreserved	-	-	-
Net Income	\$ -	\$ -	\$ -



CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

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FTZ #121

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MEMORANDUM (#08-32)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: December 9, 2008
Re: 2009 Proposed Meeting Schedule

The following are proposed dates for the 2009 Commission meetings. All the meetings are scheduled for the third Wednesday of the month and are scheduled to begin at 8:30 AM.

January 21, 2009

March 18, 2009

May 20, 2009

July 15, 2009

October 21, 2009

December 16, 2009



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MEMORANDUM (#08-33)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: December 9, 2008
Re: Foreign-Trade Zone Application Status & Zone Tariff

FTZ Application Status

CDRPC is finalizing the draft application for review by the staff of the Foreign-Trade Zones Board under the Board's new "Revised Proposal for Available Alternative Site-Designation and -Management Framework" (Federal Register Vol. 73, No. 177, pg. 52817). The application will include a request for FTZB authority to eliminate our existing General-Purpose Zone sites in favor of a 10-county service area comprised of Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Warren, and Washington counties. At this time, authority will be requested for Magnet sites at the Port of Albany (Albany County) and Luther Forest & STEP (Saratoga County), and a Usage-Driven site at the Fiddler's Elbow firm (Washington County).

In addition, the following locations will be included as part of the application if we receive the necessary Letters of Concurrence and Commitment and related site maps and documentation before the end of the year:

- CP Rail's rail siding at the Port of Albany as part of the Port's Magnet site in Albany County
- Krackeler Scientific as a Usage-Drive site in Albany County
- Stone Management as a Usage-Drive site in Albany County
- Northeast Industrial Park as a Usage-Driven site in Albany County
- Rotterdam Industrial Park as a Magnet site in Schenectady County
- Florida Industrial Park as a Magnet site in Montgomery County
- Amsterdam Printing & Litho as a Usage-Driven site in Montgomery County
- Sun Tzu Energy Drink as a Usage-Driven site in Montgomery County
- Umicore as a Usage-Driven site in Warren County

Zone Tariff

On August 16, 2006, the Commissioners approved a new Zone Tariff proposed by the former Zone Administrator, CDTS, that substantially increased operator and user fees. At that time, CDTS assured the Board that its survey of other FTZs showed that the new fees were in the low average range. A subsequent investigation of prevailing fees by CDRPC staff indicated that CDRPC's new fees, rather than low average, are above the 75th percentile. Accordingly, we are proposing a new Zone Tariff that will be included as part of our new Zone structure application. The proposed fees were reviewed for both comprehensiveness and reasonableness by David Ostheimer, an attorney specializing in FTZ law and 2008 Honorary Director of the National Association of Foreign-Trade Zones.

The following is our current Zone Tariff followed by the proposed Zone Tariff. Board action is being requested to approve the proposed Zone Tariff effective January 1, 2009.

Current Zone Tariff for FTZ #121 at Albany, NY

General-Purpose Zone Site Annual Operator/User Fee

Less than 15,000 sq. ft. of activated Zone space	\$6,000
15,000 - 30,000 sq. ft.	\$10,500
30,000 - 45,000 sq. ft.	\$15,000
45,000 - 75,000 sq. ft.	\$19,500
More than 75,000 sq. ft.	\$24,000

Subzone Site Annual Operator/User Fee

Less than 15,000 sq. ft. of activated Zone space	\$6,000
15,000 - 30,000 sq. ft.	\$10,500
30,000 - 45,000 sq. ft.	\$15,000
45,000 - 75,000 sq. ft.	\$19,500
More than 75,000 sq. ft.	\$24,000

Zone Boundary or Scope of Authority Application Fees (per site):

Minor Boundary Modification	\$5,000
Manufacturing Application	\$5,000
Subzone Application	\$10,000
Major Zone Expansion (per site)	\$15,000

Revised 19 Mar 08

Proposed Zone Tariff for FTZ #121 at Albany, NY

Operator Fees for All Sites Activated for Warehousing Only

Annual Fee Schedule For Activated Operators with Warehousing Authority

Less than 20,000 sq. ft. of Activated Zone Space	\$1,000
20,000 - 50,000 sq. ft.	\$2,500
>50,000 - 100,000 sq. ft.	\$5,000
>100,000 - 250,000 sq. ft.	\$7,500
More than 250,000 sq. ft.	\$10,000

Includes Traditional General-Purpose Zone, Magnet, Usage-Driven, & Subzone Sites

Special Fees for Operators of Non-Activated Usage-Driven & Subzone Sites

First Year	\$0
Second Year Forward	\$2,000

Operator Fees for All Sites with Manufacturing Authority

Special Fees for Non-Activated Operators with Manufacturing Authority

First Year	\$0
Second Year Forward	\$4,000

Annual Fee Schedule For Activated Operators with Manufacturing Authority

Less than 20,000 sq. ft. of Activated Zone Space	\$2,500
>20,000 - 50,000 sq. ft.	\$5,000
>50,000 - 100,000 sq. ft.	\$7,500
>100,000 - 250,000 sq. ft.	\$10,000
More than 250,000 sq. ft.	\$12,500

Includes Traditional General-Purpose Zone, Magnet, Usage-Driven, & Subzone Sites

One-Time Administrative Fees*

Late Annual Report Information Starting 42 Days Before FTZB Due Date	\$100/day
Grantee Agreement & Activation Fee	\$1,500
Sponsorship of Major Boundary Modification Application	\$6,000
Sponsorship of Scope of Authority Request**	\$4,000

* Administrative Fees do not include any applicable FTZ Board fees or the expense of preparing applications *except* for Minor Boundary Modification applications.

** Scope of Authority may include Manufacturing/Processing Authority, Capacity Increases, Source Changes, Manufacturing Process Changes, etc.



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MEMORANDUM (#08-34)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: December 9, 2008

Re: Long Term Control Plan – Combined Sewer Overflow Study

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

Work continues on the tasks as outlined in the approved Scope of Work. Now that the water sampling and sewer system monitoring have been completed, the primary focus is on analyzing the data and incorporating it into the system models.

The results of the Hudson River water quality assessment have been presented in PowerPoint form to the Technical Committee and DEC, with the written report expected in mid-December. Once DEC has reviewed and approved the assessment, the monitoring and sampling results can be discussed with the Citizen's Advisory Committee (CAC) and presented to the public.

The final touches on mapping and digitizing of the sewer systems are underway and the system model is nearly ready for calibration.

Once the data analysis is complete and the models calibrated, discussions will begin regarding CSO control alternatives. Six CAC meetings and three rounds of public meetings are scheduled for 2009.

Technical Committee meetings were held on November 13th and 24th. The next CAC and public meetings will be held in early 2009 after the sampling and monitoring data have been analyzed.

**CAPITAL DISTRICT REGIONAL PLANNING COMMISSION
COMBINED SEWER OVERFLOW PROJECT
December 8, 2008**

Account	Description	Through 12/8/2008	Through 10/3/2008
<u>Cash & Equivalents</u>			
	Cash in Time Deposit - CSO	42,861.45	81,359.96
	Total Cash & Equivalents	<u>42,861.45</u>	<u>81,359.96</u>
<u>Receivables</u>			
	Accounts Receivable		
	A/R - Due from NYSDEC (EPF Grant)	1,239,760.48	1,385,090.53
	A/R - Due from NYSDEC (Round 9 EPF Grant)	356,250.00	475,000.00
	A/R - Due from Other Governments	211,883.15	664,667.17
	A/R - Due from City of Troy (DOS Grant)	0.00	0.00
	A/R - Due from Cohoes (DOS Grant Part B)	340,938.43	340,938.43
	Total Receivables	<u>2,148,832.06</u>	<u>2,865,696.13</u>
	Total Current Assets	<u>2,191,693.51</u>	<u>2,947,056.09</u>
	Non-Current Assets	<u>0.00</u>	<u>0.00</u>
	TOTAL ASSET	<u>2,191,693.51</u>	<u>2,947,056.09</u>
<u>Accounts Payable</u>			
	A/P - Interest owed to DEC	(1,489.06)	(1,294.70)
	A/P to CDRPC	0.00	0.00
	A/P to APJVT	(0.00)	(735,641.08)
	A/P to Other	0.00	0.00
	Total Accounts Payable	<u>(1,489.06)</u>	<u>(736,935.78)</u>
<u>Deferred Revenue</u>			
	Deferred Project Revenue - NYSDEC	(1,145,698.51)	(1,145,698.51)
	Deferred Revenue - NYSDEC Round 9	(133,013.54)	(133,013.54)
	Deferred Revenue - DOS Troy Grant	0.00	0.00
	Deferred Revenue - DOS Cohoes Grant	(311,803.18)	(329,727.46)
	Deferred Revenue - Other Governments	(599,334.63)	(601,326.21)
	Deferred Revenue - Non-DEC Interest Earned	(354.59)	(354.59)
	Total Deferred Revenue	<u>(2,190,204.45)</u>	<u>(2,210,120.31)</u>
	Total Current Liabilities	<u>(2,191,693.51)</u>	<u>(2,947,056.09)</u>
	Non-Current Liabilities	<u>0.00</u>	<u>0.00</u>
	TOTAL LIABILITY	<u>(2,191,693.51)</u>	<u>(2,947,056.09)</u>
	Equity	0.00	0.00
	NET (INCOME) LOSS	<u>(0.00)</u>	<u>(0.00)</u>
	TOTAL EQUITY	<u>(0.00)</u>	<u>(0.00)</u>
	TOTAL LIABILITY AND EQUITY	<u>(2,191,693.51)</u>	<u>(2,947,056.09)</u>
	Revenues	<u>0.00</u>	<u>0.00</u>

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

STAFF ACTIVITY REPORT October 1, 2008 to December 7, 2008

A. ADMINISTRATION

1. The 2008 Q3 billings were prepared and submitted for the 604(b) Water Quality contract, UPWP Transportation Planning contract, EDA Economic Planning contract, CDYCI administrative contract, CSO administrative contract, NYSEDA Wind Energy contract, and CDTA Mass Transit Planning contract.
2. Staff are continuing work on the CDRPC Progress Report.

B. REGIONAL PLANNING

REGIONAL INFORMATION SYSTEM & DATA SERVICES

1. The staff responded to approximately 75 call-in and e-mail data requests during the reporting period.
2. CDRPC changed domain hosts for its web site from Earthlink to Network Solutions, and the web statistics for the new host are not comparable with previous data, so no comparisons are being given yet. However, the traffic webcam page, <http://cdrpc.org/DOTpopCCTV.html>, was viewed over 66,000 times in the first eleven months of 2008.
3. The staff continues to update and maintain its GIS, and to provide GIS products and services to local governments, agencies and citizens on request.
4. 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. Staff continues to review the American Community Survey data released for geographic areas with populations of 20,000 or more to determine the feasibility of creating "off the shelf" data sets for posting on the web site.
5. Staff continued to provide technical support to each of the four counties in addressing the issue of affordable and workforce housing in their respective counties.
6. A report is being prepared in conjunction with the Metrics Task Force, one of four task forces created as part of the Tech Valley Civic Forum. Judith Saidel will be making a presentation to the Commission about the activities associated with the Civic Forum at the meeting (See memo 08-28).
7. In continuing preparation for the 2010 Census, CDRPC has agreed to be the lead agency for updating the Participant Statistical Areas (PSAP). PSAP materials arrived in late November and staff is coordinating with CDTC and the planning departments of the four Counties. Staff is also working with Empire State Development in establishing criteria for Complete Count Committees and the 2010 publicity campaign.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

WATER QUALITY PLANNING

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. The annual reports that have been submitted by the participating communities are being reviewed.
2. Staff continues to manage the Albany Pool Combined Sewer Overflow Long Term Control Plan Development, which includes the Albany Water Board, the cities of Cohoes, Rensselaer, Troy and Watervliet, and the Village of Green Island, as well as assistance from the Albany and Rensselaer county sewer districts. (See **Memo 08-34**) for the most recent update of activities.)

TRANSPORTATION

1. The staff continues to participate on CDTC's Planning Committee and the Quality Region Initiative Taskforce.
2. Staff continues to participate on various advisory committees as part of the CDTC Linkage Grant Program. The town of Bethlehem Rt. 9W Corridor Plan, the Clifton Park/Halfmoon Exit 9 Linkage Study, the village of Scotia Waterfront Linkage Plan, the Delaware Ave Linkage Study, the village of Altamont Linkage Study, the city of Albany Bike Master Plan, and the city of Mechanicville Central Corridor Linkage Study are in process.
3. CDRPC and CDTC staff are continuing their work to develop a local sustainable development planning guidebook, which is being funded under the CDTC UPWP. The guidebook will highlight exemplary smart growth planning projects throughout the region.
4. A number of presentations continue to be made to discuss the findings of the *Estimating the Fiscal Impact of the Alternative Futures for the Capital Region* report including two presentations to the Capital Region Stakeholders Group, an organization representing young professionals throughout the region.
5. Staff is participating on the advisory committee of CDTA's Harriman Campus Transportation Management Association (TMA) Study. Staff is also participating on the Harriman Campus master developer selection committee.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

Technical Assistance

1. Staff has completed the school enrollment projections for the Shenendehowa and is working on projections for the Ballston Spa School District.
2. A *Local Government Planning & Zoning Workshop* was held on November 7th and attracted over 100 attendees. Topics include SEQRA Review & Requirements, Roles & Responsibilities of Planning & Zoning Board Members, Stormwater Management Practices, and the Comprehensive Plan & Smart Growth.

HUMAN RESOURCES & CRIMINAL JUSTICE

1. The Juvenile Detention facility utilization rate was 79.2% for the month of October 2008, and 64.7% for November 2008.
2. All required CDYCI audit adjustments have been posted to the books.
3. CDRPC has assumed responsibility for billing the counties using the facility, and has computed and sent out the bills through November 2008. Total billings for 2008 were \$2,495,367.83 through the end of November.
4. Oneida County is the only remaining county with reserved beds at the Facility; Columbia and Greene counties did not renew their contracts for reserved beds.
5. A proposed Contract for a one-year renewal of operations through 2010 was presented to Berkshire Farm for their signature.

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. Commission staff have established a web portal for the new CEDS document, and will be posting each of the sections of the CEDS for review by Commissioners, the CEDS Advisory Committee, and the general public.
3. The Foreign Trade Zone expansion application is being rewritten in accordance with a new proposed FTZ Board application Framework. Continuing discussions with the FTZ Board have been very encouraging regarding the Commission's use of the new Framework and the Board's willingness to evaluate preliminary drafts of the application.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

4. Contact has been made with each of the counties and businesses that had been included in the original FTZ application to determine their interest in the new application. General information and status reports for the FTZ application are being posted to <http://cdrpc.org/ftz>. All of the 10 counties included in CDRPC's jurisdiction as Grantee will be included in the application.
5. CDRPC hosted an inaugural meeting of Foreign Trade Zone Grantees/Administrators throughout New York State on October 27th. An audio record of the meeting and other information relevant to N.Y.S. Foreign-Trade Zone grantees and administrators have been posted to <http://cdrpc.org/nysftz>.
6. Commission staff are continuing to update the web site to make it compliant with new XHTML and CSS standards and to provide more Regional information. In particular, a new index page allowing users to locate all available information on the web site by MCD (a geographic index) should be available by next month.
7. ***Capital District Data*** volume 31, #5 (Sep/Oct 08) was published with the 2006 IRS Migration data for the Region's counties.
8. An estimate of the total economic impact of the Port of Albany was prepared by CDRPC staff and presented to the Albany Port District Commission.

WIND POWER PLANNING

1. Staff continue 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

10/1/08 Fabozzi: CDTC Planning Committee meeting.

10/1/08 Ferraro: Participated in press conference in Islip re: FTZ Program.

10/1/08 Shannon: Schenectady County Water Quality Coordinators' Committee Meeting.

10/2/08 Ferraro: Regional Development Coordinating Council Meeting.

10/6/08 Ferraro: Meeting to review Harriman campus proposal submittals.

10/6-7/08 Fabozzi: NYS GIS Conference, Liverpool.

10/8/08 Shannon: Saratoga County Stormwater Coordinators' Committee Meeting.

10/8/08 Engstrom: Presentation to Upper Washington Ave Neighborhood Association on the CSO LTCP.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 10/9/08 Shannon: Meeting with John Gunther, owner of Fiddler's Elbow to discuss documentation requirements for a Usage-Driven Foreign-Trade Zone site.
- 10/9/08 Engstrom: Saratoga County Water Quality Coordinating Committee
- 10/15/08 Wardle: Meeting with Shelby Schneider of Saratoga Economic Development Corp. and Andrew Skinner of Starfire Systems, Inc. at the Saratoga Energy + Technology Park to discuss Starfire's possible participation in the Foreign-Trade Zone application.
- 10/16/08 Fabozzi: Mechanicville linkage study advisory committee meeting.
- 10/16/08 Fabozzi: Town of Bethlehem Delaware Ave linkage study advisory committee meeting.
- 10/17/08 Fabozzi: Albany County Water Quality Coordinating Committee meeting, Voorheesville.
- 10/19/08 Ferraro & Wardle: Attendance at the Albany Port District Commission meeting to discuss progress on the Foreign-Trade Zone application and present the results of the economic impact estimates for the Port of Albany.
- 10/20/08 Engstrom: NYSARC water quality staff meeting.
- 10/20/08 Ferraro: Canal Recreationway Commission meeting.
- 10/20/08 Ferraro: Presentation to the Capital Region Stakeholders Group.
- 10/21/08 Fabozzi: CDTC Regional Linkage Forum meeting.
- 10/21/08 Ferraro & Wardle: Meeting with Andrew Wescott, Port Director, and Mary Lou Mroczkowski, Entry Specialist, at the Albany Port Customs and Border Protection District offices to discuss the new Foreign-Trade Zone application.
- 10/22/08 Fabozzi: Harriman Campus master developer selection committee meeting.
- 10/24/08 Fabozzi: City of Albany Bike Master Plan linkage study advisory committee meeting.
- 10/27/08 Ferraro, Wardle & Shannon: Meeting with the representatives of NYS Foreign-Trade Zones to discuss the establishment of a NYS Association.
- 10/27/08 Ferraro: Menands Planning & Economic Development Committee Meeting.
- 10/30/08 Ferraro: Tech Valley Civic Forum Metrics Task Force Meeting.
- 11/3/08 Ferraro: NYSARC Executive Director's Meeting.
- 11/3/08 Engstrom: Meeting with Shenendehowa officials regarding enrollment projections.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 11/3/08 Fabozzi: CDTA TMA advisory committee meeting.
- 11/05/08Fabozzi: CDTC Planning Committee meeting
- 11/05/08Fabozzi: Village of Altamont linkage study advisory committee meeting
- 11/5/08 Shannon: State Data Affiliate Conference.
- 11/5/08 Engstrom: Schenectady County Water Quality Coordinating Committee
- 11/6/08 Shannon: State Data Affiliate Conference.
- 11/7/08 Shannon: State Data Affiliate Conference.
- 11/7/08 Ferraro, Engstrom, Reinhart: CDRPC Land Use Workshop.
- 11/10/08Ferraro: Presentation to the Capital Region Stakeholders Group.
- 11/11/08Ferraro: Tech Valley Co-convener's Meeting.
- 11/13/08Shannon: Saratoga County Stormwater Coordinators' Committee Meeting.
- 11/13/08 Ferraro, Engstrom & Shannon: CSO LTCP Technical Committee Meeting.
- 11/13/08Engstrom: Saratoga County Water Quality Coordinating Committee
- 11/14/08Fabozzi & Shannon: PSAP training.
- 11/14/08Ferraro: Capital District Library Council Trustee meeting.
- 11/17/08Shannon: Wind Ethics Code breakfast presentation by Whiteman, Osterman & Hanna.
- 11/17/08Ferraro: Tech Valley Civic Forum Metrics Task Force Meeting.
- 11/18/08Ferraro: Presentation/Discussion w/ Town of Day re: Comp. Plan.
- 11/19/08Wardle/Ferraro: Presentation to the Albany Port District Commission re: Economic Impact Study.
- 11/19/08Shannon: NYSARC Wind Contract conference call.
- 11/20/08Ferraro: Regional Development Coordinating Council Meeting.
- 11/20/08Shannon: Albany County Stormwater Coalition Meeting.
- 11/20/08Fabozzi: Village of Scotia Waterfront linkage study advisory committee meeting.
- 11/21/08Ferraro: NYS RGGI Operating Plan Advisory Group meeting.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 11/24/08 Engstrom & Shannon: CSO LTCP Technical Committee meeting with NYSDEC to discuss sampling data.
- 11/25/08 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 12/1/08 Fabozzi: CDTA TMA advisory committee meeting.
- 12/1/08: Ferraro: Tech Valley Co-convener's Meeting.
- 12/2/08 Ferraro: NYS DEC Water Management Advisory Committee meeting.
- 12/02/08 Fabozzi: City of Albany Bike Master Plan linkage study advisory committee meeting.
- 12/2/08 Engstrom & Shannon: Conference call with NYSDEC to discuss the draft MS4 Annual Report form.
- 12/2/08 Wardle & Shannon: Teleconference with David Ostheimer of the law firm, Lamb & Lerch to discuss revisions to the new draft Zone Tariff for FTZ #121.
- 12/3/08 Shannon: Schenectady County Water Quality Coordinators' Meeting.
- 12/03/08 Fabozzi: CDTC Planning Committee meeting
- 12/4/08 Shannon: CDTC Transportation Policy Meeting
- 12/04/08 Fabozzi: Mechanicville linkage study advisory committee meeting.
- 12/05/08 Fabozzi: Watershed Training Conference, Columbia-Green Community College.