



FTZ #121

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

TEL: 518/453-0850

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

E-MAIL: cdrpc@cdrpc.org

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Senior Planner
Deborah A. Shannon

Assistant Planner
Joanna H. King

Office Manager
Donna M. Reinhart

Planning Intern
Christopher Grigsby

COMMISSION MEETING

8:30 am, Wednesday, May 16, 2012

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

AGENDA

1. Welcome/Introduction of Guests
2. Schenectady County Commissioner Appointments (Memo 12-12)
3. March 21st 2012 Meeting Minutes*
4. Financial Statement through April 30th, 2012 (Memo 12-13)*
5. MPM Silicones Application to Foreign Trade Zone Board (Memo 12-14)*
6. Deactivation of Magnet Sites 1 & 2 (Memo 12-15)
7. Staff presentation on selected data sets from the American Community Survey (Memo 12-16)
8. LTCP – CSO Update (Memo 12-17)
9. Staff Activity Report
10. Other Business
11. Next Commission Meeting Date: July 18th, 8:30 am

*Formal Board Action Anticipated

COMMISSION MEETING

March 21, 2012

CDRPC Conference Room

One Park Place, Suite 102

Albany, New York 12205

Minutes

PRESENT: Bill Bruce, Lucille McKnight, Stan Brownell, Fred Acunto, John Murray, Paul Sausville, Gary Hughes, Barbara Mauro, David Vincent

ABSENT: John Brown, Michael Whalen Jr., Judy Breselor, Leon Fiacco, James Shaughnessy, Michael Stammel, Philip Barrett, Jason Kemper

PRESIDING: Bill Bruce, Chair, called the meeting to order at 8:30am.

Note: Due to having three vacancies on the Board, a quorum can be reached with only 9 Commissioners present.

1. Welcome/Introduction of Guests

Doug Melnick, Director of Planning and the Director of the Mayor's Office of Energy & Sustainability of the City of Albany attended the meeting.

2. January 18, 2012 Meeting Minutes

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

Action Taken

Paul Sausville made a motion to approve the minutes, and Lucille McKnight seconded. The motion was approved unanimously.

3. Unaudited Financial Statement through December 31, 2011

The financial statements represent the Commission's final unaudited financials for 2011. For the year, the revenues were at 97.9% and the expenses were at 93.9%. Overall, expenditures exceeded revenues by \$8,467.30 which is less than the \$37,184. that was anticipated being drawn down from the Fund Balance in order to balance the 2011 budget.

These financial statements will be provided to the auditor as part of the 2011 audit. A final audited financial statement will be prepared and presented to the Commission at the July 2012 Board meeting.

Action Taken

Jack Murray made a motion to accept the unaudited Financial Statement and Gary Hughes seconded. The motion was approved unanimously.

4. Financial Statement through February 29, 2012

Invoices were sent out to each of the four counties. Albany and Rensselaer Counties pay semi-annually while Saratoga and Schenectady Counties are billed quarterly.

For the year, the revenues are at 15.3% and expenses are at 16%. There is approximately \$137,363 cash in the bank and receivables totaling \$97,970. There are also two Certificates of Deposit totaling \$56,351.88.

In some cases, the percent to date expenses are greater than what may be normally expected. These include the annual renewal of the GIS software license to ESRI and the General Business and Worker's Comp insurance bill for 2012 were paid in full. Also the Rent and Health Insurance expenses reflect three months worth of payments.

Action Taken

Jack Murray made a motion to accept the Financial Statement and Gary Hughes seconded. The motion was approved unanimously.

5. Auditing Services Contract

In January, CDRPC prepared an RFP to undertake the annual audit of CDRPC's and CDYCI's financial records for the three year period beginning with the fiscal year ending December 31, 2011. The RFP was sent out to 33 accounting firms in the Region and we received two proposals: one from the Bonadio Group, our current auditor, and the other from UHY LLP. Bonadio has prepared the annual audit for CDRPC since the late 1990's and CDYCI since 2007.

The fee proposal to undertake the financial audit for CDRPC is the following:

	<u>2011</u>	<u>2012</u>	<u>2013</u>
Bonadio:	\$8,000	\$8,200	\$8,400
UHY, LLP	\$7,000	\$7,200	\$7,500

Rocky spoke with two companies that are currently using the services of UHY, LLP as their auditing consultants and both companies are very pleased with the work that has been done by UHY, LLP.

The fees from both firms are all inclusive flat fees and include all out of pocket expenses. Both also include "unlimited" phone support.

Rocky is requesting Commission action to select one of the two auditing firms to conduct CDRPC's audit for the next three years. The A & F Committee recommends that the contract be awarded to UHY, LLP.

Action Taken

Barbara Mauro made a motion to select UHY, LLP's proposal and Jack Murray seconded. The motion was approved with eight in favor and one opposition by Lucille McKnight.

6. Albany County Appointment to CDYCI Board

There are 9 members of the CDYCI Board, two from Rensselaer, Saratoga and Schenectady Counties and three from Albany County. Per the CDYCI bylaws, Albany County has three appointments to the Board, two of whom shall be selected by the CDRPC Commissioners and the third appointed by the Albany County Executive. With the resignation of John Graziano, Jr. from CDRPC, the Board needs to appoint a second representative from Albany County to serve on CDYCI Board.

Rocky spoke to the Albany County Executive's office regarding filling the appointment on the CDRPC Board and was informed they are working on getting the vacancy filled.

It was suggested to revisit this issue at the May Commission meeting, assuming the vacancy in Albany County is filled by that time.

7. NYSERDA Cleaner Greener Communities Regional Sustainability Planning Program Presentation

Doug Melnick, Director of Planning and the Director of the Mayor's Office of Energy & Sustainability for the City of Albany gave a presentation to the Board outlining the Cleaner Greener Communities Program initiative for the Capital Region.

A copy of the presentation is attached.

8. LTCP –CSO Update

NYS DEC and the US EPA are continuing their review of the draft Long Term Control Plan. The document was submitted to DEC in June, 2011. A meeting was planned for March 21 to review their comments, however that meeting has been postponed. The meeting is anticipated to be rescheduled for either late April or early May.

9. Staff Activity Report

Rocky informed the Board that Deb Shannon has returned to work on a part-time basis after her surgery in December. Joanna King gave birth to her daughter on February 13 and is currently on maternity leave. She is expected to return to work on a part-time basis in the next couple of weeks and back to full time hours in a couple of months.

Deb Shannon informed the Board that there has been no request for information regarding Foreign Trade Zone in the last month. We are currently switching over to a new annual report system where all annual reports must be completed online by the operators of each site and be submitted to CDRPC for review and approval by March 31st. It now has to be on a calendar year basis which is a change in the inventory controls system which is causing many issues. All of the operators were to have their reports in 45 days before March 31st and we have only received one at this time.

There has also been a change in regulations which is the first update since 1991. These changes will make it much easier for companies to apply for manufacturing. There will be a two-step process for applications where just the minimum information of what is being produced will be needed in order to be fast-tracked through the review and approval process. If there are complaints by the general public, companies will have to go through a full application process which can take 9 to 12 months. We are hopeful that streamlining and shortening the process will make it easier for smaller companies to get into the Foreign Trade Zone.

There are changes in the regulations that could impact CDRPC as a grantee, however we have a very good working relationship with the Foreign Trade Zones Board and do not anticipate problems moving forward. A new system that has been instituted includes fining grantees or operators up to \$1,000 per day for violations. For example, if the annual report is not received by March 31st a lateness fine of \$1,000 per day will be applied to the operator that caused the delay, not CDRPC. Deb Shannon is in contact with the Foreign Trade Zones Board on a regular basis; in the event problems or issues arise, it can be taken care of. Deb also added that written standard contracts with all operators within the Foreign Trade Zone is required at this time.

Rocky informed the Board that the new roof has been completed on the Juvenile Detention Facility and everyone is pleased with the outcome of the work.

10. Other Business

There was no other business at this time.

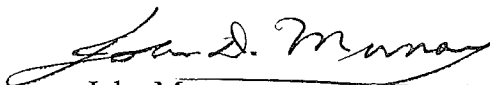
11. Next Commission Meeting

The next CDRPC Commission meeting is scheduled for May 16, 2012 at 8:30am.

Adjournment

Barbara Mauro made a motion to adjourn the meeting and David Vincent seconded. The motion was approved unanimously.

Respectfully submitted,


John Murray
Secretary



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MEMORANDUM (#12-12)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: Schenectady County Commission Appointments

The Schenectady County Legislature appointed two new members to the CDRPC Board whose terms will run through December 31, 2015. They are: B. Donald Ackerman and Angelo Santabarbara. I have met with both new Commissioners for an orientation session and look forward to their participation on the Commission Board. Welcome Aboard.



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MEMORANDUM (#12-13)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: Monthly Financial Statement

Enclosed for your review and approval are the current financial statements through April 2012. Invoices were sent to each of the four counties. Albany and Rensselaer Counties pay semi-annually while Saratoga and Schenectady Counties are billed quarterly. Through the first four months of the fiscal year, revenues are at 30.7% of the budgeted amount and expenses are at 28.4%.

First quarter invoices were sent to the appropriate billing agencies for the CDYCI, Combined Sewer Overflow, Water Quality, Community Gardens, and the UPWP (Transportation) work programs.

As noted on the Statement of Financial Condition, on April 30th we had \$166,078 cash in the bank and outstanding receivables totaling \$108,486. We also have two Certificates of Deposit.

CD #	Value	Expires
396960 (formerly 000224)	\$ 21,223.55	May 9, 2012
943799	\$ 35,128.33	November 23, 2012
Total: \$ 56,351.88		

CDRPC 2012 Income Statement

Account	2012 Budget	Feb 12	Mar 12	Apr 12	Year-to-Date	Balance	YTD %
2012 REVENUE							
R2390.1 Albany County	\$ 74,590.00	\$ -	\$ -	\$ -	\$ 37,295.00	\$ 37,295.00	50.0%
R2390.2 Rensselaer County	39,091.00	-	-	-	19,545.50	19,545.50	50.0%
R2390.3 Saratoga County	53,847.00	-	-	13,461.75	26,923.50	26,923.50	50.0%
R2390.4 Schenectady County	37,938.00	-	-	9,484.50	18,969.00	18,969.00	50.0%
R2401.0 Interest & Earnings	1,500.00	12.19	19.33	19.38	59.10	1,440.90	3.9%
R2770.1 Miscellaneous	100.00	-	-	-	-	100.00	0.0%
R2770.3 Contractual Services	20,000.00	3,000.00	-	-	3,000.00	17,000.00	15.0%
R2770.4 FTZ#121	30,000.00	-	-	-	18,750.00	11,250.00	62.5%
R2770.5 Conferences	6,000.00	-	-	-	-	6,000.00	0.0%
R2770.6 CDYCI	80,000.00	-	20,000.00	-	20,000.00	60,000.00	25.0%
R3900.3 NYSERDA	72,000.00	-	-	-	-	72,000.00	0.0%
R3900.6 CSO Grant	25,000.00	-	5,544.06	-	5,544.06	19,455.94	22.2%
R3900.7 Health Dept	17,000.00	-	3,811.40	-	3,811.40	13,188.60	22.4%
R4000.2 EDA	70,000.00	-	15,689.71	-	23,495.33	46,504.67	33.6%
R4000.3 Water Quality	67,000.00	-	8,322.53	-	8,322.53	58,677.47	12.4%
R4000.4 UPWP	120,000.00	-	33,303.26	-	33,303.26	86,696.74	27.8%
Gross Revenue	\$ 714,066.00	\$ 3,012.19	\$ 86,690.29	\$ 22,965.63	\$ 219,018.68	\$ 495,047.32	30.7%
2012 EXPENSE							
E.1010 Salaries	\$ 384,000.00	\$ 30,077.56	\$ 28,732.38	\$ 26,673.89	\$ 117,387.25	\$ 266,612.75	30.6%
E.1030 Temporary Services	14,000.00	840.00	600.00	715.00	2,745.00	11,255.00	19.6%
E.2010 Office Equipment	4,000.00	229.00	229.00	229.00	1,747.00	2,253.00	43.7%
E.2020 Furniture & Furnishings	1,000.00	-	-	-	-	1,000.00	0.0%
E.4020 Workshops & Conferences	6,000.00	-	-	-	-	6,000.00	0.0%
E.4030 Consultant Services	11,000.00	-	-	-	2,362.50	8,637.50	21.5%
E.4040 Agency Memberships	4,500.00	-	-	-	1,450.00	3,050.00	32.2%
E.4051 Computer Supplies/Software	5,500.00	3,531.00	-	-	3,531.00	1,969.00	64.2%
E.4055 Data Purchases	500.00	-	-	-	-	500.00	0.0%
E.4060 Equipment Maintenance	1,500.00	-	-	-	-	1,500.00	0.0%
E.4070 Office Supplies	3,000.00	422.12	425.65	75.63	923.40	2,076.60	30.8%
E.4080 Books & Journals	750.00	-	-	-	316.05	433.95	42.1%
E.4090 Printing & Publishing	10,000.00	641.10	570.90	-	1,212.00	8,788.00	12.1%
E.4110 Rent	64,000.00	4,957.54	5,403.38	5,115.96	24,950.38	39,049.62	39.0%
E.4120 Telephone	4,000.00	260.15	267.37	253.46	1,160.57	2,839.43	29.0%
E.4121 Internet	1,000.00	77.91	77.91	77.91	528.89	471.11	52.9%
E.4130 Travel	10,000.00	25.00	-	332.44	357.44	9,642.56	3.6%
E.4140 Equipment Repairs	500.00	-	-	-	382.00	118.00	76.4%
E.4150 Postage	3,000.00	195.00	150.00	357.10	752.05	2,247.95	25.1%
E.4160 Miscellaneous	1,000.00	-	-	-	-	1,000.00	0.0%
E.4170 Payroll Services	1,900.00	230.70	146.70	146.70	666.60	1,233.40	35.1%
E.4190 Contingent Fund	1,000.00	-	-	-	-	1,000.00	0.0%
E.4200 Insurance-General	1,500.00	-	-	-	1,339.41	160.59	89.3%
E.4210 Meeting Expenses	2,000.00	74.97	25.61	74.74	175.32	1,824.68	8.8%
E.4260 Bad Debt Expense	-	-	-	-	-	-	-
E.8010 NYS Retirement	75,000.00	-	-	-	-	75,000.00	0.0%
E.8030 FICA	31,600.00	2,394.44	2,273.18	2,124.50	9,307.12	22,292.88	29.5%
E.8040 Ins.-Worker's Comp. & Dis.	2,500.00	-	63.00	-	1,851.50	648.50	74.1%
E.8050 Ins.-Health	78,000.00	6,094.54	7,756.81	6,559.42	31,808.49	46,191.51	40.8%
E.8060 Ins.-Unemployment	1,200.00	230.02	73.15	10.72	806.18	393.82	67.2%
E.8070 Prof. Memberships	1,000.00	-	-	200.00	200.00	800.00	20.0%
E.8080 Continuing Education	1,000.00	-	-	-	-	1,000.00	0.0%
Gross Expenses	\$ 725,950.00	\$ 50,281.05	\$ 46,795.04	\$ 42,946.47	\$ 205,960.15	\$ 519,989.85	28.4%
Net Operating Income	\$ (11,884.00)	\$ (47,268.86)	\$ 39,895.25	\$ (19,980.84)	\$ 13,058.53		
A909 Fund Balance-Unreserved	11,884.00	-	-	-	-		
Net Income	\$ -	\$ (47,268.86)	\$ 39,895.25	\$ (19,980.84)	\$ 13,058.53		

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition

April 30, 2012

Assets

Cash — Checking	\$	30,413.97
Cash — Money Market		135,664.34
Cash — Certificates of Deposit		56,351.88
Petty Cash		200.00
Net Due from Private Persons/Organizations		3,811.40
Due from State & Federal Governments		69,637.70
Due from Other Governments		35,036.42
Prepaid Expenses		489.93
Carryover Revenue		-
		<hr/>
<i>Sub-Total: Assets</i>	\$	331,605.64
Expenses — Year-to-Date		205,960.15
		<hr/>

Total \$ 537,565.79

Liabilities & Fund Balance

Due to Other Governments	\$	-
Due to Private Persons/Organizations		5.71
Deferred Project Revenue		11,504.67
Fund Balance — Unrestricted		307,036.73
		<hr/>
<i>Sub-Total: Liabilities & Fund Balance</i>	\$	318,547.11
Revenue — Year-to-Date	\$	219,018.68
		<hr/>

Total \$ 537,565.79

Net Income (Loss) \$ 13,058.53



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MEMORANDUM (#12-14)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: MPM Silicones LLC – Application to the Foreign-Trade Zones Board

MPM Silicones, LLC, (MPM) currently operates Subzone 121C in Waterford. The Foreign-Trade Zones Board limited the subzone to a five-year period, with further authority requiring additional review and approval by the Foreign-Trade Zones Board. Absent such action, MPM's authority will expire on March 28, 2013.

MPM has requested that CDRPC, as Grantee of Foreign-Trade Zone #121, submit their application for manufacturing authority, together with the necessary letter of concurrence. Representatives from MPM will be present at the May 16, 2012 Commission meeting to answer any questions from the Commissioners.

MPM has a valid signed contract with CDRPC, is current on all fees, and has completed its 2011 Annual Reporting requirements. CDRPC staff recommends that the Commissioners approve the submission of the application and letter of concurrence on behalf of MPM.



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MEMORANDUM (#12-15)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: Foreign-Trade Zone Regulatory Changes and Magnet Sites 1 & 2

The Foreign-Trade Zones Board recently revised its regulations pertaining to grantee and operator management and administration of Zone Projects. In light of these changes, CDRPC, as Grantee, will be submitting a letter to the Foreign-Trade Zones Board and US Customs and Border Protection requesting the deactivation of Northeastern Industrial Park and Rotterdam Industrial Park, formally designated as Magnet Sites 1 & 2.

The revised regulations require that the Grantee have written contracts with all operators using the Zone (see 15 CFR §400.43 (a)). These contracts must follow Uniform Treatment and Public Utility principles, with similar rates and charges applied to all similar operators (see 15 CFR §400.42(a) and 15 CFR §400.43).

The Grantee is also required to publish a Zone Schedule which must include all Grantee operational requirements and fees together with the operating policies and fees of all Magnet Site operators that provide services to other companies (see 15 CFR §400.44).

Failure to comply with the regulatory requirements listed above can result in fines to the Grantee and/or the revocation of the Grant of Authority (see 15 CFR §400.62 and 15 CFR §400.61(a) & (c)).

CDRPC's contract with Distribution Unlimited, the operators of the Northeastern Industrial Park and Rotterdam Industrial Park, was signed in 1984 and provided for a term of 15 years, with automatic two-year extensions unless notice was given at least one year in advance of the proposed termination date. Despite changes to the Foreign-Trade Zones regulations in 1991, the contract with DUI was not amended to include the correct citations. This contract also provided that DUI would pay an annual service charge equivalent to a pro rata share of CDRPC's actual administrative costs. No fees have been collected from DUI since June 2005. Additionally, Section 5.3 of the contract required DUI to provide CDRPC with copies of all rules, regulations and practices of operation.

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These rules regulations and practices were to be modified to be consistent with Grantee requirements and the rules and regulations of the Foreign-Trade Zones Board. DUI has not provided any updates to its operating policies since 1984.

CDRPC staff met with David Ahl and Art Dutcher, DUI staff responsible for Magnet Site operations, on February 18, 2011. At that time, DUI was advised that an updated operating policy document would be necessary and that a new contract would be needed because of changes related to the Alternative Site Framework reorganization and regulatory changes. DUI was informed that Uniform treatment provisions would also necessitate CDRPC charging the standard fee applicable to all similarly sized activated sites. CDRPC has followed up with numerous phone calls as well as email reminders on 8/2/11, 8/29/11, 9/21/11. A certified letter was sent on March 14, 2012 setting April 30, 2012 as final deadline for the receipt of all outstanding materials. To date, DUI has not responded.

To avoid the possibility of fines and revocation of its grant of authority, CDRPC will contact the Foreign-Trade Zones Board and U.S. Customs & Border Protection to request the deactivation of Magnet Sites 1 & 2. Should DUI have a need for Foreign-Trade Zone benefits after deactivation, an application could be submitted for a Usage Driven Site and Customs Activation after the satisfaction of all regulatory requirements, including the execution of a new Grantee/Operator with CDRPC.

15 CFR §400.43 (a)

Agreements to be made in writing. Any agreement or contract related to one or more grantee function(s) and involving a zone participant (e.g., agreements with property owners and agreements with zone operators) must be in writing.

15 CFR §400.42(a)

In general. Pursuant to Section 14 of the FTZ Act (19 U.S.C. 81n), each zone shall be operated as a public utility.

15 CFR §400.43

Pursuant to Section 14 of the FTZ Act (19 U.S.C. 81n), a grantee shall afford to all who may apply to make use of or participate in the zone uniform treatment under like conditions. Treatment of zone participants within a zone (including application of rates and charges) shall not vary depending on whether a zone participant has procured any zone-related product or service or engaged a particular supplier to provide any such product or service.

15 CFR §400.44

(a) In general. The zone grantee shall submit to the Executive Secretary (in both paper and electronic copies) a zone schedule which sets forth the elements required in this section. No element of a zone schedule (including any amendment to the zone schedule) may be considered to be in effect until such submission has occurred. If warranted, the Board may subsequently amend the requirements of this section by Board Order.

(b) Each zone schedule shall include:

- (1) A title page, which shall include the name of the zone grantee and the date of the current schedule;
- (2) A table of contents;
- (3) Internal rules/regulations and policies for the zone;
- (4) All rates or charges assessed by or on behalf of the grantee;
- (5) Information regarding any operator which has an agreement with the grantee to offer services to the public, including the operator's rates or charges for all zone-specific services offered; and
- (6) An appendix with definitions of any FTZ-related terms used in the zone schedule (as needed).

a) Availability of zone schedule. A complete copy of the zone schedule shall be freely available for public inspection at the offices of the zone grantee and any operator offering FTZ services to the user community. The Board shall make copies of zone schedules available on its Web site.

15 CFR §400.62

(a) In general. Fines are authorized solely for specific violations of the FTZ Act or the Board's regulations as detailed in Sec. 400.62(b) and (c). Each specific violation is subject to a fine of not more than 1,000 dollars (as adjusted for inflation pursuant to Sec. 400.62(j)), with each day during which a violation continues constituting a separate offense subject to imposition of such a fine (FTZ Act, section 19; 19 U.S.C. 81s). This section also establishes the party subject to the fine which, depending on the type of violation, would be the zone operator, grantee, or a person undertaking one or more zone-related functions on behalf of the grantee, where applicable. In certain circumstances, the Board or the Assistant Secretary for Import Administration could instruct CBP to suspend the activated status of all or part of a zone or subzone. Violations of the

FTZ Act or the Board's regulations (including the sections pertaining to uniform treatment and submission of annual reports), failure to pay fines, or failure to comply with an order prohibiting or restricting activity may also result in the Executive Secretary's suspending the processing of any requests to the Board and staff relating to the zone or subzone in question. In circumstances where non-compliance pertains to only a subset of the operations in a zone, suspensions of activated status and suspensions of the processing of requests shall be targeted to the specific non-compliant operation(s).

15 CFR §400.61

(a) In general. As provided in this section, the Board can revoke in whole or in part authority for a zone or subzone whenever it determines that the zone grantee has violated, repeatedly and willfully, the provisions of the Act.

(c) Violations involving uniform treatment. Failure by a grantee or a person undertaking one or more zone-related functions on behalf of the grantee to comply with the uniform treatment requirement of section 14 of the FTZ Act (19 U.S.C. 81n) or the provisions of Sec. 400.43 of these regulations constitutes a violation, with each day of continued violation constituting a separate offense subject to a fine of not more than 1,000 dollars (as adjusted for inflation pursuant to Sec. 400.62(j)).



FTZ #121

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

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

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MEMORANDUM (#12-16)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: American Community Survey Data Presentation

At the Commission meeting, there will be a PowerPoint presentation applying selected data sets from the 2006-2010 American Community Survey for the metropolitan areas in Upstate New York. The following data sets will be used to provide the comparative analysis:

- Population Growth
- Age Distribution
- Median Household Income
- Household Income Distribution
- Renter Cost Burden
- Homeowner Cost Burden
- Poverty Rate
- Employment by Sector



FTZ #121

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MEMORANDUM (#12-17)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: May 8, 2012

Re: Long Term Control Plan – Combined Sewer Overflow Study

On May 3, 2012 CDRPC, the Joint Venture Team and the six Albany Pool Communities met with NYS DEC staff to discuss the status of NYS DEC's review of the draft Long Term Control Plan (LTCP).

Although NYS DEC has not yet provided official written comments on the draft LTCP, the objective of the meeting was to provide the Albany Pool Communities with some understanding of the issues that concern NYS DEC, the Environmental Facilities Corporation and the US EPA so that we can consider how to address the issues.

NYS DEC requested clarification on the proposed management structure and the entity which will be legally responsible for the implementation phase of the project. NYS DEC would like to see, at a minimum, a discussion of the proposed structure so that they can ensure that there are no regulatory roadblocks to the structure. They want the LTCP to include a schedule for management structure implementation.

NYS DEC also wanted additional information included in the revised LTCP on the analysis of CSO control alternatives, including the reasons for grey over green infrastructure solutions.

Overall, this was a very productive and positive first meeting. NYS DEC hopes to issue the detailed comment letter within the next two weeks. NYS DEC would like to establish a core working group that will be responsible for the LTCP revision and to schedule quarterly meetings of the group, with additional meetings added as necessary.

NYS DEC continued to stress that they are committed to working with the Albany Pool and will support solutions that meet both regulatory and community needs. NYS DEC recognizes that while this Plan encompasses projects that may span 15-20 years, as new information and technologies become available there is a need for flexibility in allowing the Plan to change to reflect alternative measures to address combined sewer overflows.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

STAFF ACTIVITY REPORT March 12, 2012 to May 6, 2012

A. ADMINISTRATION

1. The 2012 Q1 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, and the Community Gardens project.
2. Commission staff provided information and assistance to the CDYCI auditors for the 2011 annual audit.
3. The work program and budget for the next year's 604(b) water quality program was prepared and submitted to the NYS Dept. of Environmental Conservation.

B. REGIONAL PLANNING

REGIONAL INFORMATION SYSTEM & DATA SERVICES

1. The staff responded to approximately 65 call-in and e-mail data requests during the reporting period.
2. For the first four months of 2012, CDRPC's website had received 322,171 page hits, down 38% over 2011; and 26,511 visitors, down 11% over the previous year. The Commission continues to receive very positive feedback about the quantity and quality of data available on the site.
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. The second release of the 5 year American Community Survey (2006-10) is in the process of being posted to the website. A "How To" guide instructing individuals how to access 2010 Decennial and American Community Survey data sets from the Census Website has been prepared and posted on CDRPC's website.
5. The Commission continues to post data from the 2010 Census data as it is released from the Census Bureau on the web site. Demographic profiles for the Region's Census Tracts are in the process of being posted to the website.

WATER QUALITY PLANNING

1. The Staff has continued work on the 604(b) 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.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

Creighton Manning Engineering and Copeland Environmental have been chosen as the Patroon Creek daylighting project consultants.

2. Staff is serving on the technical advisory committee of the Mohawk River Watershed Plan being carried out by a consortium of soil and water conservation districts. Staff is also serving on the GIS, Public Outreach, Watershed Assessment Framework, and Municipal Codes subcommittees.
3. Staff met with DEC on May 3rd, 2012 to discuss the findings and recommendations of the draft Albany Pool Combined Sewer Overflow Long Term Control Plan that was submitted to DEC on June 30th 2011. (See Memo 12-17)

TRANSPORTATION AND LAND USE

1. The staff continues to participate on CDTC's Planning Committee, Bike/Ped Taskforce, Capital District Clean Communities Coalition and the Regional Linkage Forum.
2. Draft population projections by minor civil division have been prepared through the year 2050 under contract with CDTC, and age cohort projections are being prepared to verify the reasonableness and consistency of the population projections.
3. Staff continues to participate on various Linkage Study advisory committees as part of the CDTC Linkage Grant Program. Current linkage studies underway include: The New Scotland Linkage study, the Clifton Park Town Center Plan, the city of Schenectady Gateway Linkage Study, and town of Schodack Town Center Linkage Study, and the Malta Form-based Codes Linkage Study
4. Staff is participating on the advisory committee of the city of Albany's Transit Oriented Design Study.
5. Staff is participating on the advisory committee of NYSDOT's Mohawk-Erie Multi-modal Transportation Corridor Study.
6. Staff support is being provided to the Village of Menands as part of their Broadway corridor rezoning study.
7. Staff has continued work on the Healthy Communities grant, which was awarded to the Capital District Community Gardens to address issues of access to healthy foods and to promote healthy lifestyles in Rensselaer County. CDRPC is a subcontractor on the grant. CDRPC tasks include analyzing development patterns in several suburban parts of the county for their conduciveness to physical activity, such as walking and biking, and offering suggestions for improvement.
8. A contract has been signed with NYSERDA for a one-year, \$322,000 Climate Smart Communities Grant. CDRPC is partnering with Climate Action Associates, LLC and VHB Engineering, Surveying and Landscape Architecture, P.C. The grant will attempt to address climate change by creating a regional greenhouse gas inventory, creating a Climate Smart Communities Outreach Plan, and offering regional outreach and technical

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

support services to existing and potential Climate Smart Communities (communities that have taken the NYS DEC Smart Communities pledge).

HUMAN RESOURCES & CRIMINAL JUSTICE

1. The Juvenile Detention facility utilization rate for January 2012 was adjusted downward, from 65.5% to 60.1%, due to a Berkshire Farm billing error. Utilization was 95.8% for the month of March and 68.8% for the month of April, 2012.
2. Billings to the counties using the facility were computed and sent out through April 2012.
3. The Executive Director has been elected to serve as the President of the Saratoga Affordable Housing Group.

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 become available.
2. Staff continues to work on Foreign-Trade Zone activities. One inquiry was received from Albany County during this reporting period.
3. The annual zone report was submitted to the Foreign-Trade Zones Board via the OFIS online reporting system on April 2, 2012.
4. The March/April issue of *Capital District Data* was prepared and has been sent to the printer for publication. The issue includes the 2011 property tax rates and the 2011 MLS existing home sales.
5. The Executive Director has been asked by the co-chairs of the Capital Region Economic Council to co-lead the Project Metrics and Monitoring Work Group with Ann Moynihan

MEETINGS:

- 03/12/12 Ferraro & Fabozzi: Conference call with Congressman Paul Tonko regarding coordination of Mohawk River planning activities.
- 03/12/12 Ferraro: Broadway Corridor Rezoning Steering committee meeting.
- 03/14/12 Fabozzi: City of Albany Transit Oriented Development Study Advisory Committee meeting.
- 03/14/12 Fabozzi: City of Schenectady Gateway Linkage Study Advisory Committee meeting.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 03/15/12 Ferraro: Capital District Library Council Resource Committee meeting.
- 03/16/12 Fabozzi: Mohawk River Watershed Symposium, Union College.
- 03/16/12 Ferraro: Conference call with statewide MPO Association re: Greenhouse Gas Emissions Baseline Inventory.
- 03/19/12 Fabozzi: Meeting with staff from the Hudson River Estuary Program.
- 03/20/12 Fabozzi: Healthy Communities Coalition meeting.
- 03/20/12 Ferraro & Shannon: Meeting with the Stormwater Coalition of Albany County regarding proposed HVCC Planning and Zoning Board workshop session.
- 03/20/12 Shannon: EPA Webinar Low Impact Development / Green Infrastructure Design Competitions: A Tool for Encouraging Innovation
- 03/21/12 Shannon: Conference call with Andrew McGilvray, Executive Secretary, Foreign-Trade Zones Board.
- 03/22/12 Shannon: Stormwater Coalition of Albany County meeting.
- 03/22/12 Fabozzi: Capital District GIS Association meeting.
- 03/22/12 Shannon: Foreign-Trade Zones Board Webinar on revised Regulation requirements.
- 03/26/12 Ferraro: Capital Region Coalition to End Homelessness Coordination meeting.
- 03/26/12 Ferraro: Capital Region Smart Growth Council meeting.
- 03/27/12 Fabozzi: Town of Malta Form Based Codes workshop.
- 03/27/12 Ferraro: Partners for Albany Stories meeting.
- 03/29/12 Fabozzi: Town of Malta Form Based Codes workshop wrap-up meeting.
- 03/30/12 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 03/30/12 Ferraro: Marketing Tech valley event at WMHT
- 04/02/12 Ferraro & Fabozzi: Conference call with HUD regarding the Sustainable Communities Program.
- 04/02/12 Fabozzi: Meeting with CDTC regarding crash data GIS analysis.
- 04/03/12 Ferraro; CDTC Operations Committee meeting.
- 04/03/12 Fabozzi: Mohawk River Watershed Study Codes Review Subcommittee meeting.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 04/04/12 Shannon: Schenectady County Water Quality Coordinating Committee meeting.
- 04/04/12 Ferraro: CDTC Planning Committee meeting
- 04/05/12 Fabozzi: Town of Schodack Town Center Linkage Study consultant review.
- 04/09/12 Ferraro: Broadway Corridor Rezoning Steering committee meeting.
- 04/10/12 Shannon: Meeting with Joshua Carvajal, Creighton Manning Engineering re Patroon Creek project.
- 04/10/12 Ferraro: Saratoga Affordable Housing Group Board meeting.
- 04/12/12 Shannon: Saratoga County Stormwater Coordinators' meeting.
- 04/12/12 Shannon: Saratoga County Water Quality Coordinating Committee meeting.
- 04/13/12 Ferraro: Capital District Library Council Trustees meeting.
- 04/16/12 Ferraro: Meeting with Albany County Department of Children, Youth & Families re: youth detention issues.
- 04/16/12 Ferraro: Meeting with delegation from Japan to discuss Regional Economic Development & Revitalization.
- 04/17/12 Fabozzi: Healthy Communities Coalition Quarterly Symposium.
- 04/18/12 Saratoga Rural Preservation Company Board meeting.
- 04/18/12 Shannon: Conference call with Honora Spillane, Onandaga County EDC re Foreign-Trade Zones application for the Alternative Site Framework.
- 04/19/12 Shannon: Glenville Economic Development forum.
- 04/19/12 Ferraro: Meeting with delegation from Russia to discuss Regional Economic Development initiatives.
- 04/23/12 Fabozzi: City of Albany Transit Oriented Development Study Advisory Committee meeting.
- 04/23/12 Ferraro: Attendance at Tech Valley STEMSmart Alliance event.
- 04/23/12 Ferraro: Menands Public Meeting on Broadway Corridor Rezoning study.
- 04/24/12 Fabozzi: City of Schenectady Gateway Linkage Study Advisory Committee meeting.
- 04/24/12 Fabozzi: Healthy Communities Coalition meeting.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 04/25/12 Fabozzi: City of Schenectady Gateway Linkage Study design charettee.
- 04/25/12 Ferraro: Canal Recreationway Commission meeting.
- 04/25/12 Shannon: Lake George Waterkeeper Low Impact Development Annual Conference.
- 04/26/12 Shannon: Stormwater Coalition of Albany County meeting.
- 04/26/12 Ferraro: Regional Coordinating Council meeting.
- 04/27/12 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 04/27/12 Fabozzi: Meeting with the city of Saratoga Springs Climate Smart Communities Taskforce.
- 04/30/12 Fabozzi: Town of Schodack Town Center Linkage Study consultant interview.
- 05/01/12 Ferraro: Capital Region Economic Development Council meeting.
- 05/01/12 Fabozzi: CDTC Linkage Forum meeting.
- 05/01/12 Fabozzi: Town of Schodack Town Center Linkage Study consultant interviews.
- 05/01/12 Shannon: meeting with DEC staff re HVCC planning and zoning workshop session.
- 05/02/12 Ferraro: CDTC Planning Committee meeting.
- 05/02/12 Fabozzi: Press conference for city of Schenectady's Water Pollution Control Plant Upgrades.
- 05/02/12 Shannon: Schenectady County Water Quality Coordinating Committee meeting.
- 05/03/12 Ferraro & Shannon: meeting with DEC re CSO draft LTCP comments.
- 05/03/12 Ferraro: RGGI Advisory Board meeting.
- 05/04/12 Fabozzi: Mohawk River Watershed Study Codes Review Subcommittee meeting.
- 05/04/12 Ferraro: Meeting w/ Ann Moynihan co-leader of the newly formed Project Metrics and Monitoring Workgroup affiliated with the Capital Region EDC.
- 05/06/12 Shannon: National Association of Foreign-Trade Zones Spring Conference.