



FTZ #121

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205
WEB SITE AT <http://cdrpc.org>

TEL: 518/453-0850 FAX: 518/453-0856
E-MAIL: cdrpc@cdrpc.org

2013 Officers

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James Shaughnessy

Vice Chair
John Murray

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Treasurer
Lucille McKnight

Members

Albany County
Willard A. Bruce
Lucille M. McKnight
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Michael Cristo
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Michael Stammel

Saratoga County
Fred Acunto
Philip Barrett
Jason Kemper
John Murray
Paul Sausville

Schenectady County
B. Donald Ackerman
Gary Hughes
Joe Landry
Matthew Martin
Barbara Mauro

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David Lang Wardle, AICP

Program Manager/GIS
Todd M. Fabozzi

Senior Planner
Deborah A. Shannon

Senior Planner
Joanna H. King

Office Manager
Donna M. Reinhart

COMMISSION MEETING

8:30 am, Wednesday, July 17, 2013
CDRPC Office
One Park Place
Albany, New York
453-0850

AGENDA

1. Welcome & Introductions
2. May 15th, 2013 Meeting Minutes*
3. Financial Statement through June 30th, 2013 (Memo 13-14)*
4. 2012 Audit Report, Presentation UHY LLP Certified Public Accountants (Memo 13-15)*
5. 2014 Proposed Preliminary Budget (Memo 13-16)*
6. LTCP – CSO Update (Memo 13-17)
7. Capital District Juvenile Secure Detention Facility Background Paper (Memo 13-18)
8. Staff Activity Report
9. Other Business
10. Next Commission Meeting Date: October 16th, 8:30 am

*Formal Board Action Anticipated

COMMISSION MEETING

May 15, 2013

CDRPC Conference Room

One Park Place, Suite 102

Albany, New York 12205

Minutes

- PRESENT:** Willard Bruce, Lucille McKnight, Michael Morelli, Kirstin Swinton, Stan Brownell, Michael Cristo, James Shaughnessy, Fred Acunto, Philip Barrett, John Murray, Donald Ackerman, Gary Hughes, Joe Landry, Matthew Martin, Barbara Mauro
- ABSENT:** Michael Whalen, Judy Breselor, Michael Stammel, Jason Kemper, Paul Sausville,
- PRESIDING:** Jim Shaughnessy, Chair, called the meeting to order at 8:30am.

1. **Welcome & Introduction of Guests**

There were no guests in attendance.

2. **March 20, 2013 Meeting Minute**

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

Action Taken

John Murray made a motion to approve the March 20, 2013 meeting minutes and Don Ackerman seconded. The motion was approved unanimously.

3. **Financial Statement through April 30, 2013**

The financial statement represents activities through April 30, 2013. For the year the revenues are at 33.0% and expenses are at 29.0%. There is approximately \$193,388 cash in the bank including one CD and outstanding receivables totaling \$247,255.

First quarter invoices were sent to the appropriate billing agencies for the CDYCI, CSO Water Quality, NYSERDA, and the UPWP work programs.

Rocky informed the Commission that he hired a summer intern, Bryan Jackson. Bryan will be working semi full-time, working four days per week and will be primarily working with the data collection analysis associated with Capital Region Economic Development Council. Bryan is a student at University at Albany.

The 2012 audit has begun by UHY, LLC and should be completed for Board approval at the July meeting.

Action Taken

Lucille McKnight made a motion to approve the Financial Statement and Joe Landry seconded. The motion was approved unanimously.

4. Staff Presentation Climate Smart Communities Program

Todd Fabozzi gave a PowerPoint presentation including the progress report of the first year activities as well as outlining actions planned for the second year.

The primary objective of the Climate Smart Communities Program is to address climate change by helping communities reduce greenhouse gas emissions. During the first year, CDRPC staff, in partnership with the consulting firms Climate Action Associates, LLC, and VHB Engineering, Surveying and Landscape Architecture, P.C., has created a regional greenhouse gas inventory and a Climate Smart Communities Outreach Plan.

The program is only targeted to the communities that have taken the Climate Smart Communities Pledge. The pledge describes ten areas of climate mitigation and adaptation action. Climate Smart Communities are free to develop their own specific programs within the ten action areas. There are currently 17 communities that have taken the pledge. Direct technical support services have been provided to these communities as well as customized service strategies. Implementation of the strategies is currently underway.

This program is a three year NYSERDA funded Climate Smart Communities grant with the first year wrapping up. For year two, the focus will mainly be on marketing and recruitment; going out to communities that are not Climate Smart Communities to see if they would be interested in joining the program.

There have been a variety of trainings such as green infrastructure, climate adaptation, and walkable communities where all the communities have been invited. There will be a workshop training session on electric vehicles at HVCC on June 20.

Fred Acunto inquired if the program is focused more on urban areas than suburban areas? Todd responded that no, the program is not focused more on urban areas. For example, several communities in Green and Columbia have taken the pledge and are considered rural areas. There are a mix of communities that are involved ranging from the cities to rural communities.

5. LTCP CSO

CDRPC and the Pool Communities received the NYS DEC Comment Letter in December, 2012 outlining the concerns DEC and EPA have regarding the draft LTCP and were given six months to respond. Written responses are due to be delivered to DEC by June 5, 2013. Technical meetings have been held on a weekly basis with DEC to discuss the water quality standards, modeling, and green infrastructure. DEC has agreed

that sufficient technical meetings have occurred to allow the Joint Venture Team to move on to responding to the comment letter in writing.

The communities agreed to a funding amendment for the existing Intermunicipal Agreement to cover the expenses associated with engineering, legal and administrative support for the negotiations phase. Communities have been billed for the full amount listed in the funding amendment.

A meeting was held with the Albany Pool Chief Elected Officials on April 4 to present and discuss the draft governance structure. All communities are concerned about the financial implications of a joint LTCP and will withhold judgment on the governance structure until the allocation methodology is in place.

Based on discussions in previous meetings with the sewer districts, it appears a 501(c)3 would be the preferred strategy, with additional intermunicipal agreements between the Albany Pool Joint Venture Team and sewer districts. If an intermunicipal agreement is put in place, CDRPC will be the lead entity responsible for managing the program.

Rocky believes that because this is a regional program, there is a better chance to seek and receive financial grant funding.

Stan Brownell believes that CDRPC is doing a great job in mentoring and mediating this complex process and in the process making great strides.

Fred Acunto inquired if CDRPC will at some point back out of the CSO Program. Rocky responded that CDRPC will only back out if the communities decide to walk away from a regional solution.

6. Staff Activity Report

Staff continues to keep CDRPC website up to date and accurate and has received very positive feedback about the quantity and quality of data available on the site.

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. The challenge in both the MS4 and CSO projects is moving from grey infrastructure (pipes in the ground) to green infrastructure (landscaping, land guard). There is a learning curve and maintenance costs for green infrastructure programs and communities are concerned about the additional costs associated with green infrastructure.

There is an all day Land Use workshop scheduled for June 20, 2013 at Hudson Valley Community College.

Staff continues to have a great working relationship with CDTC and CDTA. Work will begin shortly on the employment projections. The population projections have been completed and Rocky has made several presentations throughout the Region.

Staff continues to work on Foreign-Trade Zone activities. MPM Silicones is in the process of putting through a new application to continue manufacturing in the foreign trade zone. Staff will review the application once the final version is received. An import-export training program has been scheduled for June 17 at the Albany Chamber of Commerce. The workshop is for the entire service area of the Foreign Trade Zone.

Rocky is co-leading the Project Metrics and Monitoring Work Group of the Capital Region Economic Development Council with Ann Moynihan., President of Documentation Strategies. There have been a series of meetings held during the last two months with feedback received from the other work groups. As a result, a two tier approach is emerging. Tier one Metrics will be focused to specific strategies to measure and monitor the outcome of inclusion in the plan update while tier two will include a more comprehensive set of metrics that are more detailed in nature. Joanna King is taking the lead on monitoring the outcome of the project.

Rocky is serving as Chair of the Saratoga Affordable Housing Group and facilitated the Group's effort transitioning management responsibilities from the Saratoga Springs Housing Authority to the Saratoga Rural Preservation Company.

Gene Terry continues to do a great job in running the Capital District Juvenile Detention Center. There will be a conversation regarding continuation of the summer school program at the next meeting, following the CDRPC meeting.

7. **Other Business**

There was no other business at this time.

8. **Next Commission Meeting**

The next CDRPC Commission meeting is scheduled for July 17, 2013 at 8:30 am.

Adjournment

Lucille McKnight made a motion to adjourn the meeting and Phil Barrett seconded. The motion was approved unanimously.

Respectfully submitted,



Gary Hughes, Secretary



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MEMORANDUM (#13-14)

To: Commissioners

From: Rocky Ferraro, Executive Director

Date: July 10, 2013

Re: Financial Statement through June 30th, 2013

Enclosed for your review and approval are the current financial statements through June 2013. 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 six months of the fiscal year, revenues are at 53.1% of the budgeted amount and expenses are at 43.2%. Par = 50.0%.

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

As noted on the Statement of Financial Condition, on June 30th we had \$281,480 cash in the bank, including one Certificate of Deposit, and outstanding receivables totaling \$154,703.

CD #	Value	Expires
943799	\$ 35,179.32	November 23, 2013
Total: \$ 35,179.32		

CDRPC 2013 Income Statement

Account	2013 Budget	Mar 13	Apr 13	May 13	Jun 13	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	700.00	22.08	14.82	17.94	15.81	91.19	608.81	13.0%
R2770.1 Miscellaneous	100.00	-	-	2.00	-	2.00	98.00	2.0%
R2770.3 Contractual Services	20,000.00	-	5,000.00	-	-	5,000.00	15,000.00	25.0%
R2770.4 FTZ#121	30,000.00	-	4,000.00	-	-	22,750.00	7,250.00	75.8%
R2770.5 Conferences	6,000.00	-	-	480.00	2,040.00	2,520.00	3,480.00	42.0%
R2770.6 CDYCI	80,000.00	20,000.00	-	-	20,000.00	40,000.00	40,000.00	50.0%
R3900.3 NYSERDA	72,000.00	25,256.58	-	6,739.45	-	31,996.03	40,003.97	44.4%
R3900.6 CSO Grant	60,000.00	16,663.01	-	-	39,405.73	56,068.74	3,931.26	93.4%
R3900.7 Health Dept	17,000.00	-	-	-	-	-	17,000.00	0.0%
R4000.2 EDA	70,000.00	12,268.24	-	-	21,273.08	35,000.00	35,000.00	50.0%
R4000.3 Water Quality	55,000.00	23,523.85	-	-	15,187.44	38,711.29	16,288.71	70.4%
R4000.4 UPWP	129,000.00	39,346.56	-	-	21,292.69	60,639.25	68,360.75	47.0%
Gross Revenue	\$ 745,266.00	\$ 137,080.32	\$ 31,961.07	\$ 7,239.39	\$ 119,214.75	\$ 395,511.50	\$ 349,754.50	53.1%
2012 EXPENSE								
E.1010 Salaries	\$ 395,000.00	\$ 32,788.48	\$ 32,788.48	\$ 32,788.48	\$ 32,788.48	\$ 196,730.88	\$ 198,269.12	49.8%
E.1030 Temporary Services	10,000.00	-	-	715.00	1,320.00	2,035.00	7,965.00	20.4%
E.2010 Office Equipment	5,000.00	229.00	229.00	229.00	229.00	1,360.98	3,639.02	27.2%
E.2020 Furniture & Furnishings	1,000.00	-	-	683.25	-	683.25	316.75	68.3%
E.4020 Workshops & Conferences	6,000.00	-	250.00	-	4,514.68	4,764.68	1,235.32	79.4%
E.4030 Consultant Services	11,000.00	-	-	-	-	-	11,000.00	0.0%
E.4040 Agency Memberships	4,500.00	-	-	-	-	1,635.00	2,865.00	36.3%
E.4051 Computer Supplies/Software	5,500.00	124.18	-	-	-	3,552.18	1,947.82	64.6%
E.4055 Data Purchases	500.00	-	-	425.00	-	425.00	75.00	85.0%
E.4060 Equipment Maintenance	1,500.00	-	-	-	-	-	1,500.00	0.0%
E.4070 Office Supplies	3,000.00	322.79	183.28	67.93	377.34	1,409.06	1,590.94	47.0%
E.4080 Books & Journals	750.00	-	-	-	-	323.10	426.90	43.1%
E.4090 Printing & Publishing	10,000.00	855.04	81.96	550.02	-	2,087.06	7,912.94	20.9%
E.4110 Rent	64,000.00	4,736.75	4,792.30	5,232.14	4,906.19	34,402.14	29,597.86	53.8%
E.4120 Telephone	4,000.00	331.20	341.20	379.44	357.90	2,153.67	1,846.33	53.8%
E.4121 Internet	1,000.00	62.96	62.96	112.94	62.96	628.19	371.81	62.8%
E.4130 Travel	10,000.00	-	930.16	-	720.76	1,984.57	8,015.43	19.8%
E.4140 Equipment Repairs	500.00	-	-	-	-	-	500.00	0.0%
E.4150 Postage	3,000.00	150.00	92.00	450.00	-	848.15	2,151.85	28.3%
E.4160 Miscellaneous	1,000.00	-	-	56.91	-	61.92	938.08	6.2%
E.4170 Payroll Services	1,900.00	146.80	146.80	146.80	152.20	989.15	910.85	52.1%
E.4190 Contingent Fund	1,000.00	-	-	-	-	-	1,000.00	0.0%
E.4200 Insurance-General	1,500.00	-	-	-	-	1,373.61	126.39	91.6%
E.4210 Meeting Expenses	1,500.00	78.61	255.07	383.14	246.96	1,064.34	435.66	71.0%
E.4260 Bad Debt Expense	-	-	-	-	-	-	-	-
E.8010 NYS Retirement	78,000.00	-	-	-	-	-	78,000.00	0.0%
E.8030 FICA	31,600.00	2,575.34	2,575.34	2,630.03	2,676.33	15,574.20	16,025.80	49.3%
E.8040 Ins.-Worker's Comp. & Dis.	2,500.00	-	-	-	-	1,873.65	626.35	74.9%
E.8050 Ins.-Health	90,000.00	6,796.24	6,796.24	6,796.24	6,796.24	46,648.72	43,351.28	51.8%
E.8060 Ins.-Unemployment	1,200.00	33.46	-	10.73	19.80	795.53	404.47	66.3%
E.8070 Prof. Memberships	1,000.00	-	-	-	-	200.00	800.00	20.0%
E.8080 Continuing Education	1,000.00	-	-	60.00	-	60.00	940.00	6.0%
Gross Expenses	\$ 748,450.00	\$ 49,230.85	\$ 49,524.79	\$ 51,717.05	\$ 55,168.84	\$ 323,664.03	\$ 424,785.97	43.2%
Net Operating Income	\$ (3,184.00)	\$ 87,849.47	\$ (17,563.72)	\$ (44,477.66)	\$ 64,045.91	\$ 71,847.47		
A909 Fund Balance-Unreserved	3,184.00	-	-	-	-	-	-	-
Net Income	\$ -	\$ 87,849.47	\$ (17,563.72)	\$ (44,477.66)	\$ 64,045.91	\$ 71,847.47		

Capital District Regional Planning Commission

GENERAL FUND

Statement of Financial Condition June 30, 2013

Assets

Cash — Checking	\$	29,455.39
Cash — Money Market		216,845.87
Cash — Certificates of Deposit		35,179.32
Petty Cash		200.00
Net Due from Private Persons/Organizations		28,554.30
Due from State & Federal Governments		107,179.54
Due from Other Governments		18,969.00
Prepaid Expenses		467.88
Carryover Revenue		-

Sub-Total: Assets \$ 436,851.30

Expenses — Year-to-Date 323,664.03

Total \$ 760,515.33

Liabilities & Fund Balance

Due to Other Governments	\$	-
Due to Private Persons/Organizations		54,616.02
Deferred Project Revenue		-
Fund Balance — Unrestricted		310,387.81
<i>Sub-Total: Liabilities & Fund Balance</i>	\$	365,003.83
Revenue — Year-to-Date	\$	<u>395,511.50</u>

Total \$ 760,515.33

Net Income (Loss) \$ 71,847.47



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MEMORANDUM (#13-15)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: July 10, 2013
Re: FY-2012 Audit Report

Enclosed for your review and approval is the FY-2012 Draft Audit Report prepared by the accounting firm UHY LLP Certified Public Accountants.

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

Board action is requested to approve the 2012 Audit Report.



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MEMORANDUM (#13-16)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: July 10, 2013
Re: Proposed 2014 Preliminary Budget

Attached for your review and approval is the proposed 2014 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 2014 budgets and need to receive our budget request for inclusion in their budget proposals.

Budget highlights include the following:

- Overall, the 2014 proposed budget is 5.3% greater than the 2013 budget.
- The amount requested from each county will remain the same as 2013. The total amount requested, \$205,466 has remained unchanged since 2004 and is less than the \$233,575 received in 2002. Per the inter-municipal agreement, any adjustment by one county proportionately impacts the contributions from the remaining three counties.
- The contractual services revenue item reflects anticipated work during 2014 including school enrollment projections.
- The current NYSERDA grant is for the period May 1, 2013 through April 30, 2014. It is anticipated that funding will be available for a third year beginning May 1, 2014, but at a reduced amount.

- An inter-municipal governance structure is proposed to manage and implement the projects identified in the Long Term Control Plan prepared on behalf of the Albany Pool communities to address Combined Sewer Overflows in the Hudson River. Upon approval, CDRPC has been designated as the entity responsible for project management on behalf of the Albany Pool communities and, similar to CDYCI, will receive a fee for the services provided.
- The scope of work under our contract with the Capital District Community Gardens through a grant received from the Department of Health has been completed.
- The reduction in revenue from the Economic Development Administration (EDA) and the NYS Department of Environmental Conservation for the Water Quality Program reflects reduced funding support to carry out those programs.
- Additional funding, per an approved contract, is available to undertake the UPWP (Transportation) related activities. The current UPWP is for the period April 1, 2013 through March 31, 2014. We anticipate a similar amount of funding will be available beginning April 1, 2014. The money is provided by the Capital District Transportation Committee.
- The salary line item assumes that there will be a part time professional staff person hired in order to assist in carrying out the Commission's scope of work. The number of hours and specific responsibilities will be defined later in the year upon further evaluation of existing staff resources to carry out the required program tasks. Adjustments were made to several of the accounts including the NYS Retirement and FICA to reflect the hiring of a part time professional staff person.
- The health insurance line item was not changed due to the fact that our costs this year will be lower than anticipated in part due to staff policy changes. Without any change to the expense line, we can still absorb about a 10% increase in health premium costs.
- There will not be a need to draw down from the Fund Balance which is projected to be at least \$310,000 at the beginning of 2014.

CDRPC 2013 Proposed Preliminary Budget

Account	2013 Approved Budget	2014 Proposed Budget	
		Amount	Change
REVENUE			
R2390.1 Albany County	\$ 74,590.00	\$ 74,590.00	\$ -
R2390.2 Rensselaer County	39,091.00	39,091.00	-
R2390.3 Saratoga County	53,847.00	53,847.00	-
R2390.4 Schenectady County	37,938.00	37,938.00	-
R2401.0 Interest & Earnings	700.00	300.00	(400.00)
R2770.1 Miscellaneous	100.00	100.00	-
R2770.3 Contractual Services	20,000.00	20,000.00	-
R2770.4 FTZ#121	30,000.00	30,000.00	-
R2770.5 Conferences	6,000.00	6,000.00	-
R2770.6 CDYCI	80,000.00	80,000.00	-
R3900.3 NYSERDA	72,000.00	52,000.00	(20,000.00)
R3900.6 CSO Grant	60,000.00	150,000.00	90,000.00
R3900.7 Health Dept	17,000.00	-	(17,000.00)
R4000.2 EDA	70,000.00	60,000.00	(10,000.00)
R4000.3 Water Quality	55,000.00	45,000.00	(10,000.00)
R4000.4 UPWP	129,000.00	139,000.00	10,000.00
<i>Gross Revenue</i>	\$ 745,266.00	\$ 787,866.00	\$ 42,600.00
EXPENSE			
E.1010 Salaries	\$ 395,000.00	\$ 430,000.00	35,000.00
E.1030 Intern	10,000.00	-	(10,000.00)
E.2010 Office Equipment	5,000.00	4,000.00	(1,000.00)
E.2020 Furniture & Furnishings	1,000.00	1,000.00	-
E.4020 Workshops & Conferences	6,000.00	6,000.00	-
E.4030 Consultant Services	11,000.00	11,000.00	-
E.4040 Agency Memberships	4,500.00	4,500.00	-
E.4051 Computer Supplies/Software	5,500.00	5,500.00	-
E.4055 Data Purchases	500.00	500.00	-
E.4060 Equipment Maintenance	1,500.00	1,500.00	-
E.4070 Office Supplies	3,000.00	3,000.00	-
E.4080 Books & Journals	750.00	750.00	-
E.4090 Printing & Publishing	10,000.00	7,000.00	(3,000.00)
E.4110 Rent	64,000.00	64,000.00	-
E.4120 Telephone	4,000.00	4,500.00	500.00
E.4121 Internet	1,000.00	1,000.00	-
E.4130 Travel	10,000.00	10,000.00	-
E.4140 Equipment Repairs	500.00	500.00	-
E.4150 Postage	3,000.00	3,000.00	-
E.4160 Miscellaneous	1,000.00	1,000.00	-
E.4170 Payroll Services	1,900.00	2,100.00	200.00
E.4190 Contingent Fund	1,000.00	1,016.00	16.00
E.4200 Insurance-General	1,500.00	1,500.00	-
E.4210 Meeting Expenses	1,500.00	1,500.00	-
E.8010 NYS Retirement	78,000.00	92,000.00	14,000.00
E.8030 FICA	31,600.00	34,500.00	2,900.00
E.8040 Ins.-Worker's Comp. & Dis.	2,500.00	3,000.00	500.00
E.8050 Ins.-Health	90,000.00	90,000.00	-
E.8060 Ins.-Unemployment	1,200.00	1,500.00	300.00
E.8070 Prof. Memberships	1,000.00	1,000.00	-
E.8080 Continuing Education	1,000.00	1,000.00	-
<i>Gross Expenses</i>	\$ 748,450.00	\$ 787,866.00	\$ 39,416.00
<i>Net Operating Income</i>	\$ (3,184.00)	\$ -	\$ -
A825 Fund Balance-Reserved			-
A909 Fund Balance-Unreserved	3,184.00	-	-
<i>Net Income</i>	\$ -	\$ -	\$ -



FTZ #121

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

ONE PARK PLACE, SUITE 102, ALBANY, NY 12205

TEL: 518/453-0850

FAX: 518/453-0856

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

E-MAIL: cdrpc@cdrpc.org

2013 Officers

Chair
James Shaughnessy

Vice Chair
John Murray

Secretary
Gary Hughes

Treasurer
Lucille McKnight

Members

Albany County
Willard A. Bruce
Lucille M. McKnight
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Michael B. Whalen, Jr.

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Staff

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Todd M. Fabozzi

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Deborah A. Shannon

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Joanna H. King

Office Manager
Donna M. Reinhart

MEMORANDUM (#13-17)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: July 10, 2013
Re: Long Term Control Plan – Combined Sewer Overflow Study

Intermunicipal agreement, cost allocation and memorandum of agreement discussions continued throughout May and June with the technical committee and Chief Elected Officials. At this time, all communities have agreed to continue collaborating on Long Term Control Plan implementation. The Memorandum of Agreement, which lays out the foundational terms, is currently being reviewed by each of the city/village councils for their approval.

A memorandum outlining the engineering response to the DEC Comment Letter was submitted to DEC on June 20th. A follow up leadership meeting was held with DEC on June 26th. DEC has agreed that a copy of the responses, with an updated project schedule and some additional details can be added to the Long Term Control Plan rather than a complete rewrite of the Long Term Control Plan.

CDRPC met with the technical committee on June 24th, to discuss the Consolidated Funding Application (CFA) grant opportunities. CDRPC will be assisting with writing 2 Green Innovation Grant Program, 2 Wastewater Engineering/Planning, and 1 Local Government Efficiency applications. Two communities will be submitting Community Development Block Grant applications and one community will submit their own GIGP application. CFA applications are due August 12th.



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MEMORANDUM (#13-18)

To: Commissioners
From: Rocky Ferraro, Executive Director
Date: July 10, 2013
Re: Capital District Juvenile Secure Detention Facility Background Paper

Attached is a background paper of the governance and financing structure associated with the Capital District Youth Center, Inc. (CDYCI). As you are aware, CDRPC is the management entity responsible for overseeing the CDYCI activities. As Executive Director, I am also the designated Chief Administrator for CDYCI. As noted in the highlight sheet, CDYCI has a contract with Berkshire Farm Center & Services for Youth to provide day to day operational support at the Juvenile Detention Center. The workforce at the Center is under the direct employ of Berkshire Farm. The Facility Director, Eugene Terry, reports to the CDYCI Board and me regarding facility operations.

The Capital District Secure Detention Facility provides an invaluable service to the four owner counties and greater Capital Region. Alternatively, children requiring placement in secure facilities would have to be transported to locations across the state. For a variety of social and financial reasons, these facilities should be located in a community setting within a convenient travel distance from the courts and legal counsel.

The Capital District Secure Detention Facility has proven to be a model of inter-governmental cooperation by the four counties providing a cost efficient critical service that would be extremely costly if each of the counties were responsible to provide or seek out secure youth detention services on their own.

Information about the facility including annual usage statistics by County through 2012 can be found on our web site at www.cdrpc.org.

Capital District Juvenile Secure Detention Facility Project Background & Highlights

- Juvenile secure detention services are mandated by State and Federal laws.
- State regulations require a minimum of 13 beds for a juvenile secure detention facility, making such a facility prohibitively expensive for any individual county in the Region.
- A feasibility study for the current facility was initiated by the Capital District Regional Planning Commission in 1992 in response to the expressed wishes of the constituent counties.
- Existing laws and regulations regarding ownership, operation, and reimbursement made a Regional cooperative venture difficult to structure, as did the requirement for a legal structure which would be acceptable to the financial markets for the sale and repayment of bonds.
- Financial institutions were reluctant to participate in a multi-county project because of past failed regional projects in other parts of the State, and difficulties in receiving bond ratings and insurance caused higher financial service costs.
- The Capital District Youth Center, Inc. was created jointly by the four counties as a not-for-profit public corporation to perform a municipal service pursuant to Internal Revenue Service Ruling 63-20, with the authority to issue tax exempt bonds.
- The detention center project is 100% self-financing - no start-up funding or equity has been required from any of the four counties for facility construction and operation.
- The facility is on land owned by Albany County. Albany County leased the land to CDYCI for a term equal to five years in excess of the stated maturity of the principal of the Bonds which is February 1, 2017. The land lease therefore extends to 2022.
- To build the facility, \$3,070,000 in variable rate Lease Revenue Bonds were issued in February 1997. In accordance with the Internal Revenue Service Ruling 63-20, the bonds were issued on behalf of Albany County by CDYCI. Upon discharge of the Indebtedness, whether at maturity (2017) or upon prior call for redemption (by Albany County), and pursuant to IRS rules, unencumbered fee title to the facility will be conveyed by CDYCI to Albany County. All leases, management contracts, and other encumbrances will automatically terminate on the date of the discharge.
- To provide a source of payment for the Bonds, CDYCI leased the project facility to the four counties per a lease dated February 1, 1997 that obligates the counties to make basic lease payments equal to the principal and interest coming due on the Bonds. The expiration for the Albany Lease was February 10, 2012. The leases for the other three counties expires on February 10, 2017 at the time of the stated maturity of the Bonds. The lease payment obligation is tied to the number of reserved beds for that county.

- The current reserved bed status adopted in 2009 is 7.5 beds for Albany County, 1 bed each for Rensselaer and Saratoga Counties, and 3 beds for Schenectady County. Beds may be leased to other counties. Currently, CDYCI has an agreement with Oneida County. Oneida County is guaranteed one bed and the County pays for the bed whether it is utilized or not. If there are beds available, other counties can send a juvenile to the facility and pay the per diem rate plus a \$10 annual surcharge fee.
- Per the agreement, in order to assure meeting the lease payment obligation, in the event the Facility is less than 75% occupied, each County shall be obligated to pay for the minimum number of beds that it has agreed to lease whether or not they are used by the county. Though there have been times when the facility is less than 75% occupied, this option has NEVER been exercised.
- The CDYCI Board consists of nine members: 3 from Albany County and 2 each from Rensselaer, Saratoga, and Schenectady counties. Each county appoints one member to the Board with the balance of the members, five, appointed by the CDRPC Board. Each member is entitled to one vote.
- An additional commercial bank loan of \$800,000 was secured in 2000 for the 8 bed addition which has since been repaid
- CDRPC staff is responsible for management of the facility. The Executive Director of CDRPC is the designated Chief Administrator to CDYCI.
- The facility is operated via contract with CDYCI by a not-for-profit organization, Berkshire Farm Center & Services for Youth. The contract with Berkshire Farm was recently renewed by the CDYCI Board and continues through December, 2016. The staff at the facility are employed by Berkshire Farm.

Facility Information:

Site	4.16 acres off Albany-Shaker Road, Town of Colonie
Number of Beds	Up to 24 beds
Building Space	30,000 square feet
Design Consultants	Clough, Harbour & Associates Crandell Associates Quackenbush Associates
Construction Management	Mr. Anthony Ward of Conboy & Mannion
Prime Contractors	Bast Hatfield - General Construction Tougher Industries - Heating, Ventilating, & Air Conditioning Mazone Plumbing & Heating - Plumbing A.E. Rosen Electrical - Electrical
Construction Period	March 1997 to September 1997 Original 16 bed Facility Opened in December 1997 Additional 8 bed Module Opened in March 2000 Reverted to operation as a 16 bed facility in May 2009

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

STAFF ACTIVITY REPORT

May 6, 2013 to July 7, 2013

A. ADMINISTRATION

1. The 2013 Q2 billings were prepared and are being reviewed for submission for the 604(b) Water Quality contract, UPWP Transportation Planning contract, EDA Economic Planning contract, CDYCI administrative contract, CSO administrative contract, and the NYSERDA contract.
2. The financial audits for CDRPC and CDYCI were completed by their respective independent public accountants.
3. The 2013-2014 Planning Grant application to EDA was prepared and submitted.
4. The Indirect Cost Rate (Fringe and Indirect Overhead rates based on Direct Labor) was computed from CDRPC's audited financial statements for 2012. These rates will be used for future contracts executed this year, including the EDA contract.

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. For the first half of 2013, CDRPC's website received 384,183 page hits, down 24.8% from 2012 (NYS DOT & the Thruway Authority disabled our direct links to their traffic web cams, a major source of page hits); and 45,125 visitors, up 9.8% 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. Staff also continues to serve on the NYS GIS Coordinating Body.
4. Five-year school enrollment projections were completed for the South Glens Falls School District. Draft enrollment projections have been completed and were submitted to the Niskayuna Central School District.

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

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 currently serving on the Municipal Codes subcommittees related to this effort. Staff is also serving on the Mohawk River Basin Steering Committee, which a partnership between NYSDEC, NYDOS, and Congressman Tonko's Mighty Waters Taskforce.
3. Long Term Control Plan Negotiations have continued throughout the report period. The Joint Venture Team is preparing responses to DEC's comment letter. (See Memo 13-17)

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. Work has begun on the TAZ Employment 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: Town of Schodack Town Center Linkage Study, the Clifton Park Form Based Code linkage study, the city of Watervliet Bike Master Plan, and the East Greenbush Design Guidelines study.
4. Staff has completed the first year of the NYSERDA-funded Climate Smart Communities Pilot grant and all final program deliverables have been submitted and approved. Under the first year, staff, in conjunction with subcontractors, Climate Action Associates, and VHB Engineering, Surveying and Landscape Architecture, developed a regional greenhouse gas inventory, an outreach plan, community profiles, and technical service strategies for the Climate Smart Communities, as well as held three training sessions on climate change and energy conservation.
5. A Planning & Zoning Workshop was held Thursday, June 20, 2013 at Hudson Valley Community College. (See Program)

Human Resources & Criminal Justice

1. The Juvenile Detention facility utilization was 89.9% for May and 89.2% for June 2013.
2. Billings to the counties using the Facility were computed and sent out through May 2013.

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.

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

2. Staff continues to work on Foreign-Trade Zone activities. Staff has been working with a Canadian company, Empire State Development and US Customs & Border Protection on locating space for a warehousing subzone. FTZ Inquiries: 1, Albany County, 1 Rensselaer County, 1 Schenectady County.
3. The May/June issue of *Capital District Data* was prepared and is being published. The issue includes 2012 building permit data from the Census Bureau.
4. The Executive Director is co-leading the Project Metrics and Monitoring Work Group of the Capital Region Economic Development Council with Ann Moynihan, President of Documentation Strategies. A metrics dashboard will be created to complement the full metrics report and appendix. Collection and analysis of the data is underway.

MEETINGS:

- 5/9/13 Fabozzi: CDTC Regional Linkage Forum
- 5/9/13 Ferraro/Shannon: Presentation to the Capital District Planners Association re: the CSO LTCP
- 5/10/13 Fabozzi: Saratoga Springs Climate Smart Community Taskforce meeting
- 5/11/13 Fabozzi: Presentation at the Congress for New Urbanism Upstate NY Chapter conference held at the Stockade Inn.
- 5/13/13 Ferraro & Shannon: CSO cost allocation conference call with Beveridge & Diamond
- 5/14/13 Ferraro: Strategic Planning session hosted by National Grid and CEG re: Infrastructure investments
- 5/14/13 King: Bike/Pedestrian Task Force meeting
- 5/14/13 Ferraro & Shannon: CSO conference call with APJVT and Beveridge & Diamond
- 5/15/13 Shannon: CWP webinar: Come Audit My MS4
- 5/16/13 Shannon & Fabozzi: HVCC Planning & Zoning Board Plenary Session prep meeting
- 5/17/13 Ferraro: Saratoga Rural Preservation Company Press Conference
- 5/20/13 Ferraro: CDTC Complete Streets Advisory Committee meeting
- 5/20/13 Ferraro: Walk through inspection with NYS Division of Children & Family Services of Juvenile Detention Center

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 5/21/13 Shannon: FTZ Webinar on grantee compliance
- 5/21/13 Fabozzi: East Greenbush Linkage Study Advisory Committee meeting.
- 5/22/13 Ferraro: Saratoga Affordable Housing Group Board meeting
- 5/22/13 Ferraro & Shannon: CSO meeting with Troy
- 5/22/13 Ferraro & Shannon: CSO conference call with Beveridge & Diamond
- 5/22/13 Fabozzi/King: Albany Round Table annual meeting and walkability presentation by Jeff Speck
- 5/23/13 Shannon: Stormwater Coalition of Albany County meeting
- 5/23/13 Ferraro & Shannon: CSO Technical Committee meeting
- 5/23/13 King: Participant at Saratoga: A Framework for Success meeting, convened by Rep. Tonko's office
- 5/23/13 Fabozzi: Meeting with CAA regarding the CSC greenhouse gas inventory
- 5/24/13 Shannon: Albany County Water Quality Coordinating Committee meeting
- 5/24/13 Ferraro: CEG Strategic Planning Focus Group meeting
- 5/29/13 Ferraro: Saratoga Economic Development Corporation luncheon meeting
- 5/29/13 Shannon: HVCC Planning & Zoning Board Plenary Session prep meeting
- 5/29/13 Jackson/King: LEHD on the Map webinar
- 5/30/13 Fabozzi: Meeting with CAA regarding the CSC greenhouse gas inventory.
- 6/04/13 Ferraro: Capital Region Economic Development Council Executive Committee meeting.
- 6/04/13 Shannon: Tour of BASF Green Infrastructure
- 6/05/13 Shannon: Schenectady County Water Quality Coordinating Committee meeting
- 6/05/13 Ferraro & Shannon: CSO meeting with Chief Elected Officials
- 6/6/13 Fabozzi: NYS GIS Coordinating Body meeting
- 6/6/13 Ferraro: NYSARC Executive Committee meeting

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 6/7/13 Fabozzi: Mohawk Basin Steering Committee meeting
- 6/07/13 Shannon: HVCC Planning & Zoning Board Plenary Session prep meeting
- 6/10/13 Ferraro & Shannon: Meeting with City of Rensselaer re CSO LTCP
- 6/11/13 Shannon: Meeting with City of Rensselaer and Barton & Loguidice re CSO project
- 6/11/13 Ferraro: Mohawk-Hudson Land Conservancy forum re: regional trends
- 6/12/13 Shannon: Saratoga County MS4 Coordinators' meeting
- 6/12/13 Ferraro & Fabozzi: NYSERDA CSC program meeting
- 6/13/12 Shannon: Rensselaer County MS4 Coordinators' meeting
- 6/13/13 King: Saratoga County Water Quality Coordinating Committee meeting
- 6/14/13 Shannon: CREDC Infrastructure Working Group meeting
- 6/14/13 Fabozzi: Saratoga Springs Climate Smart Community Taskforce meeting
- 6/15/13 Ferraro: Saratoga RPC Board strategic planning meeting
- 6/17/13 Ferraro & Shannon: CSO conference call with APJVT and Beveridge & Diamond
- 6/17/13 Shannon: HVCC Planning & Zoning Board Plenary Session prep meeting
- 6/17/13 Ferraro & Shannon: CSO meeting with Rensselaer Common Council
- 6/18/13 Ferraro: Regional Transportation Coordination meeting
- 6/19/13 Ferraro: NYS DEC Water Management Advisory Council meeting
- 6/19/13 Shannon: CWP Webinar: How to Talk to Elected Officials
- 6/19/13 Fabozzi: Meeting with VHB regarding CSC year-two scope of work.
- 6/20/13 Fabozzi/Ferraro/King/Reinhart/Shannon: CDRPC Planning & Zoning Workshop at Hudson Valley Community College
- 6/24/13 Shannon: Grant Funding meeting with City of Albany
- 6/24/13 Ferraro & Shannon: CSO Technical Committee meeting re grants
- 6/26/13 Ferraro: Saratoga Affordable Housing Group Board meeting

CAPITAL DISTRICT REGIONAL PLANNING COMMISSION

- 6/26/13 Ferraro & Shannon: CSO Negotiation meeting with DEC
- 6/26/13 Ferraro: Presentation to Schenectady County Chamber of Commerce re: regional/county trends
- 6/27/13 Shannon: Stormwater Coalition of Albany County meeting
- 6/27/13 Ferraro/King: Meeting with Ann Moynihan and Ryan Silva to discuss Rensselaer County data sets
- 6/27/13 Fabozzi: Meeting with CAA and CDTC regarding the greenhouse gas inventory findings and electric vehicle promotion
- 6/27/13 Ferraro: Meeting hosted by Key Bank to discuss Arts & Cultural impact analyses
- 6/28/13 Fabozzi: Albany County Water Quality Coordinating Committee meeting.
- 6/28/13 King: Meeting with Jessica Gabriel, ESD and Steve Ridler, DOS to discuss CREDC metrics
- 7/1/13 Fabozzi: NYS GIS Coordinating Body meeting.
- 7/02/13 Ferraro & Shannon: CSO Negotiations with DEC and EFC
- 7/03/13 Shannon: CSO meeting with APJVT

The Capital District Regional Planning Commission
and the
Albany County Dept. of Economic Development, Conservation, & Planning,
Rensselaer County Economic Development & Planning,
Saratoga County Planning Department, and
Schenectady County Planning Dept.

Present a Local Government Planning & Zoning Workshop

June 20, 2013: 8:00 to 3:30
Bulmer Telecommunications Center,
Hudson Valley Community College, Troy, New York

Program Sessions

Time	Session A	Session B	Session C
8:00-8:30	Registration		
8:30-10:15	The Local Experience with Green Infrastructure This session will discuss the Albany County Green Infrastructure codes revisions and examples of Green Infrastructure in Albany, Rensselaer, Saratoga and Schenectady counties		
10:30-12:30	Zoning Board Overview* A discussion of the powers and duties of the Zoning Board of Appeals, including standards for issuances of use and area variances.	Green Infrastructure and Understanding Maintenance Requirements Municipalities have struggled with how to deal with maintenance responsibilities. This session will discuss maintenance and ownership options, the advantages and disadvantages of HOA's, municipal ownership and the use of stormwater management districts.	Climate & Energy Electric vehicle design guidelines and permitting issues: how they are being handled in Albany and how other local municipalities can become "EV Ready." A discussion of NYSEDA's Transportation and Climate Initiative and related programs, and case studies of EV charging stations in our region will follow.
12:30-1:30	Lunch		
1:30-3:30	Subdivision Review* Review of the elements of a subdivision plat – layout of lots and infrastructure- and concepts of deep lots and clustering. SEQR, county referral, public hearings, decision making and default approvals also addressed.	MS4 Permit Topics Carol Lamb-LaFay will discuss current issues in stormwater, including the construction NOI and municipal annual reports.	Form Based Codes A discussion of form based codes and how they are being implemented in Malta and Clifton Park

If your municipality has passed a resolution accepting this training, it will meet the State law for Planning and Zoning Boards continuing education requirements (sample resolutions available upon request). A certificate of attendance will be provided to Planning and Zoning Board attendees for each session attended.

*Service credit hours for Code Enforcement officers attending these courses.

Fee: \$30, which includes lunch. Please make checks payable to CDRPC.
Registration Deadline: June 14, 2013