



# N Y S C L A

NEW YORK CHAPTER & NEW YORK UPSTATE CHAPTER - AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS  
52 South Pearl Street - 3rd Floor Albany, New York 12207 518.465.5176 www.nyscla.org

## WINTER MEETING

Date: January 22, 2011

Location: Albany, NY / Teleconference from various locations

Present: N. Bateman -President  
B. Basinger- Upstate  
A. Hart- Treasurer  
C. Velsor - Downstate  
K. McAndrew- Downstate  
E. Reynolds- Secretary (TC)  
P. Lester- Downstate  
D. McCord- Upstate  
C. May- Downstate  
J. Thompson- Upstate  
B. Restaino – Upstate  
E. Farrell- (NYSCLA Executive Director)

Absent: R. Gass- Downstate

### General Business:

1. NYSCLA Board Members - At 10:50 N. Bateman opened the meeting and verified the teleconference attendee (see above). A motion to approve the previous meeting minutes (11-06-10) was made by N. Bateman, seconded by P. Lester.
2. Board member changes - C. Velsor was introduced and approved as the new Downstate Board Member, replacing R. Gibney. C. Velsor was recently the Secretary of the Downstate Chapter. Welcome! He is now the Chair of the Downstate Chapter Membership Committee.
3. 2011 Goals for NYSCLA – N. Bateman presented this year's goals as follows:
  - a. Improve legislative monitoring through improved Word Searches / research
  - b. Continue to improve the website – CEU calendar, appearance, functionality
  - c. Increase outreach to the Chapters and State Board of LA
  - d. Continue to improve dialogue with R. Lopez, Executive Secretary of the State Boards of Architecture and Landscape Architecture within the NYS Education Department. Build support with academia and educate the population on why LA's are qualified to practice. K. McAndrew suggests using examples from our own practices. P. Lester suggests we check the archives by contacting Dick Powell (the archivist). We need to build support in case it becomes an issue. We may need to convince the Board of Regents that we are qualified. C. Velsor suggests we request a bill check with the law so we can review the records. B. Basinger suggests we look at the accreditation requirements for educational institutions.
  - e. NYSCLA Work Groups – Continue to do more research on key professional issues via Work Groups (Wetlands, Landscape Architecture vs. landscape design, Incorporation for NYSCLA, etc.)

f. Certificates of Service - N. Bateman would like to put together certificates of service for Board Members that serve three or more terms. N. Bateman makes a motion to approve, J. Thompson seconds. N. Bateman will look into the details and report back to the Board.

g. Stormwater practice support – Reach out to academia and professionals involved in stormwater work and teaching to document how stormwater, drainage and grading has been incorporated in both student preparation and practitioner work over the years. Build support with academia and educate the population on why LA's are qualified to practice in stormwater work. Refer to 3.d. for procedure and reasoning.

4. Treasurer's Report - A. Hart reviews the year to date financials and the budget for 2011. He is looking into reconciling a 24 cent discrepancy. Membership as of January 2011 is 507 Downstate, and 209 Upstate. Once the discrepancy is resolved by the Treasurer, the Secretary will resend the budget to all Board Members for review/approval via email ballot in the next couple of weeks. The Secretary will then report the results of the 2011 Budget approval.

5. AIANYS report & Legislative Tracking – N. Bateman reported the NYSCLA/AIANYS 2011 Contract was signed Dec. 31, 2010. E. Farrell reports that Republicans are in charge of the legislature again. He suggests when we review bills to support we review who is sponsoring it. AIANYS has approved the agenda for their Lobby Day; E. Farrell will help us when we are ready to do ours. QBS was on the Senate calendar at the end of their session in June. The Senator who had it is now in the minority. D. McCord asks if we can find a sponsor on the majority side. The Star tax credit is not able to be utilized; it will go back for review and AIANYS is optimistic for its approval. AIANYS is trying to cap liability for design at 10 years. Currently it is indefinite. AIANYS would like to see independent review before legal action. AIANYS opposes self certification for building permits in NYC. AIANYS is interested in the bill for liability regarding moving interior walls. AIANYS would like to see the square foot threshold increase to a level where an architect would then be involved. They are also interested in monitoring the bill about liability regarding the interpretation of safety in emergency or natural disaster situations. AIANYS assisted NYSCLA in early January by sending 2010 and 2011 legislation based on NYSCLA's short list of Word Searches compiled by P. Lester, R. Gibney, and N. Bateman in late December. AIANYS also provided a 2010 bill list with the last action cited. This will help NYSCLA and AIANYS improve overall tracking legislation related to LA issues.

6. QBS (Qualifications Based Selection) bill - N. Bateman will draft a memo of support (on behalf of NYSCLA) in support of the QBS bill. Senator Dilan is sponsoring the bill. E. Farrell will give N. Bateman the bill number and will provide NYSCLA with AIANYS's draft memo of support.

7. Lobby Day is May 3 – The Board needs to get Marshall Goff under contract for producing the brochure. If we agree on the agenda 3 weeks prior to our March 26<sup>th</sup> meeting there should be ample time for reproduction. Most of our effort should be complete by mid February. The Lobby Day budget includes Marshall Goff's services and public relations efforts. D. McCord will contact Marshall about beginning and will cc: N. Bateman. The photos typically include award winners. K. McAndrew will coordinate our legislative agenda with assistance from B. Basinger as needed; C. Velsor would like an overview of last year's legislative agenda-N. Bateman will send a 2010 Lobby Day brochure. The 2011 brochure needs to be sent to AIANYS no later than a month prior to Lobby Day (May 3). The 2011 legislative process will consist of:

- a. Identify the bills based on our key legislative Word Searches
- b. Prioritize 3-4 bills for our support
- c. Define support in the brochure once numbers are assigned if it is in a new bill cycle
- d. AIA assembles a package with our brochure and a copy of ASLA magazine which goes to each assembly member.
- e. We make appointments with our legislative members on Lobby Day to discuss what we support and oppose.

8. Meeting with R. Lopez on Feb. 15 in NYC – Items to be discussed include the Firm finder, LA vs. Landscape Design issue, CLARB study, Surveyor bill, Design build. Also, LA's ability to perform storm water design services.
9. Website and eSolve contract – J. Thompson reported that she met with eSolve and had many discussions to get a revised contract for our review/approval on Jan. 19, 2011. It has been expanded to include additional website improvements. A counter for each page has been added, and an error message will not appear if there is no link. Board members will be able to log in and edit CEU listings and a big improvement would be the creation of a “front room” for public viewing and “back room” for Board Member access and work projects to enhance website functionality. J. Thompson's goal is for us to be able to interact with the website and load our own meeting minutes, update LA listings, and keep Board information centrally located. eSolve offers continuing maintenance and logins per above. These changes would cost an additional \$619 for 2011. J. Thompson would like ideas to reduce costs in the budget to make it up. P. Lester makes a motion to approve the revised eSolve contract with the additional cost; N. Bateman seconds.
10. NYSCLA LA listings on the website - There have been no listing updates to report as noted by R. Gass on Jan. 17, 2011.
11. CEU guidelines memo – N. Bateman is waiting for NY Chapter comments to finalize. Upstate Chapter comments were received Dec. 13, 2010. N. Bateman will follow up with the NY Chapter. This is a much needed memo to send to both current and potential LA CEU providers to clarify required items needed as per NYSED regulations (marketing, Certificates, content, etc.).
12. Work Group updates -
  - a. Landscape Architecture vs. landscape design – N. Bateman noted that the Work Group's information coordinated by B. Restaino and C. May with input from other Board Members has been sent to the State Board of LA and the issue will be discussed at the Feb. 15<sup>th</sup> meeting with R. Lopez.
  - b. DEC wetlands – K. McAndrew reported that Senator Marcelino's office will put him on the email list for alerts if action on the bills occurs. For mapping, the 12.4 acre limit will go down to 1 acre minimum. It will not be limited to what is on the DEC map, the maps are advisory only. Responsibility falls on the Designer to identify areas for further scrutiny and make provisions for regulatory requirements. The Adirondacks are a separate jurisdiction. It does not affect saltwater or tidal wetlands.
  - c. Incorporation of NYSCLA – N. Bateman is working on where this will go next. More time can be devoted on this after Lobby Day. Chapter input as discussed last year is needed.
13. DEC storm water update – N. Bateman discussed the current training for the new NYSDEC Stormwater Design manual guidelines. The most recent training opportunities for LAs include: March 2 in Middletown, and March 15 & 16 in other cities with more details soon. These are USGBC Upstate Chapter sponsored and USGBC has links to training also. USBGC is a provider for AIANYs but not for LAs. Given staff changes in NYSDEC administration, N. Bateman continues to work on educational opportunities and will pass on training dates as they become available.
14. ASLA Tool Kit Update - N. Bateman and Stacey Paetzel will be discussing progress this week. If we can provide good information, they hope that NY will be used as a model. R. Gibney had noted that the Tool Kit was discussed at last summer's Advocacy Summit. D. McCord reports that this July 24-26 are the dates for the Advocacy Summit in Alexandria, VA. Each Chapter can send representatives to the Advocacy Summit. N. Bateman will verify the numbers of attendees possible for this year.
15. Word searches for LA legislation – P. Lester coordinated “test case” Word Searches in December and made good recommendations. R. Gibney and N. Bateman assisted. They felt the following Word Search topics were a good short list to start with for this January: Historic and Parks, Stormwater, Smart Growth, Green Roofs, Waterfront, Wetlands, Site Plan, Landscape Architect. Board Members were each assigned a Word Search topic and will search legislation for their topic by mid Feb. This will be

used for K. McAndrews to develop our legislative agenda for Lobby Day. NYSCLA and AIANYS will then continue to use these Word Searches to monitor LA related legislation throughout the year. Word Search topics can be adjusted as needed.

16. Update on Enforcement of Illegal Practice – R. Lopez hired a new enforcement staff person. R. Gibney sent a proactive email to Sen. LaValle Jan. 19, 2011 regarding our position concerning the Surveyor’s legislation, should it resurface again this year. NYSCLA’s stance is that Surveyors scope of practice should not include site planning or site design.

17. Next meeting – March 26<sup>th</sup>.

18. New business –

a. After the website is settled, J.Thompson will begin recommend a general outline for a Strategic Plan for the Board.

b. N. Bateman proposes that R. Gibney be an At-Large member. If he were accepted on to the State Board of LA he would relinquish this title at NYSCLA-Board Members were in general agreement with this.

c. Regarding a Strategic Plan, C. May suggests we also look into non-profit designation so we could accept donations, hire a fundraiser, a lobbyist and tackle problems with other groups, etc. We would need to look into whether we could still accept funding from the Chapters.

d. Discussion continued that we may need a Business Plan as part of a Strategic Plan.

e. 2011 Meeting dates -

Spring	-	March 26
*Lobby Day	-	May 3
Summer	-	July 16
Fall	-	November 5

Motion to adjourn was made at 1:40 by A. Hart, seconded by J. Thompson.

Submitted by E. Reynolds.