



# 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

## Spring Meeting

Date: 27 March 2010, updated 4 June 2010

Location: Albany, NY / Teleconference from various locations

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

### General Business:

1. NYSCLA Board Members – At 11am, N. Bateman opened the meeting and verified the teleconference members (see above).
2. Approval of revised By-Laws & Constitution – Revisions to By-Laws and Constitution were previously distributed with noted changes except for recent corrections by R. Gibney. R. Gibney made a motion was made to accept by-laws as presented with recent R. Gibney corrections, seconded by R. Gass, all yeah. P. Lester will distribute final copy to all.
3. Previous Meeting Minutes – P. Lester made motion to accept the 23 January Meeting Minutes as presented, seconded by R. Gibney, all yeah.
4. Treasurer's Report – P. Lester made motion to accept the updated Treasurers Report that included the leftover '09 website billing, seconded by D. McCord, all yeah.
5. AIANYS Report and Legislative update – Legislatively nothing has moved forward. Legislature is only working on budget with the two houses miles apart; however, funding for Parks has been restored in both versions of the budget. Without a budget, Governor will be working with appropriations, bare bones funding, to keep government working. To date, Division of Budget has not swept Office of Professions Architect and Landscape Architect fees into the general fund.

DEC Wetlands legislation has not moved out of either house. To date we do not have a handle on why this legislation was introduced. Sponsors in both houses are on the ECon chairs. NYS Builders Assoc. will fight and local governments are adding more restrictive legislation. At present DEC could not handle the additional workload without adding additional positions which seems unlikely given the current budget. K. McAndrew and R. Gibney will form a Committee to stay on top of this legislation and will report on this for the Fall meeting.

J. Thompson brought up the use of Web LRS (legislative retrieval system) which does searches for laws and bills. AIANYS uses this and E. Farrell will look to see if there is capacity on their system for us to use



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at no additional charge. If so, they will provide access for us, otherwise a separate fee of \$2,000 approx. would be required for us to compare bills.

6. Lobby Day 2010 and brochure – Lobby Day will convene at the Hampton Inn downtown Albany at 9:30 a.m. then head over to the Capital. Attendees so far will be D. Conklin, P. Lester, R. Gibney, N. Bateman, D. McCord, and Mike Hass (Upstate Chapter). P. Lester will contact J. Cooke Downstate Ex. Director to see about Downstate attendees. Final list of attendees needs to be passed on to Georgi Ann Bailey at AIANYS the first week in April. R. Gibney will confirm the final list and pass this on soon.

AIANYS is holding a webinar on 13 April @11am as a precursor to Lobby Day. This does not replace the 9:30am debriefing on Lobby Day. N. Bateman will distribute connection for webinar.

Corrections to Lobby Day brochure were requested by several and noted by D. Conklin. D. McCord will check with Marshall Goff to make corrections before printing.

7. Possible speakers for future conferences - B. Restaino will forward info she has found on speakers to J. Kuebler. Two speakers she has found are Ed McMahon and Marcus LaFleur.
8. AIANYS/Upstate ASLA Conference update – 12-16 Oct. in Buffalo, registration is on line. D. McCord to get tours and program courses listing to E. Farrell, J. Kuebler is working on for Upstate Chapter. E. Farrell to get deadline for program courses to N. Bateman.

ASLA will have their own award's dinner. Funding can come from what sponsors we bring in we keep plus a percentage of ASLA members attending. AIANYS has a budget for honorariums and will discuss with LA's on a case by case basis.

9. Website update – No issues with website, we are on budget. CEU listings shall be forwarded to J. Thompson and need to be approved by N. Bateman and R. Gibney before posting. After receiving approval, courses will be posted by J. Thompson. A preliminary listing will be posted on legitimate courses before posting for individuals to block dates out. NYSCLA's goal is to post courses that satisfy NYSED CEU requirements to better serve the registered landscape architects of NY.
10. NYSCLA LA listing update –
  - Deceased individuals will be dropped from NYSCLA listing.
  - Non-registered LA's who are ASLA registered have been contacted with no response back yet. These individuals shall also be dropped. R. Gibney will keep tracking this.
  - Registered LA's but non-ASLA's will be contacted to see about joining ASLA before dropping.

Language to be added to website for the criteria for requirements for Maintaining NYSCLA LA Listings: "Individuals are responsible for maintaining current Licensure and Registration with the New York State Education Department and membership with the American Society of Landscape Architects (ASLA) to receive a listing on the NYSCLA Website. Contact NYSCLA immediately with any changes.

After March 1 of the year, expired listings will be deleted. Changes in status shall be submitted in writing within 60 days. Reapplication of all materials will be required to re-activate an expired listing. Exceptions will be considered for Military Service, a change of Registration status to Inactive or other extenuating circumstances if requested in writing in advance."

11. NYSED update, Feb. 23 and Apr. 21 meetings – Minutes to Feb. 23 meeting with NYSED were distributed to NYSCLA board members. Items of interest from NYSED meeting were R. Lopez's interpretation of the LA licensing law as it pertains to storm drainage and that the licensing board is working on how to deal with a definition of a "Landscape Designer". They are looking at how California



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has done this. Attending the Apr. 21 meeting with NYSED and licensing board will be: N. Bateman, R. Gibney, P. Lester, D. McCord, D. Conklin, and M. Haas (Upstate Chapter). Final count is needed to provide NYSED. All to send email to R. Gibney to confirm their attendance.

Definition from CA. for Landscape Architects licensing legislation showing exemptions allowing Landscape Designers:

#### **5641. Chapter Exceptions, Exemptions**

This chapter shall not be deemed to prohibit any person from preparing drawings for the conceptual design and placement of tangible objects and landscape features or plans, drawings, and specifications for the selection, placement, or use of plants for a single family dwelling. Construction documents, details, or specifications for the tangible objects or landscape features, and alteration of site requiring grading and drainage plans shall be prepared by a licensed professional as required by law.

#### **5641.1. Chapter Exceptions, Exemptions - Personal Property**

This chapter shall not be deemed to prohibit any person from preparing any plans, drawings, or specifications for any property owned by that person.

#### **5641.2. Chapter Exceptions, Exemptions - Nurserypersons**

Every person who holds a valid license issued by the State of California, under the provisions of Chapter 1 (commencing with Section 6721) of the Food and Agricultural Code, authorizing engagement in the business of selling nursery stock in this state, may engage in the preparation of planting plans or drawings as an adjunct to merchandising nursery stock and related products, but may not use the title of landscape architect. Such activity is exempt from licensure under the provisions of this chapter.

12. Columbia Landscape Design program and position paper – NYSCLA has concern over the Master's Program in Landscape Design at Columbia. NY Botanical Garden, SUNY-Delhi and Farmingdale also have Landscape Design programs with similar descriptions but are under graduate programs. R. Gibney will talk to a number of the faculty members and advisors to get an understanding of the Columbia program. C. May noted that NYS law, Article 145, 147, and 148, clearly states the legal scope of work for landscape architects.

NYSED is also working on a definition/acceptable scope of work for Landscape Designers. N. Bateman, P. Lester, R. Gibney, and B. Restaino will form a Landscape Designer Committee and report at July meeting.

13. State Parks position paper update - Position paper prepared by Upstate should be added to Lobby Day package. N. Bateman will contact Bill Christopherson of Upstate Chapter who wrote the initial paper to make sure he has no problems with NYSCLA including in Lobby Day package. It will also be good to have NY Chapter endorse this-N. Bateman will confirm this. AIANYs will make necessary copies.
14. Tool kit update – No updates. Review previous email from S. Paeztel, she is looking for feedback.
15. New Board member nomination status – no action. Upstate vacancy will be filled soon.
16. New Business –
  - a. Licensing Summit in June: R. Gibney to give background to N. Bateman. In the past, there has been one person per state. NYSCLA has been the representative in past years.
17. Calendar: Next meeting will be July 17 and Nov. 6 in Albany.
18. Adjournment – N. Bateman made a motion to adjourn, J. Thompson second, all yeah.

Respectfully submitted: Pamela Lester/Nanci Bateman in Erin Reynolds absence