

New York State Council of Landscape Architects

New York Chapter and New York Upstate Chapter-American Society of Landscape Architects
235 Lark Street Albany, NY 12210 (518) 465-5176

SPRING MEETING

Date: April 9, 2005

Location: NYSCLA Offices-235 Lark Street, Albany

Present: K. Mathews- (President)
E. Olinger-Officer (Treasurer)
N. Bateman- Upstate (Secretary)
D. Annese-Downstate
E. Brescia -Downstate
R. Gibney-Downstate
D. McCord-Upstate
N. Pouder-Downstate
B. Rodriguez- (NYSCLA Executive Director)

Absent: D. Brackett- Upstate
D. Conklin- Upstate
S. Paetzel-Downstate
B. Restaino- Downstate
D. Young-Upstate

General Business:

NYSCLA Board Members- K. Mathews introduced Elena Brescia of New York City, who was welcomed as a new Downstate NYSCLA Board member. Elena is a Landscape Architect with Rogers Marvel Architects, PLLC in NYC. K. Mathews also announced the resignation of Barbara Restaino as a Downstate Board Member. The Board wishes Barbara the best in getting her new office location up and running and thanks her for her service and contributions over the years.

Previous Meeting Minutes- the Feb. 26, 2005 Winter meeting minutes previously submitted by N. Bateman were approved by an email vote since a quorum at Winter meeting was not possible.

Treasurer's Report-submitted in writing, presented by E. Olinger and approved by the Board; The Chapters have been billed for the first quarter and NYSCLA finances are in excellent standing for 2005.

Legislative Session Report- presented by B. Rodriguez as follows:

Administration:

Contract for Management Services-the 2005 contract with AIANYS was submitted by B. Rodriguez and approved by K. Mathews.

Government Affairs:

New State Education Executive Secretary- The new State Ed Executive Secretary Robert Lopez, an Architect, is official. B. Rodriguez recently met with State Ed and R. Lopez to discuss illegal practice which passed two years ago and is awaiting implementation. Work is underway now that R. Lopez is on board with State Ed and the Office of Professions to write regulations to implement the illegal practice law.

MCE meeting/update- B. Rodriguez will be meeting with Senator LaValle and Assembly Representative Canestrari this coming week prior to re-introducing the MCE (Mandatory Continuing Education) bill. AIANYS is considering including an amendment to our Landscape Architects section of the bill addressing non-course activity for health, safety and welfare. By doing so, this would speed up the overall process of getting the MCE legislation through. B. Rodriguez feels that the amended language will be introduced and the meeting with Senator LaValle and Assembly Representative Canestrari should be productive this week. The next step should be a letter writing campaign and hopefully the law this session will be passed. D. McCord has prepared a list of CLARB, ASLA, AIA, and Engineering courses which can serve as starting point. R. Gibney noted that the Design Profession Coalition of Long Island, of which he is a member, will also offer courses of interest to Landscape Architects. E. Olinger felt it is important to get to the table with the development of the regulations and to establish a solid relationship with R. Lopez to facilitate drafting the legislation.

Qualifications Based Selection (QBS) Council- met March 16, 2005 at 10 a.m. at the ACEC office in Albany. B. Rodriguez represented AIANYS and NYSCLA. Noting the Architects and Engineers contribute \$2000-\$2500 to QBS, NYSCLA will take this under consideration and also consider contributing in the future. QBS functions as a networking group, not a lobbying group and this may hold some benefits for us. K. Mathews said that QBS will be included in NYSCLA's Annual Report that she is working on. E. Olinger noted that now is the time to discuss with the Chapters regarding a possible contribution to QBS for this year. K. Mathews said we will send R. Lopez information on our proposed courses since each course must be approved by State Ed. She also noted that we should talk with R. Lopez regarding ASLA being a possible provider for NYS since providers also must be pre-approved (there was a question about this and B. Rodriguez will confirm). N. Poudner noted that it is disappointing, and others agreed, that ASLA has been reluctant to take on the leadership role necessary in being an MCE provider. Those providers we know we want early on should be included in the regulations as their \$900 fee will be waived. K. Mathews noted will be follow up with R. Lopez after the meeting briefing him on our potential provider list. The broader the approved provider list, the better.

Lobby Day, Tuesday, April 19, 2005-B. Rodriguez is organizing the Lobby Day packets for us now which will include a copy of the March issue of Landscape Architecture magazine. On April 18 the packets will be delivered to the Governor and all legislators. B. Rodriguez will need confirmation by April 14

of all NYSCLA and Landscape Architect participants. Lobby Day participants will convene in a new location this year-on the 2nd floor meeting room C of the Legislative Office Building at 10:30. B. Rodriguez distributed a handout of the full slate of 2005 bills AIANY is tracking and NYSCLA's 2005 Legislative Agenda which will be included in all Lobby Day packets. **The top 3 bills (out of 11 total) for NYSCLA's 2005 Lobby Day agenda are:** 1) **MCE** (S. 842 Mr. LaValle/A. 3633 Mr. Canestrari, supporting mandatory continuing education for Landscape Architects, 2) **Corporate Practice** of Design Professions (S.1477 Mr. LaValle/A.2755 Mr. Canestrari, supporting legislation to allow a business corporate practice of landscape architecture and other design professions, to limit ownership of a design profession firm by individuals not licensed under Title VIII of the State Education Law to less than 25%, with 75% ownership and control under licensed, registered design professionals. Many states allow design professionals to form regular or business corporations. However, New York remains only one of three states that does not permit some form of *business* corporate practice (with the exception of its grandfather corporations). 3) **Design Liability Reform** or Ten Year Statute of Repose for Third Party Suits (S.133 Mr. Volker/A.269 Mr. Canestrari, supporting the comprehensive tort reform for a 10-year Statute of Repose for third party suits brought against design professionals and a Certificate of Merit provision before commencing suit.

Tracking New Legislation- as discussed at the Board's Winter meeting, there are a number of bills related to the practice of Landscape Architecture which NYSCLA will try and monitor more closely, in addition to the key bills. B. Gibney developed and distributed a list of potential bills we can monitor by topic as submitted by N. Pouder and N. Bateman. The list was briefly discussed by members and several members chose one bill to research more closely by the Summer meeting. These bills involve issues such as endangered species legislation, smart growth, dark skies, protection of old growth forests, sustainable growth regulations, forest management plans in the Adirondack Park, urban open space, playground design, NYC tree fund, and lead-free parks act. Any updates can be reported as part of Chapter minutes or on the NYSCLA website where a link to all bills will be established.

Old Business:

MCE- The revised language was prepared March 18, 2005 and NYSCLA will meet with R. Lopez in June. K. Mathews will set up a date soon; D. McCord, R. Gibney, E. Olinger will also attend. E. Olinger will invite Jim Tinney from the Board of Landscape Architects to also attend to encourage a dialogue between State Ed and CLARB.

Website Report- N. Pouder reported that NYS License checks have been easy for the list of registered Landscape Architects, but he needs Chapter membership lists to also confirm ASLA membership. He will soon add a legislative agenda link as well as a QBS link to the website, greatly improving its usefulness to users. K. Mathews will send each Chapter a request for

membership list. N. Pouder will notify K. Mathews regarding questionable entries as they occur and a letter from NYSCLA will then be sent.

Candidates for NYSCLA President (Fall 2005-2007 term)- since NYSCLA usually rotates Presidents from Upstate to Downstate, Upstate nominations are welcome for the next term following K. Mathews. Dan Sundell has expressed interest and a couple more will be contacted to see their interest in serving.

New Business:

NYSCLA Letterhead- E. Brescia noted that NYSCLA letterhead consistency is important so one style was discussed and agreed upon.

Cornell request – Katherine Gleason of Cornell’s Landscape Architecture Program wrote K. Mathews concerning possible funding cuts in this year’s budget for Department Extension programs. K. Mathews will confirm the status of the budget now and respond to her.

Other Business:

New Board member needed- Upstate is still working on this.

ASLA Licensure Summit- K. Mathews will attend in June.

Key Calendar dates:

month of April	National Landscape Architecture month
Summer NYSCLA meeting:	July 16, 2005 in Albany
Lobby Day:	April 19, 2005 in Albany
ASLA Licensure Summit:	June 10-12, 2005, Denver
Fall NYSCLA meeting:	Oct. 1, 2005 in Albany
ASLA National Conference:	Oct. 7-11, 2005, Ft. Lauderdale

There being no further business, the Meeting was adjourned; the next meeting (Summer) is set for Saturday, July 16, 2005 at 10:30 a.m.