

## 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

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### SPRING MEETING

**Date: March 20, 2004**

**Location: NYSCLA Offices-235 Lark Street, Albany**

**Present:** K. Mathews- (President)  
E. Olinger-Officer (Treasurer)  
D. Annese- Downstate  
N. Bateman- Upstate (Secretary)  
D. Conklin- Upstate  
N. Pouder-Downstate  
D. Young-Upstate

**Absent:** B. Rodriguez- (NYSCLA Executive Director)  
D. Brackett- Upstate  
D. Fasser- Upstate  
J. Imbiano-Downstate  
D. McCord-Upstate  
B. Martin- (Exec. Secretary NYS Board for LA)  
B. Restaino- Downstate

### General Business:

**Previous Meeting Minutes-** the January 24, 2004 meeting were submitted previously by Secretary N. Bateman; accepted by the Board.

**Treasurer's Report-**submitted in writing and presented by E. Olinger;  
The first quarter 2004 budget was accepted by the Board.

**Legislative Issues-** submitted in writing by B. Rodriguez; approved by the Board as follows:

**Administration:** "**Landscape Architecture and the Law**" was mailed to the Association of Towns and NYS Building Code officials in 2003, so the next mail out with AIANYS (on a two-year cycle) will be June, 2005.

**Government Affairs:** the **Joint Design Professions Meeting** took place in February (last month) with all four design professions discussing regulations for implementing the new illegal practice law. All four professions agreed to meet to draft a single, unified commentary on the proposed regulations. B. Rodriguez will forward a draft copy to us of the comments collected at the follow up March 16 meeting with execs and lobbyists. There are no surprises in the regulations and all four professions agreed to implement them sooner rather than later along with support of a modest \$10 triennial surcharge for enforcement. Two attachments concerning the Illegal Practice Law were distributed today to Board members. The **NYS QBS** (Qualifications Based Services) **Council** will meet on April 7, 2004 in Albany and D. Conklin will attend. **Lobby Day 2004** is set for **Tuesday, April 27**, at the Assembly Chamber of the State Capitol in Albany at 10:00 a.m. for both AIANYS and NYSCLA. Again the night before, AIANYS has invited NYSCLA members to attend the AIANYS Executive Committee dinner at a time and location still to be determined. K. Mathews, D. Conklin and D. Fasser will attend. The Legislative Program will be sent to all Senators, Assemblypersons and B. Rodriguez has requested NYSCLA members get to her any changes to the desired Legislative Program by April 1. As it stands, the current **proposed NYSCLA 2004 Legislative Program** consists of:

\***Statute of Repose-**a shortened statute would be a positive step.

\***Civil Justice Tort Reform Act**

\***Certificate of Merit**

\***Qualifications-Based Procurement of Professional Design Services**

\*\***"Crumbling Schools" Initiatives**

\***Wicks Reform-**this was alluded to by the Governor so it will be up again

\***Smart Growth-Livable Communities-Sustainable Development**

\*\***"Crumbling Schools" Initiatives/Annual Structural Safety**

\***Historic Housing Tax Credits**

\***Landscape Irrigation Certification Act**

\***Design/Build**

\***Corporate Practice of the Design Professions**

\***Good Samaritan-** B. Rodriguez will meet next week with Sen. Hannon's and Assemblyman's Gromack's staffs to

**Inspections by A/Es**

\***Affordable Housing Tax Credits**

amend their legislation to include Landscape Architects. K. Mathews will submit to B. Rodriguez a position statement from NYSCLA as to why Landscape Architects should be included for the sponsor's memo.

**\*Mandatory Continuing Education (MCEs)-** B. Martin with the State Education Department is reviewing both the proposed changes to the Architect's MCE law and our proposed bill. It is expected that by next week B. Martin will have discussed both bills with the legal department and get back to B. Rodriguez who will notify us very soon.

### Old Business:

- **Lobby Day-** As mentioned above, the standard packet will be distributed this year with the added discussion of MCE at a minimum. Several NYSCLA members are planning to attend as well as some Chapter people. K. Mathews will be with the Design Coalition with MCE and Legislative team members to meet with individual legislators. Members are urged soon to make appointments on their own with their legislators for Lobby Day. N. Bateman will contact Pete Auyer of the Upstate Chapter and K. Mathews will notify all participants of specific details after talking with B. Rodriguez soon. B. Rodriguez will also be emailed a list of attendees.

**MCE-** Reports on the Outreach efforts to the colleges and Universities are as follows: B. Restaino spoke with Marv Aldelman and asked K. Mathews to send three letters to **Cornell**. K. Mathews said packets would go out in the mail next week. **City College of New York** was very receptive at the meeting with K. Mathews, N. Pouder, Chair Lee Weintraub and Acting Director Tom Hanford. E. Olinger and D. Annese reported a very productive meeting with **Syracuse** Associate Dean Chuck Spuches, who is interested in NYSCLA hosting a Board meeting there to further the discussion of MCE. During these meetings, consensus was that any overlap of CE courses with topics of interest to engineers would be a good thing. D. Annese noted that the focus of CE courses should be for health, safety and welfare so attracting courses with this focus that Engineers will take can be mutually beneficial. With respect to fees assessed for CE providers, schools would automatically be exempt since they would be pre-approved. Whether or not Chapters would be exempt is up for discussion. As noted by E. Olinger and agreed by all, regarding the MCE legislation, our bill should be presented to the State Board of Landscape Architects and the Assistant Commissioner at the State Education Department to make sure everyone is aware of the bill. K. Mathews will contact D. Brackett to see that a packet is sent to every member. As noted by B. Rodriguez, the question has arisen as to whether our bill should be presented with AIA's or separately. N. Pouder posed the question to think of a strategy that would benefit us the most, perhaps to get insights from AIA. General consensus leaned towards maintaining more control at less cost by not using lobbyists. After discussion, it was decided our preference is to pursue E. Olinger's recommendation to present our bill separately after establishing sponsors, and to move ahead to set up meetings with potential sponsors prior to Lobby Day. D. Annese and E. Olinger suggested that after State Ed reviews our bill that we allow our sponsors to chart our course for future contacts. If sponsors can be committed prior to Lobby Day with legislation introduced, MCE can go on the Lobby Day agenda. At a minimum, MCE will still be a talking issue as indicated by K. Mathews. As noted by D. Conklin, it is important to have a full slate of issues to discuss at Lobby Day not a central topic. E. Olinger and D. Annese, however, felt we should approach several legislators with the bill. Since we have established ties to Canestrani and Lavelle, it was decided we will approach them initially. K. Mathews stated the next steps then would be as follows: the MCE Committee (E. Olinger, D. Annese, N. Pouder, and D. McCord) will finalize the wording on the bill; K. Mathews will then set up a meeting in Lavelle's district with another Suffolk County Landscape Architect; D. Conklin will do so accordingly with Canestrani's district office. K. Mathews noted that at these meetings, the letters of support recently received from colleges and universities for MCE should also be presented. To wrap up the MCE topic, E. Olinger said the MCE Committee will soon draft the list of potential CE providers they have been working on.

### New Business:

- **Bill Martin announces his retirement from State Ed-**K. Mathews will draft a thank you letter from NYSCLA in appreciation of Bill's dedication and support over the years. Due to state budget constraints, his position is questionable as to status after he leaves. NYSCLA prefers that an architect or landscape architect fill that slot, rather than the duties being taken over by the secretary of the engineering/ls board.

**Invasive Species Committee-** The Board agreed that a Licensed Landscape Architect should be appointed; K. Mathews is working on this.

**Website Issues-** as presented by D. Young, the search for a new Internet Service Provider is underway with the intent of making the website as fully functional as possible. This will be done in the next three months. Website guru Jeremy Young is also looking for ways which will greatly improve "search" capabilities, simplify updates, and improve overall data management. The updating of website information was discussed and D. Fasser was nominated and unanimously appointed to serve as the new Web Site Editor.

**NYSCLA member to take on the NYSCLA sponsored LA Directory-** as presented by D. Young, the challenge of how to best update changing information is still under discussion.

**New Downstate members-** K. Mathews said a nomination is still being worked on for the current vacancy, in addition to NYSCLA member J. Imbiano announcing he is leaving. The Board thanks John for his contribution.

**Attendance at Board Meetings-** K. Mathews asked members to pass on ideas as to how to improve attendance at meetings.

**Calendar for 2004-** Key dates are as follows:

**April 27:** Lobby Day in Albany; contact any NYSCLA member for info

**June 4-6:** ASLA Licensure Summit in Boston; K. Mathews will attend

**July 10: Summer Board meeting**

**Sept. 25: Fall Board meeting** (ESF is a possible location for this Meeting)

**Oct. 29-Nov. 2: ASLA Annual Conference, Salt Lake City, Utah**

**There being no further business, the Meeting was adjourned; the next meeting (Summer) is set for Saturday, July 10, 2004, at 10:30 a.m.**

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