

# 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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## WINTER MEETING

**Date: January 18, 2003**

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

**Present:** D. Conklin-Officer (President)  
B. Rodriguez- (NYSCLA Executive Director)  
E. Olinger-Officer (Treasurer)  
N. Bateman- Upstate (Interim Secretary)  
D. Brackett- Upstate  
D. Fasser- Upstate  
K. Mathews- Downstate  
D. McCord-Upstate

**Absent:** D. Annese- Downstate  
R. Hawks- Upstate  
P. Lester- Officer (Secretary)  
B. Martin-(Exec. Secretary NYS Board for LA)  
N. Pouder-Downstate  
B. Restaino- Downstate  
D. Scott-Downstate  
D. Young-Upstate

### Old Business:

**1. Executive Summary-** submitted in writing and presented by B. Rodriguez

**Administration-Contract for Management Services** fee for 2003 is the same as 2002; there were not a sufficient number in attendance for a quorum so approval of this year's Contract and the Proposed Budget will be done by ballot to be sent soon to all members. **Landscape Architecture and the Law:** we did no mailing last year for this flyer. Additional mailing lists still need to be retrieved consisting of all the Town and Planning Boards statewide as well as Building Inspection officials. D. Conklin, D. McCord, and B. Rodriguez will collect/coordinate these. A target date for the mailout will then be possible for February, 2003.

**Government Affairs-** a date for the next **Joint Design Professions Meeting** is still being worked on; **Lobby Day** for 2003 is set for April 29, and AIA hopes NYSCLA will continue to participate. Last year's legislative results included Professional Engineers getting mandatory continuing education; the budget this year will be much more contentious and an interesting agenda is sure to play out. **Proposed NYSCLA 2003 Legislative Program** consists of the following issues: (others may be added; B. Rodriguez will keep the Board advised):

- \*Statute of Repose
- \*Civil Justice Tort Reform Act
- \*Certificate of Merit
- \*Illegal Practice of a Licensed Profession
- \*Qualifications-Based Procurement of Professional Design Services
- \*"Crumbling Schools" Initiatives
- \*Wicks Reform
- \*Smart Growth-Livable Communities-Sustainable Development
- \*"Crumbling Schools" Initiatives/Annual Structural Safety Inspections by A/Es
- \*Historic Housing Tax Credits
- \*Affordable Housing Tax Credits
- \*Landscape Irrigation Certification Act
- \*Design/Build
- \*Corporate Practice of the Design Professions

**Other 2003 Legislative Issues** which have been carried over or new issues which merit NYSCLA's attention include:

- \*Good Samaritan
- \*Light Pollution

\*Billboard Advertising

\*Herbicide/pesticide issues

\*Mold and its professional liability ramifications

\*Certificate of Authorization-AIA is asking NYSCLA to advise their stance on this; it is recommended that Architects and Landscape Architects consider adding themselves to this legislation which seems to complement corporate practice and help identify illegal practitioners. We are advised that this will require amending current law and have legislation introduced.

**MCE (Mandatory Continuing Education):** After last year, the status of requirements is as follows: Architects-36 hrs./3 yrs.; Engineers-30 hrs./3 yrs.; Surveyors-24 hrs./3 yrs. NYSCLA should advise if they intend to do this for Landscape Architects and B. Rodriguez will assist with drafting legislation

**2. Treasurer's Report**-submitted in writing and presented by E. Olinger; again we had excess leftover from the previous year. Some changes discussed at today's meeting were proposed as follows: + \$450 for website maintenance and - \$325 for mailing hard copies of the Professional Directory; due to the lack of a quorum, the Budget along with this year's Contract will be officially approved by member ballot to be mailed out soon.

**3. Professional Directory update**- presented and coordinated by K. Mathews; It's up and available on the website; due to the costs/time involved with developing the hard copies, K. Mathews recommended that more hours be allocated to the webmaster (Jeremy Young) to print out one full master hard copy if this is agreeable; limited additional single copies can then be printed by K. Mathews. K. Mathews will draft a letter to all Directory participants informing them of this change which previously hoped to mail everyone a hard copy. The letter will request comments on the Directory and acknowledge limited availability of hard copies with feedback directed to the webmaster. The limited number of hard copies printed will then be based upon the response received.

**4. Licensure Issues**- presented by D. Conklin; the National Licensure Summit was attended by D. Conklin last November in Houston with considerable progress being progressed towards all 50 states having practice acts by 2010. As of this month, two of the four remaining states with no licensure at all have new legislation ready to be presented (Colorado, North Dakota). Texas allocates \$73,000/ yr. for their own LA Licensing lobbyist for Landscape Architecture, the first in the country.

**5. Continuing Education**-presented by D. Conklin; NYSCLA would like to make Continuing Education a priority; info is forthcoming from National which will help us in developing an approach; discussion focused on the success of AIA's and CLARB's success with their legislation and Model Law, respectively. Consensus today was that NYSCLA needs to approach the State Education Board for Licensing: D. Conklin will draft a letter, K. Mathews will ask Downstate Ex. Comm. members for their nod, and on Feb. 21, E. Olinger and D. Brackett will ask Upstate Ex Comm members for their nod; D. Conklin will pass on to D. McCord Architect's and Engineer's info as well as what National sends.

**6. Grassroots Local Lobbying Training**- as per discussion today, both Upstate and Downstate have thus far been pursuing other priority actions; no further action planned right now; Upstate is gearing up for Leadership Training and Downstate has been extremely busy with pro-bono WTC efforts.

#### **New Business:**

**7. NYSCLA Organization**-D. Conklin is stepping down as President effective June, 2003 but will remain as an active Board Member and assist as Upstate transitional contact; discussion followed which recommended establishing a Nominating Committee for President consisting of 2 Downstate and 1 Upstate member; consensus was that a Downstate rep was likely to keep the balance, but all nominations could be considered; quick follow up by D. Brackett and K. Mathews will be done so that the process for nominations/election can be completed by the June meeting. Damon Scott has announced his decision to resign effective soon, and the Board wishes to thank him for his continual contribution and service to NYSCLA's efforts. A vacancy now exists for another Downstate Board Member. The Board also thanks D. Conklin for his dedicated and continual service to NYSCLA as President for 3 years.

**8. Lobby Day 2003**- consensus today agreed to fully participate in this year's Lobby Day with the allied design professions set for **April 29** here in Albany; participation is open to any interested Landscape Architect statewide with Board Members especially encouraged to participate; the schedule usually runs 9 am to 3 pm; contact Dale Conklin for more info at: [dale@smithandmahoney.com](mailto:dale@smithandmahoney.com) or phone him at 518-463-4107.

**9. Meeting Minutes/Website**- N. Bateman welcomes feedback/comments on format and content of meeting minutes; she and D. Young have discussed and are working on streamlining the process of posting minutes on the website; D. Young and J. Young continue to coordinate all the great progress with our website; Upstate's new website will soon be linked replacing the old; please provide any address/phone/email corrections at the next scheduled Board Meeting so these updates can be coordinated with the Meeting Minutes for easy submittal to the webmaster.

**10. Calendar-** Board Meetings/Key Dates for 2003 are as follows:

March 29: Spring Board Meeting  
April 29: Lobby Day (roughly 9 am to 3 pm at the Capital in Albany)  
June 21: Summer Board Meeting  
August 23: Fall Board Meeting  
Oct. 30-Nov. 3 ASLA Annual Meeting in New Orleans (D. Conklin is this year's Conference Co-Chairman; Congrats Dale!)

\* Please note, all Board Meetings will continue to start at 10:30 am.

**11.** Due to a lack of a quorum, the **2003 Contract** for Management Services with AIA and the **Annual Budget** will both be sent to Board Members as a ballot, either email or regular mail. Your timely response **by Jan. 30** is greatly appreciated. Happy New Year!