



# 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 17, 2009**

**Location: Albany, NY**

**Present:** R. Gibney-President  
E. Misztal- Secretary  
A. Hart- Treasurer  
E. Farrell- (NYSCLA Executive Director)  
C. May-Downstate  
D. McCord- Upstate  
N. Bateman- Upstate  
J. Thompson- Upstate  
K. McAndrew- Downstate  
P. Lester- Downstate

**Absent:** D. Conklin- Upstate  
R. Kraft, Upstate  
R. Gass- Downstate

### General Business:

- 1. NYSCLA Board Members** – R.Gibney called the meeting to order at 10:40 am.
- 2. Previous Meeting Minutes** –N. Bateman voted to approve the minutes from the November, 08 2008 meeting; seconded by A. Hart.
- 3. Treasurer's Report** – A. Hart recaps actual 2008 year to date numbers and projected 2009 budgeted account balances. There was a surplus of \$536.27 despite overspending on the website due to the switch over in service providers. Phone expenses were reduced for 2009. Extensive discussion ensued about increasing the budget for the website and how it would function to possibly create revenue. (See additional notes further on). Increased income may come from Upstate and Downstate dues. Membership numbers are expected by the end of the month, and will be announced by A. Hart by email. Tax brackets should be reviewed to see where the NYSCLA bank account falls and if there are repercussions or benefits of changing balances. The public relations line item on the budget refers to Lobby Day displays. A. Hart will combine them for the next meeting. The Lobby Day brochure is expected to cost \$500 or less. M.Goff has agreed to product it again this year.
- 4. Legislative Tracking (Ed Farrell)** – Ed discusses the 2009 Legislative Program. He will draft a list for review and provide it to R.Gibney in the next few weeks. P. Lester and K.McAndrew volunteer to select issues to be represented in our Lobby Day brochure. Wick's legislation was passed which establishes the following thresholds: 1.5 million for downstate, 3 million for NYC, and 500,000 for upstate. The governor tried to raise NYC to 10 million and exempt schools, but it didn't pass. This legislation does not seem to benefit LA's or other related professions. AIA wont use the term "Wick's", it will use "services procurement reform". Designer led design build is a big issue. The designer ends up working for the CM which is technically illegal except for certain state authorities, i.e. OGS and DASNY. K. McAndrew suggests alignment with ACEC. There is interest in changing the delivery of our services to rectify these issues. The Bill numbers and government member's names will change for next year. Ed will provide us with this, and M.Goff can update the Lobby Day Brochure. The LA magazines will be sent directly to AIA and are to be included in the Lobby Day information. Lobby Day is on March 24, which is

early this year. It should be posted on the website as soon as possible, and the Chapters alerted. There will be a training session for Lobby Day in Albany on Friday February 27, and possibly a webinar. No CEU's will be provided. The AIA convention will be in Rochester on September 24-26. (This is not a conflict with the ASLA annual meeting in Chicago on September 18-21.) Any exhibitor or vendor referred to the AIA convention by NYSCLA, NYSCLA will get 10% of their fee. Also, any ASLA member that attends, the respective Chapter will get 10% of their registration fee. NYSCLA will decide how to distribute the funds. LA's may have their own track at the AIA conference, and CEU's may be earned. AIA will contact potential vendors if their contact information is given to Ed. R.Gibney suggests adding the Chapters logo's to the registration form.

**5. Website:** The CEU's on the website are current. A proposal was received from Nick Gangi at esolve. Items were prioritized with the first task creating access for J.Thompson so she can update basic information. Deceased members should be removed, CEU section updated with auto expiration, updating Board members, and meeting minutes. A system should be set up eventually so that entities (excluding not for profits and educational institutions) can pay for posting their CEU's. J.Thompson will look into setting it up so that they pay on the site when they enter their information. Secondary items include updating logos, fonts, etc. R.Gibney will discuss remaining proposal items with N.Gangi for clarification in scope and fee. P. Lester will have Connecticut CEU's sent to J. Thompson for posting. A. Hart requests that the invoices are more descriptive and broken down by proposal items. R.Gibney voted to approve \$1,500 for the website budget, seconded by D.McCord. It will be revisited to possibly increase it when the membership data is submitted by the Chapters. The website registration form for LA's should be changed to include a line for the RLA license # as well as the stamp box, as some RLA's do not have a stamp.

**6. CEU Situation and ASLA / LACES:** Generally improved over the past 6 months, but still difficult for small offices. LACES will be finalizing approvals for courses. 2009 is the test run, with anticipated acceptances in 2010. LA's should remember to also check the SWCD, and Cooperative Extensions for CEU's.

### **Old Business:**

**1. Tool Kit Update by S.Marshall-Paetzel:** R.Gibney spoke to Stacy but has no information at this time. Hopefully it will be completed by this summer.

**2. Incorporation for NYSCLA:** NYSCLA has an IRS designation, but no protection for the members from liability claims. Should NYSCLA be incorporated and cover the Chapters, or should the Chapters be incorporated and cover NYSCLA? This needs to be looked into and discussed. R.Gibney has recent personal experience and the costs are \$400 for the attorney fee, and \$500 for the filing fee.

**3. Teleconferencing:** K.McAndrew can be the central location. The by-laws need to be reviewed to make sure this is allowed, and possibly revised. D.McCord will contact E.Olinger to see if a digital copy exists. It will be finalized at the next meeting and the July meeting targeted as the first teleconferenced meeting.

### **New Business:**

**1.** Enforcement of the title / practice laws is necessary. We need to police ourselves.

**2.** Two new board members are introduced: Kevin McAndrew and Pamela Lester- both representing Downstate. We now have 4 downstate members, and are still short one. A NYC member would be ideal, if anyone knows anyone please contact them. Board members are strongly encouraged to find replacements for themselves when they leave their positions.

**3.** The in district Advocacy Day set up by the Chapters is February 18. All LA's are encouraged to visit their legislators.

The next meeting is on April 18, 2008 at 10:30 am. The following meetings are tentatively July 18 (+/- one week for K.McAndrew), and November 7.

Meeting Adjourned at 12:50 pm.

Submitted by E.Misztal.

	NYSCLA Prpposed 2009 Budget			
	nyscla09.xls	1/14/2009		
		<b>BUDGET</b>	<b>YTD</b>	<b>PROPOSED</b>
		<b>^2008</b>	<b>^2008</b>	<b>^2009</b>
	<b>INCOME</b>			
	INTEREST	\$350.00	\$379.21	\$350.00
	NY CHAPTER ASSESSMENT	\$5,830.93	\$5,830.93	\$8,356.13
	NYU CHAPTER ASSESSMENT	\$2,681.38	\$2,681.36	\$3,842.60
	'07 NY CHAPTER CREDIT	\$948.24	\$948.24	\$367.34
	'07 NYU CHAPTER CREDIT	\$499.45	\$499.45	\$168.93
	TOTAL INCOME	\$10,310.00	\$10,339.19	\$13,085.00
	<b>EXPENSES</b>			
	<b>Administration</b>			
	AIA SECRETARIAL EXPENSE	\$0.00	\$0.00	\$0.00
	BANK CHARGE	\$0.00	\$0.00	\$0.00
	EXCOM MEETING EXPENSE	\$60.00	\$0.00	\$60.00
	GENERAL EXPENSES	\$100.00	\$59.00	\$100.00
	OPERATING RESERVE	\$350.00	\$379.21	\$350.00
	SECRETARIAL EXPENSE	\$50.00	\$0.00	\$50.00
	TELEPHONE	\$450.00	\$408.71	\$425.00
	<b>Public Affairs</b>			
	AIA MANAGEMENT	\$5,500.00	\$5,500.00	\$5,500.00
	LOBBY DAY	\$1,000.00	\$653.26	\$1,000.00
	PROFESSIONAL DIRECTORY	\$100.00	\$0.00	\$100.00
	PUBLIC RELATIONS	\$1,500.00	\$1,057.00	\$1,500.00
	WEB SITE	\$1,200.00	\$1,745.74	\$4,000.00
	TOTAL EXPENSES	\$10,310.00	\$9,802.92	\$13,085.00
	EXCESS(DEFICIENCY) OF	\$0.00	\$536.27	\$0.00
	INCOME OVER EXPENSES			

Account Balances - As of 12/31/2008

(Includes unrealized gains)

As of 12/31/2008

1/15/2009

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Account	12/31/2008 Balance
<b>ASSETS</b>	
<b>Cash and Bank Accounts</b>	
CD-466729	1,462.31
CD-467814	1,537.44
CD-653674	7,409.70
NYSCLA CK	141.66
NYSCLA SAVE	4,057.90
<b>TOTAL Cash and Bank Accounts</b>	<b>14,609.01</b>
<b>TOTAL ASSETS</b>	<b>14,609.01</b>
<b>LIABILITIES</b>	<b>0.00</b>
<b>OVERALL TOTAL</b>	<b>14,609.01</b>



# AIA New York State

An Organization of The American Institute of Architects

## 2009 Legislative Program

*Architects promoting the built environment for our communities across the state.*

### Top Priorities

Alternative Project Delivery

Corporate Practice of Design Professions

Design Liability Reform

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### Other Issues of Interest

Qualifications-Based Selection of Professional Design Services

Funding for Prosecution of Illegal Practice

Smart Growth/Livable Communities

Historic Preservation Tax Credit

Good Samaritan Act

Wicks Repeal

### **Bills Opposed**

Construction Threshold

Design Delegation

Damages for Delay

## **Smart Growth – Livable Communities**

### **A 7335-A Hoyt (MS)                      Same as S 8612 MARCELLINO**

TITLE....Directs state agencies and public authorities to adopt and utilize smart growth principles

09/25/08 vetoed memo.144

09/26/08 tabled

2009 bill: A 543 (Hoyt), referred to Environmental Conservation Committee

### **S 4338-A LAVALLE                      Same as Uni. A 7271-A Hoyt (MS)**

TITLE....Enacts the Smart Growth for the New Century Act

04/09/07 REFERRED TO LOCAL GOVERNMENT

05/21/07 AMEND AND RECOMMIT TO LOCAL GOVERNMENT

05/21/07 PRINT NUMBER 4338A

01/09/08 REFERRED TO LOCAL GOVERNMENT

### **A7271-A Hoyt (MS)    Same as Uni. S 4338-A LAVALLE**

TITLE....Enacts the Smart Growth for the New Century Act

04/09/07 referred to local governments

05/25/07 amend and recommit to local governments

05/25/07 print number 7271a

06/05/07 reported referred to ways and means

01/09/08 referred to local governments

04/08/08 reported referred to ways and means

2009 bill: A 697 (Hoyt), referred to Local Governments Committee

### **A 2574 Hoyt (MS)                      Same as S 5211 ALESI**

TITLE....Provides for community based smart growth (land use planning) through various forms of state assistance to local governments

01/09/08 referred to governmental operations

### **S5211 ALESI    Same as A 2574 Hoyt (MS)**

TITLE....Provides for community based smart growth (land use planning) through various forms of state assistance to local governments

01/09/08 REFERRED TO FINANCE

### **A5833 Hoyt (MS)                      No Same as**

TITLE....Enacts the "neighborhood quality-of-life tax incentive act" providing exemptions for certain property meeting quality-of-life criteria

01/09/08 referred to real property taxation

### **A1106 Brodsky (MS)                      No Same as**

TITLE....Enacts the New York state smart growth compact act to facilitate coordinated urban and regional planning and public investment in a cooperative and consensual manner

01/09/08 referred to local governments

**A5093 Wright                      No Same as**

TITLE....Creates the reinvestment/affordable housing program to utilize revenues derived from state debt and the insurance industry to finance affordable housing  
01/09/08 referred to housing

**Night Sky**

**A 7406 Rosenthal (MS)                      Same as S 7305 HANNON**

TITLE....Provides for the authority of the department of health to engage in or support research on the health effects of artificial night light

**03/26/08 passed assembly**

03/26/08 delivered to senate

03/26/08 REFERRED TO HEALTH

**S7305 HANNON    Same as A 7406 Rosenthal (MS)**

TITLE....Provides for the authority of the department of health to engage in or support research on the health effects of artificial night light

03/28/08 REFERRED TO HEALTH

**A 7438-A Rosenthal (MS)                      Same as S 4364-A MARCELLINO**

TITLE....Enacts the healthy, safe and energy efficient outdoor lighting act to reduce harmful outdoor lighting

**06/23/08 passed assembly**

06/23/08 delivered to senate

06/23/08 REFERRED TO RULES

**S4364-A MARCELLINO    Same as A 7438-A Rosenthal (MS)**

TITLE....Enacts the healthy, safe and energy efficient outdoor lighting act to reduce harmful outdoor lighting

06/18/08 AMENDED ON THIRD READING 4364A

06/24/08 COMMITTED TO RULES

**Design-Build**

**A 2178 Canestrari (MS) Same as S 5150 LAVALLE**

TITLE....Provides that a contract made by a person unlicensed to practice certain professions shall be against public policy

01/09/08 referred to higher education

**S5150 LAVALLE Same as A 2178 Canestrari (MS)**

TITLE....Provides that a contract made by a person unlicensed to practice certain professions shall be against public policy

01/09/08 REFERRED TO HIGHER EDUCATION

**Other**

**A 10973 Magee Same as S 8004 YOUNG**

TITLE....Directs department of agriculture and markets and the state soil and water conservation committee to define farm conservation practices conducted by professionals

05/08/08 referred to agriculture

**S8004 YOUNG Same as A 10973 Magee**

TITLE....Directs department of agriculture and markets and the state soil and water conservation committee to define farm conservation practices conducted by professionals

**05/13/08 PASSED SENATE**

05/13/08 DELIVERED TO ASSEMBLY

05/13/08 referred to agriculture

**A10451-A Young (MS) No Same as**

TITLE....Prohibits the shading of solar energy devices on adjacent property by landscaping

06/18/08 ordered to third reading rules cal.444

**A7333-A Sweeney (MS) No Same as**

TITLE....Authorizes cities or towns to impose a tax on real estate transfers and authorizes municipalities to create community preservation funds

05/29/08 advanced to third reading cal.1094