N Y S C L A
NEW YORK CHAPTER & NEW YORK UPSTATE CHAPTER – AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS
50 State Street 5TH Floor Albany, New York 12207 518.465.5176 www.nyscla.org

WINTER MEETING 2017

Date: January 28, 2017

Location: Teleconference (TC) from various locations

Present:	Pam Lester	President
	Andy Hart	Treasurer
	Erin Trojan	Secretary
	Toshi Karato	Downstate Chapter
	James Palumbo	Upstate Chapter
	Eric Shaw	Upstate Chapter
	Mike Burridge	AIANYS
	Mike Haas	Upstate Chapter nominee
	Pete Osborne	Upstate Chapter
	Linda Stancliffe	Upstate Chapter
	Linda Gumney	Downstate Chapter
	Mike Damico	Guest
	Lindsey Herbert	Guest
	Sue Steele	Guest
Absent:	Georgi Ann Bailey	NYSCLA Executive Director
	Barbara Restaino	Downstate Chapter
	Joshua Price	Downstate Chapter
	Doug McCord	Upstate Chapter - Emeritus
	Richard Gibney	Downstate Chapter - Emeritus
	Nanci Bateman	Upstate Chapter - Emeritus

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1) Meeting Notes - Meeting called to order at 10:37 by P. Lester. Welcome L. Gumney. We are waiting to hear from N. Schwartz on the vote for M. Haas.
2) Legislative Report - M. Burridge reviews the report submitted ahead of the meeting, attached.
   a) Lobby Day is May 17th, a Wednesday this year. Interested people can meet in Room 711A of the Legislative Office Building. More info to come.
   b) Nothing significant has changed in the political power of the Senate and Assembly as a result of the elections.
   c) As a reminder - to get involved - a board member can contact their representative and ask them to sponsor a bill. Current sponsors can also ask colleagues to co-sponsor. The AIA can send memos of support for specific bills and we can coordinate with the Engineers etc as well.

3) NYSAIA Update
   a) Suspension of a Professional License Bill : AIANYS is not taking a position at this time but will watch this new bill. It is not expected this legislation will be used against design professions, it originated for medical professionals.
   b) CM @ Risk: Different groups within the Design Coalition have different priorities but he hopes in March they will meet with the Senate / Assembly to discuss.
   c) M. Burridge is also testifying and asking for representatives to speak up on tax reform, specifically federal historic tax credits.
4) Lobbyist Law Update - M. Burridge doesn't have much update on the lobbyist issue. ACEC has thought of introducing legislation that would exempt Design Professionals from the NYC lobbying requirements. JCOPE (state level) has issued staff guidelines on accountability and transparency, they would require board members to be disclosed. Some firms have filed for amnesty and have set the precedent so that they now have to continue to register. He hasn't heard of any A/E firms being issued a violation. A. Hart has no update on what his firm is doing. M. Burridge refers to a new document geared toward membership / trade organizations. He will send it to us for reference.
5) November 2016 Minutes - lack of quorum, voting will be by email or at the next meeting.
6) Treasurer's Report:
   a) Website Finances - A. Hart reviews the finances. We have about $1K left in the Advocacy Grant. There are over $1.3K of unused funds for the website. Refunds to the Chapters are approx. $3K. There is no formal budget yet, we need the numbers from Upstate and Downstate first. P. Lester explains that the Chapters didn't understand the refunds; that the change is a reduction in the next years dues rather than an actual refund. Downstate willing to offer $1,250 if Upstate will match it for the website changes that have been discussed. A. Hart would like the 2016 finances to show a refund and we can still use the funds for the website in 2017. A. Hart will need to know the maintenance costs of a website unless there is another volunteer. P. Lester feels that since we are a connection between the Chapters our website layout should reflect that. She would like the Board to review the Montclair proposal and make comments. She will get a proposal from another firm as well. A. Hart will share eSolve's 2017 proposal and P. Lester and L. Stancliffe will review.
   b) AIA Contract - The same contract has been used for a number of years. P. Lester would like the board to look it over and make comments. She will give G. Bailey notes including the fact that we aren't meeting in Albany at all this year. She will send the contract to L. Gumney. The new ASLA National Coordinator is Elizabeth Jordan. J. Palumbo points out that the exhibit is being stored at the AIA office in Albany but there is no provision for that situation in the contract. He feels it should be included. Also, do we need to keep the phone number for NYSCLA at the AIA office. E. Trojan volunteers her phone number to be listed.
7) Committees
   1. Website - P. Lester agrees with T. Karato that simpler is better for the website but we need an obvious link to the resources. The board engaged in a discussion about the visuals of the website and whether we need to hire a web designer vs. using a service such as squarespace. T. Karato feels that we should be sure that the website not only is a photographic display of what LA's do but has obvious ties back to the legislation and Chapters. P. Lester would like to make sure that the Upstate and Downstate newsletters include updates from NYSCLA. M. Damico states that the Upstate newsletter format has changed and he will share the contacts with us to get our info up on their website at least. P. Lester will share CT's website for our consideration. T. Karato will add Lobby Day to the Downstate online calendar. T. Karato will take the website to text level. L. Stancliffe, T. Karato, and E. Trojan will demo "Slack" for the back of house info. M. Damico will share Upstate images and feels we need links to the Chapters on our home page. P. Lester asks T. Karato to check with Downstate and Sue Steele for photos of events. She would also like the committee to regroup mid-February. L. Stancliffe will collect images and T. Karato will give E.

Trojan guidance on setting up squarespace. P. Lester will call eSolve on domaine ownership. T. Karato reminds the board that we do have a google docs account.

2. Lobby Day Brochure - will be followed up via email.

8. Display Booth Update - L. Stancliffe can receive JPEG format images for the new GI panel for the display booth. A. Hart will bring the display to upcoming events at Bergmann. The brochures need a better container but there are enough for now.
9. By Laws Update - The board didn't have any issues with the amendments proposed to the by laws. The emeritus status wording shall be changed to "indefinitely", and teleconferencing wording will be revised. P. Lester will send the new by laws for a vote. She will follow up with wording about electronic voting.

2017 Meeting Dates:
March 9
July 13
November 9
(all at 3pm)

T. Karato made a motion to adjourn at 12:30, seconded by L. Stancliffe.

Submitted by E. Trojan.

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NYSCLA Advocacy Update

Saturday, January 28th 2016

I. QBS Update

The QBS bill has been re-introduced in the Senate (S.1330 Valesky) but has not been re-introduced in the Assembly as of yet. Assemblyman David Buchwald was the sponsor of the Assembly version in 2016.

II. Other Bill Reintroductions

Complete Streets Design Principles (S.1801 Kennedy/No Same As)- Expands the current Complete Streets law to include resurfacing, maintenance, and pavement recycling projects.

Green Roof Standards and Tax Credit (S.2283 O'Mara/No Same As)- Requires the Department of State to establish standards and certification of green roofs. The bill also creates a green roof installation credit in the amount of 55% of qualified expenditures with a ceiling of $5,000.

Cool Roofs (A.1916 Hevesi/S.60 Hoylman)- Authorizes the use of cool roofs on new construction or substantially renovated state-owned buildings using cool roofing materials such as plant-based materials.

Urban Open Spaces Program (A.2095 Lentol/S.1810 Kennedy)- Establishes the Open Space Program to provide for the acquisition, creation, improvement, conservation and protection of open space areas in cities.

Statute of Repose (A.2198 Pretlow/No Same As)-Enacts a 10-year statute of repose for 3rd party claims against licensed design professionals and contractors.

***New Bill* Summary Suspension of a Professional License (S1380 LaValle/No Same As)-** This bill would authorize summary suspension of a professional license if the Department believes the licensee is engaging in conduct which considered an imminent threat to public safety. The Department would have the right to temporarily waive a hearing until one can be scheduled.

M/WBE Utilization for Local Goverments (A.453 Bichotte/No Same As)- Requires any municipality or local district, including school districts, receiving State funds for the procurement of goods and services to comply with the State M/WBE utilization requirement of 30%.

III. Design-Build

The 2017-18 Executive Budget includes language which would:

- Expand Design-Build to all state agencies, authorities, SUNY, CUNY and counties (except NYC)
- Make Design-Build authorization permanent
- Include vertical infrastructure (buildings/facilities)

AIANYS will continue to advocate for the inclusion of construction manager at-risk/construction manager as constructor language.

IV. Other Budget Items

Education, Labor and Family Assistance

- **Part S** creates the Affordable New York Housing Program; reauthorizes the 421-a real property tax credit.

Public Protection and General Government

- **Part I** creating the New York Buy American Act. Requires bidders on State projects over $100,000 to certify whether or not the will use products manufactured in the U.S. Provides a preference for bidders who agree to provide products manufactured in America. No bidder or proposer will be deemed the "lowest responsive and responsible bidder" if they do not comply with the requirement or they receive a qualified exemption.

- **Part L** would extend OGS authority to enter into emergency construction contracts without formal competitive bidding. It also creates a list of eligible bidders to perform work at "secure" facilities operated by DOCCS, OMH, OCFS, and OPWDD and limits accessibility to drawings and specifications of secure facilities.

- **Part W** would create the New York State Consolidated Laboratory Project Act to design and construct a new State laboratory. Allows DASNY to use either Construction Manager at-Risk, Construction Manager Build or Design-Build project delivery.

Transportation, Economic Development and Environmental Conservation

- **Part P** makes permanent Design-Build under the Infrastructure and Investment Act; extends Design-Build to all State agencies, public authorities, SUNY, CUNY and counties (except NYC). The expansion would include "facilities" into the definition of "capital assets" eligible for the use of Design-Build.

- **Part II** creates the Clean Water Infrastructure Act of 2017 and provide $2 billion to municipalities for clean water projects.

Revenue

- **Part Y** requiring all federal S corporations subject to tax in New York, or that have qualified subchapter S subsidiaries subject to tax in New York, to be treated as S corporations for New York State tax purposes—prohibiting federal S corporations to elect to be taxed as New York C corporations.

- **Part JJ** expands the definition of "conveyance" to subject transfer of an interest in a partnership, limited liability corporation, S corporation, or a non-publicly traded C corporation with fewer than 100 shareholders to the real property transfer tax.

IV. 2017 Architects in Albany Advocacy Day

The 2017 Architects in Albany Advocacy Day will be held on **Wednesday, May 17th, 2017**. The Legislative Briefing will be held in room **711-A of the Legislative Office Building** beginning at 9:00 AM.