

EASTERN NEW YORK SOCIETY OF LAND SURVEYORS
BOARD OF DIRECTORS

May 9, 2002

CALL TO ORDER: Brian Holbritter 9:05PM

REPORT OF ELECTED OFFICERS

SECRETARY'S REPORT – RAY SMITH – Randy Paquin/Chuck Lent accepted as submitted

TREASURER'S REPORT – WILLIAM LAPAN- attached
Dues correction for March from NYSAPLS
Potential for \$1500 in scholarship money this year
Submitted for audit

PRESIDENT'S REPORT – Lobby Day attended by Brian, Joe, Ellen, Jody, and Ann Marie Schreiber; good turnout overall (about 30 NYSAPLS members)
Issues included continuing education, n-exemption, common driveways, statute of limitations; general design professionals issues; legislators seemed very receptive;
Next NYSAPLS meeting, May 17 at the Century Inn in Latham at 1PM

EXECUTIVE VICE-PRESIDENT – JOE MALINOWSKI – none

VICE-PRESIDENT – RICH BENNETT – no report

REPORT OF APPOINTED OFFICERS

HISTORIAN
PARLIAMENTARIAN

CONSTITUTION & BY-LAWS

SCHOLASTIC DEVELOPMENT –

Scholastic Development

Discussion on New Application for Paul Smith's Students
Trig Star – 8 of 10 packages have gone out; no results in yet
Information on Scholarship awards from other regionals
Discussed Press Release for winner for Eastern
Each local winner will get a plaque; suggestion of \$25 to winner
We will support the program with \$500

Legislative

Lobby Day – see President's Report

Continuing Ed. Law still in committee

Peter O'Connell is following 273 pieces of Legislation including:

- Including Lyme Disease as an occupational disease compensable under Workers' Compensation Law
- Law requiring County Clerk to notify adjacent property owners of changes to maps of a subdivided parcel and for the coordination of tax maps with surveyors' maps
- Bill authorizing the Board of regents to waive citizenship or immigration status requirements for a professional license in the professions

- Continuing Education bills for Engineers, chiropractors, psychologists, nurses, revisions on architects; veterinarians and vet techs; pharmacists
- Authorizing governing bodies of counties to impose a rejection fee of \$100 for the filing of papers or instruments relating to real property when such papers are legally insufficient for the purpose for which they were filed upon submission to the county clerk (legally defective)
- Creation of Freshwater and Tidal wetlands mitigation banks
- Law providing for the disclosure of licensing examination questions and set procedures for rescoring upon request for examinations for professional licensure
- Law excluding certain lots created by cluster zoning laws under town, village or general city law, where such lots are part of a subdivision where the density of such subdivision is less than one unit per 5 acres, from being included under the definition of residential lots
- Amendment to Business Corporation Law regarding incorporation of design professional service corporations so a non-professional may own less than 25% of the shares and officers positions
- Modification to Highway Law shifting the authority for determining whether or not a private right-of-way should be granted to a landowner through the land of an adjacent landowner from a jury to a town committee.
- Enacts Statute of Limitations provisions against design professionals for period of 10 years after completion of improvement to real property
- Technical recruitment, career development and retention program for NYS DOT; provides for use of funding for the review of current payment practices regarding payment of certain differentials to private sector consultants
- Raising Wicks Law threshold from \$50,000 to \$500,000
- Law providing for suspension of professional license under Education Law where a licensee is in arrears in payment of child support or spousal support
- Professional Licensing of Geologists
- Law eliminating licensure requirement of citizenship or permanent residence where such requirement presently exists
- Mandatory Continuing Education for Land Surveyors
- Law authorizing state and municipal agencies to establish rules for the use, sale and distribution of GIS materials disclosed under Freedom of Information law; authorizes imposition of fees for copies of materials
- Wetlands homeowners' relief act; prohibits DEC from delineating wetlands beyond boundaries shown on official wetlands maps
- Provides establishment of planned unit development districts and plan review; defines PUD as a development which may include residential, commercial, industrial or other uses or any combination thereof in a flexible manner to achieve the goals of a comprehensive plan.
- Promotes fairness in competitive bidding by providing enforcement of prevailing wage provisions applicable to public work construction projects
- Requires low bidder on state contracts to provide that PWR shall be paid when such bid is lower than next lowest by % 10 or more
- Provides cartways to land which has become landlocked as a result of state construction of roads or highways
- Expansion of PWR requirements to state, local agency and public authority public work contracts
- Additional penalties for failure to pay PWR or supplemental benefits
- Establishment of regional conservation partnerships for preservation of open space and farmland
- Zoning comparison and review along common municipal boundaries

- Law providing for civil enforcement proceedings and penalties for unlicensed practice of a profession
- Authorization of certain municipal corporations to establish a mediation process for resolution of land use disputes
- Provides for the disposal of certain information or data maintained by agencies of government including electronic records
- Regulation of contracts for architectural and engineering services with public authorities
- Access of all public records on internet
- Omnibus Prevailing Wage Enforcement Act
- Establishes procedures for service of charges and notice of hearing regarding professional discipline cases
- Authorization of Board of regents to consider conduct in another jurisdiction in determining professional license application
- Provides for voluntary compliance agreements between people investigated for the unauthorized practice of a profession and the Department of Education
- Creation of GIS Program in Office of Technology
- Requires Office of Technology to develop a GIS system to help municipalities calculate future development potential
- Inclusion of records preservation by digital imaging technology in determinations of the period of probable usefulness

WEB Site Up and running
 Meeting notices in
 Meeting response forms on line
 Tied to NYSAPLS

ETHICS AND BUSINESS PRACTICES

CONTINUING EDUCATION – CHUCK/JODY – flier in Empire State Surveyor and on both websites (NYSAPLS and ENYSLS); will be held at Hilton Gardens (got a reduced rate \$95/room – check application for specific rate reference info on who to call to get the rate); continuing education credits are still pending; we will advertise in surrounding states (VT, NJ, RI)
 FINANCE

MEMBERSHIP – no new members

PROGRAM – Les Denison –Tonight Richard Trumbull-OPD
 Les is looking into a dinner/band cruise on the Dutch Apple or the Capt. JP Cruise Line for the summer;
 -Sept. program still open

PUBLIC RELATIONS
 TECHNICAL INFORMATION
 HANDBOOK – JODY

TABLED/OLD BUSINESS

Discussion on the State Police use of surveying equipment; modifications to model law definition of Land surveying; and where the issues stand

NEW BUSINESS – arrears phone calls split among members to complete before next meeting

MEETING ADJOURNED Charlie Hartnett/Randy Paquin 9:30PM