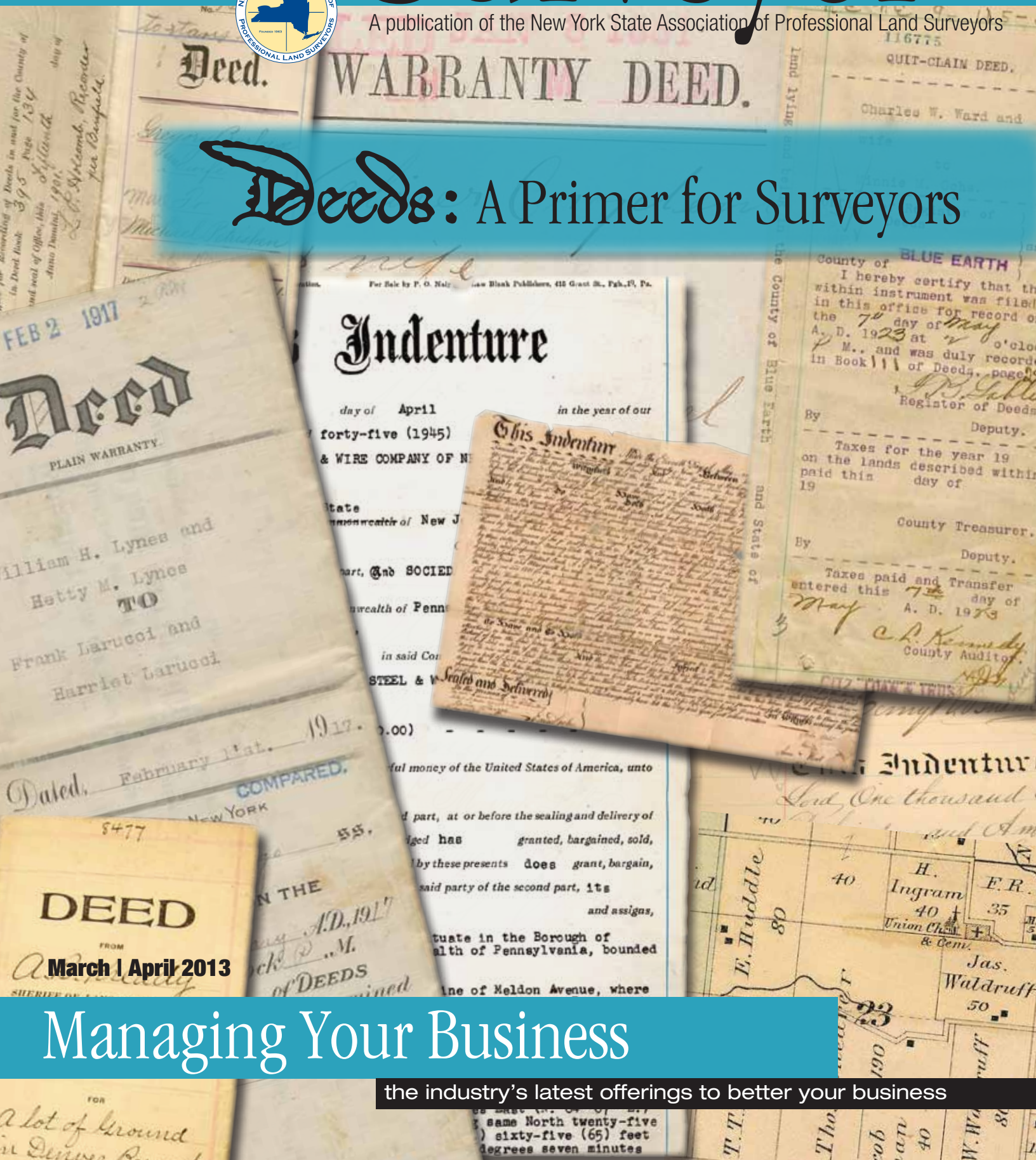


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A publication of the New York State Association of Professional Land Surveyors

Deeds: A Primer for Surveyors



March | April 2013

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VOL. 49 NO. 2
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[PRESIDENT'S CORNER]



J. Steven Boddecker, LS

I wish to title this President's Corner to the Joys of Servitude. As we have just come off another successful annual conference in Saratoga Springs I wish to thank everyone who worked so hard and long to pull this together and execute the plan:

NYSAPLS Staff Members: Amber Anderson, Cara Grassie, Deirdre Murphy, June Wemmitt

NYSAPLS Conference Committee Members: Kenneth Stigner, Chair; Brian Magee, Hans Christopherson, Alexandra Hurley, Darryl Moser, Thomas Cerchiara, Michael Rozeski

Auxiliary Members: Kate Jonietz, President; Barb Marvin, Treasurer

And all of the devoted volunteers from the Mid-Hudson Valley Land Surveyors Association!

From Amber all the way to the volunteers from the host regional, all put their shoulder down and made this happen. Having worked on the conference committee I know the efforts that go into an event like this.

As I travel around to our adjoining states and attend their conferences I hear a common theme, that how few individuals take an active role in the organization. We know the saying "the few do the work for many" and I have come to the realization that this is the way of many organizations. But there is definitely the fact that if many people chip in and take part the work is shared and lessened on those who do so much. I cannot help but wonder if involvement was larger the ideas that might flow from the combined horsepower of the team. It might just eliminate the stale old ideas resurfacing.

I would love to see those individuals who have not been involved in their regional or at state level to step up and try it out. I feel we would all definitely gain from the greater input. Additionally, I also feel that those who do get involved my find a greater appreciation of those who have worked so hard for so many years to make NYSAPLS. Finally I think that those individuals that do get involved will be able to take away a pride that they are part of a great organization as well as gain new insight, new friends and surprise themselves as to what they can accomplish.

Please consider taking some time to further NYSAPLS and the surveying profession.

A handwritten signature in black ink, appearing to read "J. Steven Boddecker". The signature is stylized and written in a cursive-like font.



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A special thank you to all that made it out to our 54th annual conference in Saratoga Springs, NY! For post-conference highlights be sure to check out pages 15-20. This year marks the association's 54th annual conference, and personally my 10th! It's always such a pleasure to see our members networking, laughing and learning. I believe there really is no better way to embrace your profession than learning from your fellow members and colleagues.

The month of March holds a place in history for our licensees as we celebrate National Surveyor's Week. National Surveyor's Week is celebrated on the 3rd full week of March annually. It encourages our members and fellow land surveying professionals across the nation to promote and publicize the importance of our profession. You may have seen an email message reminders from me, information posted on our website and on the NSPS website, but my question is... how did YOU celebrate?

Did you visit a nearby high school and share what a typical day in the life of a surveyor is? Did you get involved with a local Boy Scout troop and lend a hand in achieving their sur-

vey merit badge? Did you participate in the NSPS sponsored "GPS Day"? Did you bring your child to work?

I'd love to hear your stories and include them in a future issue of the Empire State Surveyor. Please feel free to email me at amber@nysapls.net with your stories and pictures. If you'd like more information on National Surveyor's Week, visit our website, www.nysapls.org or the NSPS website, www.nspss.us.com.

The month of March also kick-starts our education committee to lay down the foundation for our educational offerings for next year's conference. We will review your feedback from the 2013 post-conference survey along with each and every evaluation form that was turned in from our conference attendees. Your thoughts and opinions are so very important to us. I highly encourage you, if you haven't done so already, to take our post-conference survey online. The survey can be found here: <http://www.surveymonkey.com/s/2013-post-conf-survey>.

Thank you, as always, for your support!

Amber Anderson
Director of Operations

[IMPORTANT DATES]

March 15

NYSAPLS Board of Directors Meeting

6:00pm – 10:00pm

Hilton Garden Inn, New Scotland Ave, Albany, NY

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March 16-23

National Land Surveyors Week

April 5

First Friday Webinar Series

Kick Starting GIS with ArcGIS Online

8:30am – 9:30am

See our website for details.

April 12-13

Land Survey Licensing Exams

PS/FS & NYS-Specific

See www.ncees.org for more information.

April 29-May 3

NYSAPLS Spring Workshops

Aeronautical Survey Training

Presented by Mark Howard & Ted Doyle

See page 26 for details.

May 3

First Friday Webinar Series

Engineering and Surveying Ethics &

Professional Courtesy

8:30am – 9:30am

See page 25 for details

May 17

NYSAPLS Board of Directors Meeting

6:00pm – 10:00pm

Hilton Garden Inn, New Scotland Ave, Albany, NY

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May 27

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June 1

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June 7

First Friday Webinar Series

Topic TBD - Save the date!

8:30am – 9:30am

See our website for details.



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Deeds: A Primer for Surveyors

by Knud E. Hermansen, P.L.S., P.E., Ph.D., Esq.



During the course of searching the records, surveyors will review numerous deeds. I've often

had surveyors ask about the difference between the various types of deeds. This article is an overview of the common forms of deeds used to convey title to property.

Most current deeds fall into one of four categories: 1) General Warranty, 2) Special Warranty, 3) Quit Claim deed, and 4) Bargain and Sale deed.

General Warranty Deed — The General Warranty deed is often referred to simply as a warranty deed. It is a deed conveying title where the seller (grantor) makes six covenants or promises to the buyer (grantee) as part of the conveyance. (Some states have limited or eliminated one or more covenants in a warranty deed by statute.) The six covenants that are part of a warranty deed are further divided into present and future covenants. The three present covenants are the following:

- 1) **Covenant of Seisin** - The grantor covenants to the grantee that the grantor has title and possession of the property. If a grantor conveys property burdened by a valid and current lease, the grantor would breach this covenant because they grantor had the title to the property but not the possession.
- 2) **Covenant of Right to Convey** - The grantor covenants that the grantor can validly grant or convey both title and possession. A life tenant that delivers a warranty deed to the grantee is in violation

of this covenant. The life tenant had the right to convey the possession but not the right to convey the title to the property.

- 3) **Covenant Against Encumbrances** – The grantor covenants that there are no encumbrances against the title. Encumbrances could include easements, mortgages, trusts, and limitations on the title. A landowner that conveys property where the neighbor has secured an easement across the property by prescription is in violation of this covenant.

The three future covenants are the following:

- 4) **Covenant of Warranty** – The grantor covenants that the grantor will protect and defend the buyer against anyone who comes and claims a superior title to the property. Under this covenant, the grantor will have to defend any claim against the title of the grantee if and when a person comes forward with a claim to the title to the property the grantor conveyed by warranty deed.
- 5) **Covenant of Quiet Enjoyment** – The grantor covenants to the grantee that the grantee will have unimpaired use and unrestricted enjoyment of the property. For example, this covenant would be breached if someone obstructed the easement that provides access to the property (based on a claim of right).
- 6) **Covenant of Further Assurances** – The grantor covenants to the grantee that the grantor will take actions reasonably necessary to perfect the grantee's title if found defective. For example, if a grantor delivered a deed to the grantee where the acknowledgement was found to be

continued on page 9

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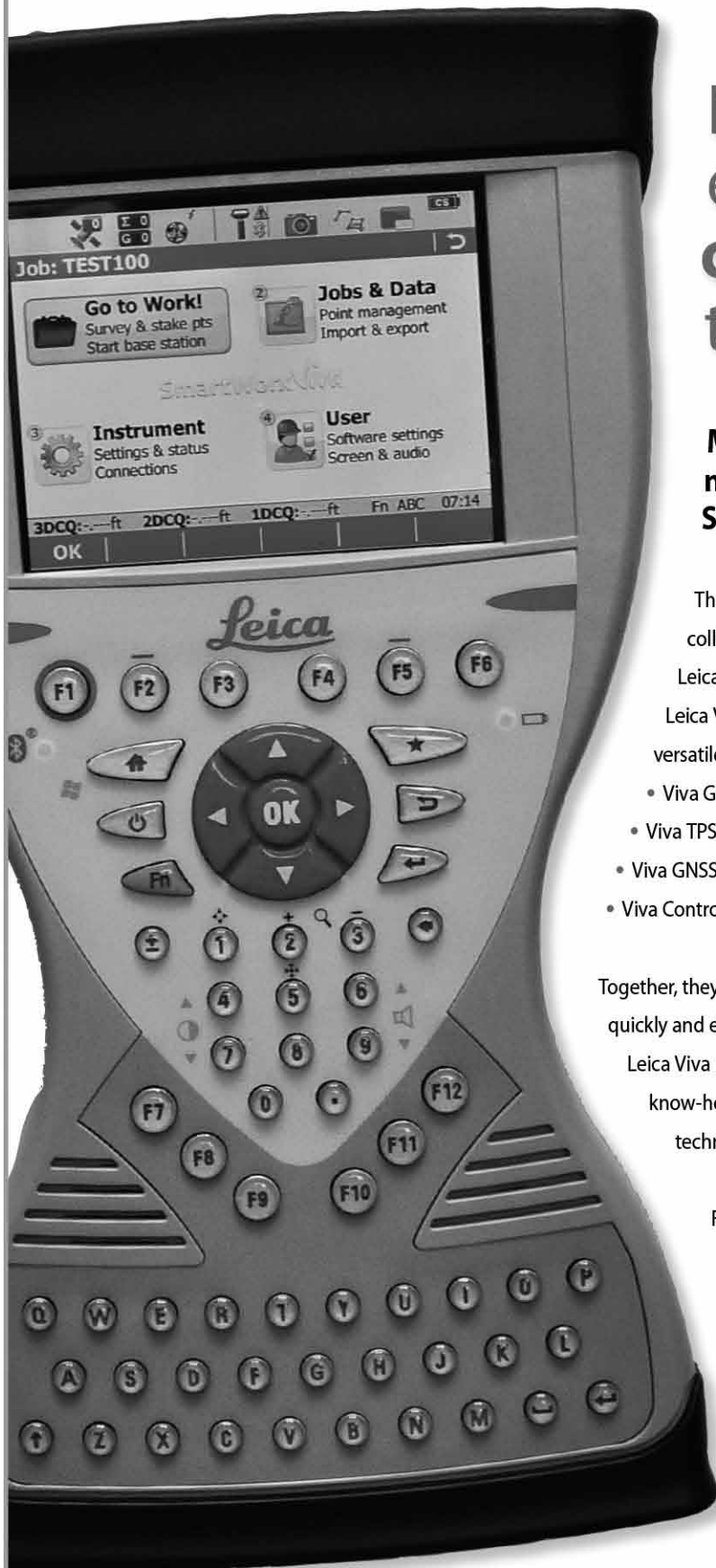
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defective (e.g., notary commission expired), the grantor would be required to take the steps necessary to deliver a deed with a valid and effective acknowledgment.

The distinction that often arises between present and future covenants involves when the breach of a covenant occurred and when the statute of limitations begins to run. A breach of the present covenants will occur, if at all, at the time of conveyance. If a breach occurred, the time period of a relevant statute of limitation will commence at that time. On the other hand, the breach of a future covenant will occur after the time of conveyance, perhaps decades later.

The grantor may limit any of the warranties within the deed by express wording in the deed. For example, a grantor may state within the deed that the property is subject to an easement. Because the grantee is put on notice of the easement, the covenant against encumbrances would not apply to the easement cited in the deed.

The warranties that are included in a warranty deed extend back in time to the inception of title. The warranties made by earlier grantors also extend to future owners of the property. For example, assume a title defect occurred in 2001 when Ames owned the property. Ames conveys the property to Betty by quit claim deed. Betty conveys the property to Chad by special warranty deed. Chad conveys the property to Diane by warranty deed. Diane conveys the property to Edgar by quit claim deed. In 2013, Edgar discovers the 2001 title defect. Edgar can sue Chad for breach of warranty for the title defect occurring in 2001. Edgar can sue Chad even though Chad was not Edgar's grantor. The title defect that Chad had warranted occurred before Chad owned the property. Because of the long reach of the warranties back in time and future predecessors in title,¹ warranty deeds are losing popularity in favor of title insurance to protect the grantee. Warranty deeds may now be rare in certain states.

... The distinction that often arises between present and future covenants involves when the breach of a covenant occurred and when the statute of limitations begins to run. ...

The title found at the top of the deed is not determinative if the deed is a warranty deed unless the state has a *Short Forms Deed Act* that allows for abbreviated wording in the deed to determine the covenants present in the deed.

Under the common law, a deed had to state the following or similar words in the habendum clause in order for the deed to be a warranty deed and the six covenants to be present:

To Have and to Hold, the premises hereby conveyed, ... and the Grantor(s) do for themselves, their heirs, successors and assigns covenant with the Grantee, their heirs, and assigns that the Grantor(s) are well seized of the premises as a good indefeasible estate in fee simple; and have good right to grant and convey the same ... and the same are free from all encumbrances whatsoever ... and the Grantors do by these presents bind themselves and their heirs, successors and assigns forever to warrant and defend the premises hereby conveyed to the Grantee and its assigns against all claims and demands whatsoever...

Special Warranty Deed — The category of special warranty deed is similar to a general warranty deed with one important difference. The covenants in the special warranty deed only extend to any breaches in title that were caused by the grantor or occurred during the time the grantor owned the property. In other words, the grantor in a special warranty deed only warrants the title against the grantor's own actions or omissions.

The habendum clause for a special warranty deed would have wording the same or similar to the following:

To Have and to Hold, the premises hereby conveyed, ... and the Grantor(s) will warrant specially the property thereby conveyed, ... and that he, his heirs and personal representatives, would forever specially warrant and defend the property unto the grantee, his heirs, personal representatives and assigns, against the claims and demands of the grantor and all persons claiming by, through, or under him.

Because of the phrase “specially warrant” and other words found in the special warranty deed, an uninformed grantee tends to believe “specially warrant” is better than “generally warrant.” Some states have eliminated special warranty deeds or changed the name or language in the deed to prevent

heightened and mistaken expectations by the grantee. For example, Maine law has changed the name of a special warranty deed to a quit claim deed with covenants of warranty. Many states have also limited the number of covenants that arise in favor of the grantee by a special warranty deed.

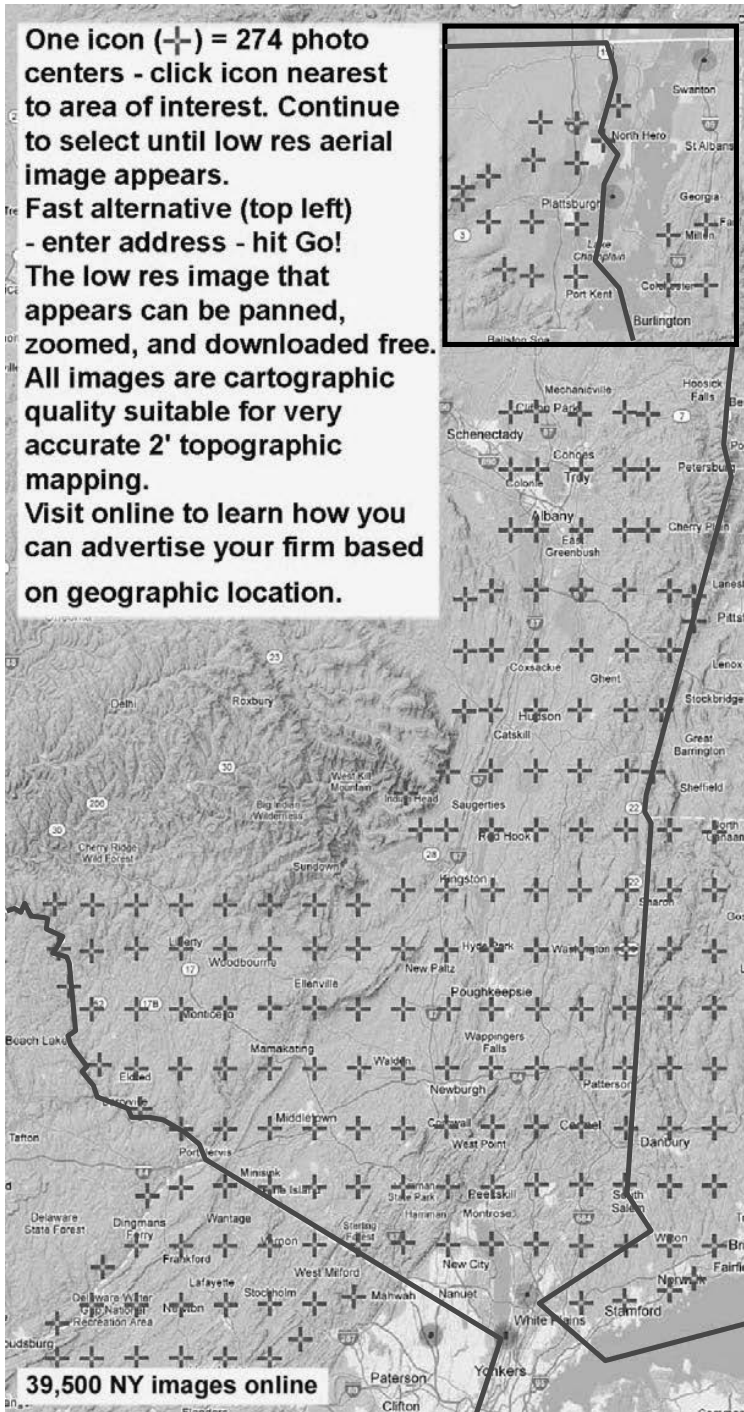
Quit Claim Deed — A quit claim deed is also known as a “release” deed. As the name states, a quit claim deed does not actually state or claim that title is being conveyed. Rather, the

¹ *Of course the obligations of the grantor imposed by warranties ends with the death of the grantor and probate of the grantor's estate.*

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cover story, continued

grantor is quitting or releasing any claim they have in the title to the property against any present claims made or that can be made by the grantee for the title against their grantor.

In theory, if Sally had title to the property and quit any claim she had in the property to Sam, Sam would not have gained title to the property. However, Sally who does have title would be estopped from denying that Sam doesn't have title after delivery of the quit claim. Sally has by delivery of her deed to Sam asserted that she would not claim title to the property against Sam, his heirs, or assigns. Because Sally is merely quitting her claim she is making no covenants to Sam that she in fact actually has title.

Most states, as a practical matter, do view a quit claim deed as the conveyance of title. There are no warranties in the quit claim deed other than what a state law mandates. The quit claim deed is usually recognized by the use of the words "quit claim" or "release" rather than words such as "grant," "convey," "give," or similar words found in warranty deeds. There is usually no habendum clause in a quit claim deed. A "Sheriff's Deed" or a "Tax Deed" are categorized in most states as a form of quit claim deed.

The quit claim deed is often used where the grantor does not want to be held to warranties and the grantee is in no position to demand warranties from the grantor. This is usually the case when the property is being conveyed for less than the fair market value or the grantee is faced with a "take it or leave it" situation.

For example, assume a spouse dies without a will leaving a surviving spouse and two adult children sharing the title to the decedent's property. It is not uncommon for the adult children to quit claim their interest in the estate to their surviving parent so the surviving parent will have full use and control of the property. The generous nature of the children toward their surviving parent would not go so far as to include warranties that the children may be called upon later in their lives to defend to a successor-in-interest to the surviving parent (i.e., later owner of the property).

A quit claim deed is often used to affirm a boundary line agreement. The owner on each side of the agreed boundary is willing to quit any claim to the owner on the other side of the agreed boundary. Given the uncertainty in the boundary location, the owner is not willing to warrant the conveyance made to the neighbor.

Bargain and Sale Deed — A bargain and sale deed does not usually warrant against any encumbrances. The bargain and sale deed does mean that the grantor claims to have title to the property. This type of deed has often been supplanted by the quit claim deed in many jurisdictions. The bargain and

sale deed was used frequently in tax sales and for foreclosure actions. Other covenants may be made a part of a bargain and sale deed if the covenants are specifically stated.

This review should help surveyors understand the common forms of deed they will encounter as part of their practice. The form of deed is seldom critical in providing surveying services. The form may be an indication of a problem related to a boundary and provides some fodder for thought.



Knud Hermansen is a licensed surveyor, engineer, and attorney at law. He teaches in the Surveying Engineering Technology program at the University of Maine and offers consulting services in boundary retracement, surveyor liability, roads & easements, boundary litigation, and alternate dispute resolution.




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On Business Management: Know Thyself

by Bill Beardslee, PE, PLS, PP

In Hamlet, Polonius offered, “*This above all: to thine own self be true.*” While we have many management tools to apply to our businesses, the process is often started without knowledge of who, or what, the firm really is. Is the firm just providing the core services in which their expertise lies or is it straying into areas of lesser expertise? Is the firm building on its strengths and addressing its weaknesses? More importantly, does the management know what the strengths and weaknesses are?

There needs to be an understanding of the answers to these questions, and many others, before attempting to apply the appropriate management philosophies.

One of the items I have discovered in the earning of my degree from The University of Practical Experience is the critical need to “know what you don’t know” - to understand weaknesses and shortcomings of the firm and to have a team of reliable sources to call on when items in those realms arise. Accounting, lidar, scanning, law, finance, communication and business management are some of those areas. However, the establishment of that team is another topic for another time.

The process starts with determining where the firm is today. For that, I recommend a SWOT analysis. Developed by Albert Humphrey at the Stanford Research Institute, this analysis will allow the firm to evaluate its basic foundation as well as its goals.

SWOT represents Strengths, Weaknesses, Objectives and Threats – four key elements of the firm’s being. The analysis chart is shown below. This analysis can be done in an open brainstorming session, or individually with later compilation of the individual results. I suggest a copy of the SWOT chart be given to each employee on a Friday and let them give it some thought over a relaxed weekend. Have a box available on Monday to collect the nameless completed charts and then compile the results, which may be very surprising.

continued on page 14

Some items may appear in unanticipated quadrants. Some may be in multiple quadrants. A good argument can be made for having technology IN ALL FOUR QUADRANTS !! The idea is to get an internal look at the firm from the multiple viewpoints offered by employees of different ages, lifestyles, levels of education, etc. Their view may be closer to the way the outside world sees the firm rather than the personal opinion of the management. These results may then be addressed in a focus group to create what everyone in the firm desires: the strongest possible foundation for future success.

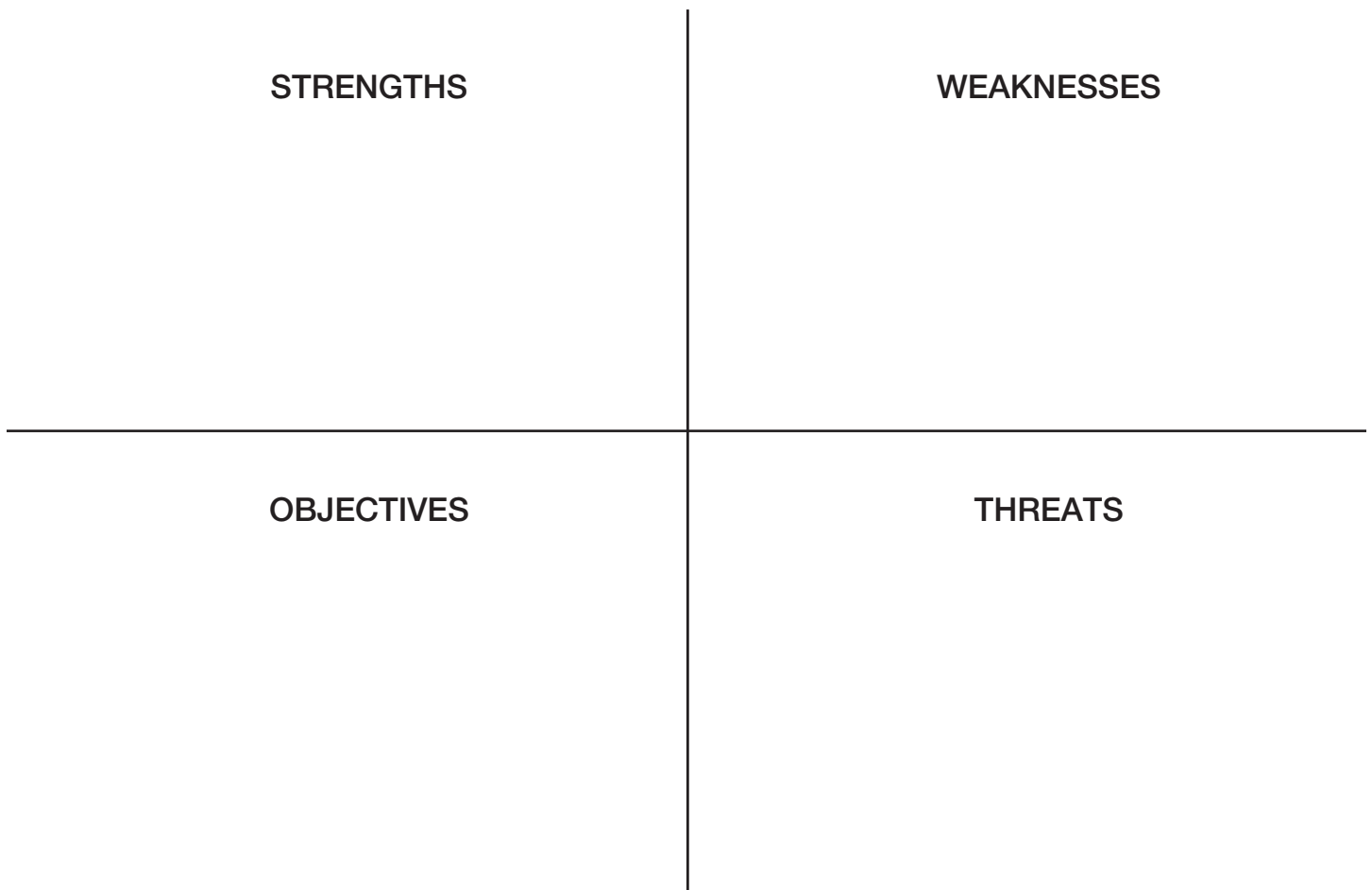


Bill Beardslee is director of engineering for Beardslee Engineering in Sparta, New Jersey, a subsidiary of Greenman-Pedersen, Inc. Reprinted with Permission. Professional Surveyor Magazine. www.profsurv.com

Let the results help build on strengths, attack weaknesses, drive to accomplish objectives, and defeat threats.

Good Luck !!!!

Evaluate Using SWOT Analysis



A letter from the NYSAPLS Conference Chair, Kenneth J. Stigner, PLS, PP

On behalf of the members of the conference committee and staff, I'd like to thank all of you who attended the NYSAPLS 54th Annual Surveyor's Conference and Exhibition in Saratoga Springs, NY.

We strive to make the conference as rewarding an experience as possible by providing a unique blend of educational activities, a large tradeshow and a variety of social and networking events, while attempting to maintain costs as much as possible.

While we feel this year's conference was successful, we welcome all of your comments to find ways to improve in the years ahead. There is an online survey regarding the 2013 conference. If you have already taken it, we thank you. If you have not and have attended our 2013 conference, we urge you to take it now. You can find the survey by following this link:
<http://www.surveymonkey.com/s/2013-post-conf-survey>

2013 was the third year we offered educational courses on the exhibit hall floor through our Vendor Showcase Program. The attendance for these events has grown dramatically over the last few years due in large part to greater familiarity with the program and the diversity of subject matter. Look for more of these programs next year.

This year's Welcome reception and Gala dinner also featured PhotoCard Day. Some beautiful photos of our members were taken. They can be viewed at:
<http://www.photocardday.com/nysapls/>

2013 also saw a great response to our Map Competition! It's a great way to display the fruits of our profession and at the same time the diversity in the services we perform. See page 17 for this year's winners. While every entry cannot be declared a winner, we applaud all entries and hope you will continue to submit drawings next year.

It is also a pleasure to announce the NYSAPLS conference raised over \$10,000 in donations for the Arthur D. Shaw Memorial Scholarship Fund through our 50/50 raffle and silent & live auctions. A listing of our scholarship recipients and newly licensed land surveyors can be found on pages 16 and 17.

A big thank you to the Mid-Hudson Valley Land Surveyors Association who supplied much appreciated volunteer hours in regional support. With the addition of the antique survey instrument exhibit, attendees were even able to step back in time and appreciate a variety of historical pieces on display.

Mark your calendars now! Our 2014 conference will be held January 21-24, 2014, in Rochester, NY. For those who missed out this year, we look forward to seeing you in 2014.

Sincerely,
Ken Stigner, PLS, PP
Committee Chair



A look at some of the events of the 54th

Grand door prize winner: Donald Albrecht
Welcome reception door prize winner: Robert Cunningham

Gala door prize winner: Glenn Watson (donated the i-pod he won back to NYSAPLS to auction off for scholarship donations)

Wednesday 50/50 raffle winner: Donald Brewer

Tuesday 50/50 raffle winner: Brayton Palmer (donated half of winnings back to the Shaw Scholarship Fund)



Congratulations to our 2013 scholarship winners:

Joseph E. Glickman Scholarship

Awarded to:

Seth D. Lovell, Alfred State College
Roger O'Toole, Alfred State College

C. Hartnett Scholarship

Awarded to:

Phillip Currier, SUNY ESF Ranger School

Eastern NY Society Memorial Scholarship

Awarded to:

Joseph Maynard, SUNY ESF Ranger School
Cody Kobler, SUNY ESF Ranger School
Daniel C. Begin, Paul Smith's College

F. Ives Turner Scholarship

Awarded to:

Carly A. Bramer, Paul Smith's College

John Gay Scholarship

Awarded to:

Daniel C. Begin, Paul Smith's College

Niagara Frontier Scholarship

Awarded to:

Matthew Hillman, Alfred State College
Seth D. Lovell, Alfred State College

Arthur D. Shaw Memorial Scholarships

Awarded to:

Joshua S. Sempler, Paul Smith's College
Gary J. Jessmer, SUNY ESF Ranger School
Michael D. Yacuzzo, Alfred State College

Robert J. Lucas, Sr. Memorial Scholarship

Awarded to:

Michael D. Yacuzzo, Alfred State College

Herbert D. Ehrig Land Surveying Scholarship

Awarded to:

Seth D. Lovell, Alfred State College

NSCE Richard J. Cogliandro Scholarship

Awarded to:

Terasa C. Vassallo, George Washington University



Annual Surveyors Conference

Congratulations to the Winners of the 2013 "Surveyors Got Talent" Map Contest!

ALTA

Bruce Snyder of Delta Engineers

BOUNDARY & TOPOGRAPHIC SURVEY

Raymond L. Hulbert of Hulbert Engineering & Land Surveying

HAND DRAWN

Jeffrey W. Donnellon Land Surveyor, PC

LOT SURVEY/CADD

Bruce Snyder of Delta Engineers

MISC MAP

Bruce Snyder of Delta Engineers

SUBDIVISION PLAN/CADD

Bruce Snyder of Delta Engineers

TOPOGRAPHIC SURVEY/CADD

Bruce Snyder of Delta Engineers

VIEWER'S CHOICE

Raymond L. Hulbert of Hulbert Engineering & Land Surveying

All winning entries receive a certificate; and entered in the national map contest administered by NSPS.

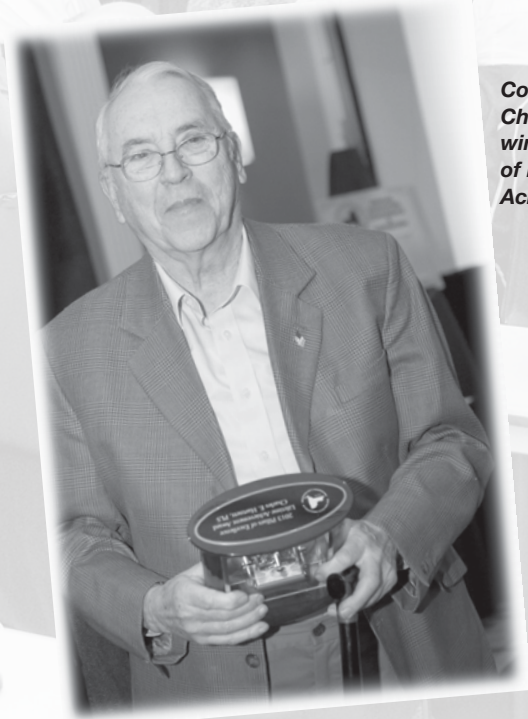


Congratulations to the New licensees of 2012!

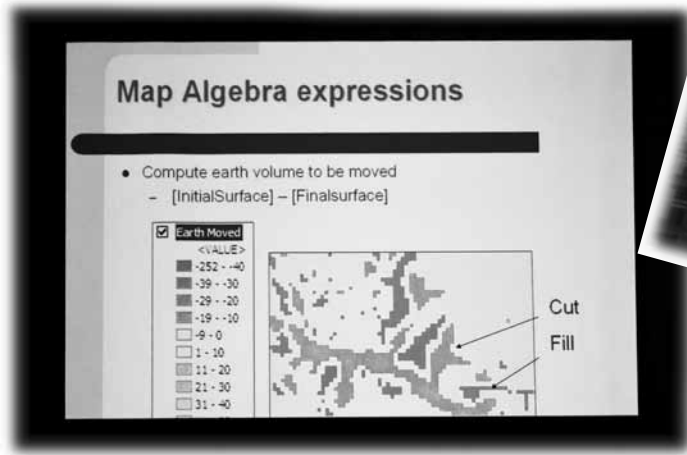
Alexander M. Churchill, PLS
Timothy J. Coyer, PLS
Christopher C. Danforth, PLS
Jason S. Ebert, PLS
Shane B. Ettinger, PLS
Evan J. Fogle, PLS
Stephen C. Fraser, PLS
Charles S. Gambino, PLS
David L. Ginart, PLS
Carmen Giuliano, PLS
Stephen J. Gracey, PLS
Jason R. Graf, PLS
Peter A. Groben, PLS
Mark S. Hare, PLS
Christopher S. Henn, PLS
Jeffrey A. Horneman, PLS
Chad M. Keating, PLS
Derek J. Kennedy, PLS
Jeremy A. Klapper, PLS
Steven L. Koestner, PLS
Pawel Kopcinski, PLS
Michael M. Lewis, PLS

Jesse M. Magrath, PLS
Kyle W. Maxson, PLS
Jerod C. McIntyre, PLS
Matthew C. Mendola, PLS
Michael P. Merithew, PLS
Michael W. Minto, PLS
Gregg M. Pawlowski, PLS
Scott A. Phetteplace, PLS
Robert W. Pinkerton, PLS
Scott R. Reeser, PLS
Neale L. Scarlett, PLS
James D. Sens, PLS
Robert L. Stickney, PLS
Adam M. Storino, PLS
Chad M. Strong, PLS
Jonathan A. Stuhl, PLS
Jeremy L. Sweeney, PLS
Clebert N. Toussaint, PLS
Anthony A. Venezia, PLS
Matthew M. Webb, PLS
Jerry A. Woods, PLS
Kenneth M. Woychuk, PLS
Michael J. Zoltek, PLS

*Congratulations to
Charlie Hartnett, PLS,
winner of the Pillars
of Excellence Lifetime
Achievement Award!*









Get Your Regional Involved in the Next TrigStar Contest!

The TrigStar program contest is an annual high school mathematics competition sponsored by the National Society of Professional Surveyors based on the practical application of Trigonometry. The program recognizes the best students from high schools throughout the nation.



The purpose of the TrigStar Program:

- To promote the study of trigonometry in high school and to promote excellence in the mastery of trigonometry by honoring the individual student who has demonstrated superior skill among classmates at the high school level.
- To acquaint the high school trigonometry students with the use and practical application of trigonometry in the surveying profession.
- To build an awareness of surveying as a profession among the mathematically-skilled high school students, career guidance counselors and high school math teachers.

TrigStar Contest Levels:

- Level 1 is given at local high schools. There is one winner from each participating high school.
- Level 2 is the national test. The state winner from each participating state is eligible to compete for the National TrigStar title.

Local Contest – Region/State Level:

Is this your first time holding a contest? We can help! There are many resources including rules and guidelines, test dates, printable posters, clipart, printable certificates and even a booklet entitled “How to Start a TrigStar Program” at www.trig-star.info.

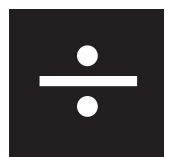
Local Awards

Your region may choose to give an award for the winner at your area high school. The state level award in New York, a \$500 savings bond, is provided by the New York State Association of Professional Land Surveyors. The award goes to the overall winner from all participating high schools in the state. Regions looking to hold a contest in one or more high schools in their area must notify NYSAPLS by April 30th. Questions? Call NYSAPLS headquarters, 518-432-4046 or email us at contactnysapls@nysapls.net.

National Awards

National awards provided by the National Society of Professional Surveyors Richard E. Lomax National TrigStar and Teaching Excellence Awards

- First place winner - \$2,000.00 award
- Second place winner - \$1,000.00 award
- Third place winner - \$500.00 award



Will a Health Insurance Exchange Benefit My Business?

A message from
NYSAPLS
affinity
partner,
USI Affinity
Insurance:

A health insurance exchange is a set of government-regulated and standardized health care plans in the U.S. from which individuals may purchase health insurance eligible for federal subsidies. All exchanges must be fully certified and operational by Jan. 1, 2014.

Exchanges are not themselves insurers, so they do not bear risk themselves, but determine the insurance companies that are allowed to participate in them. Ideally, a well-designed exchange will promote insurance transparency and accountability, facilitate increased enrollment and the delivery of subsidies, and play roles in spreading risk to ensure that the costs associated with those with high medical needs are shared more broadly across large groups rather than spread across just a few beneficiaries. A broker like USI sells plans for the insurance carriers and businesses like yours.

In December 2012, New York launched an Exchange website that will allow individuals and employees of small businesses to compare and enroll in qualified health plans made available through the Exchange. The Exchange is currently working on developing site features, such as an eligibility calculator, a plan comparison tool, and the ability to switch between English and Spanish. All plan selection and online application functionality will be launched in October 2013.

Background

The private health insurance industry fears that restricted eligibility and a market size that is too small could result in higher premiums, encourage “cherry-picking” of customers by insurers, and force a clearance of the exchange.

One of these factors, “cherry-picking” of customers, will not be possible in the state-run exchanges mandated by the PPACA, because all insurance plans will be guaranteed issue in 2014. Furthermore, the law will bring millions of new enrollees into the marketplace by way of the “individual mandate” requirement for all citizens to purchase health insurance to help to reduce the issue of a small market size.

About USI



For over 75 years, USI Affinity has developed, marketed, and administered insurance and financial programs that offer member-based organizations unique advantages in coverage, price and service. Affinity will educate, inform, and guide members (individuals & groups) on health insurance trends, plans, and strategies as well as on other insurance products. Please consider engaging USI Affinity's brokerage services for your business. A portion of their revenue from sales to members flows back to us in sponsorships. They can be reached at 800-265-2876 x6. Content from this article comes from USI Affinity and Wikipedia, the free encyclopedia.

History

Although Congress sought a single national exchange, when the Affordable Care Act was passed, it split exchanges by state, in line with the bill that passed the Senate. States may choose to join together to run multi-state exchanges, or they may opt out of running their own exchange, in which case the federal government will step in to create an exchange for use by their citizens.

Private health insurance exchanges

A private health insurance exchange is an exchange run by a private sector company or nonprofit. Health plans and carriers in a private exchange must meet certain criteria defined by the exchange management. Private exchanges combine technology and human advocacy, include online eligibility verification, and mechanisms for allowing employers who connect their employees or retirees with exchanges to offer subsidies. They are designed to help consumers find plans personalized to their specific health conditions, preferred doctor/hospital networks, and budget. These exchanges are sometimes called marketplaces or intermediaries, and work directly with insurance carriers, effectively acting as an extension of the carrier. USI will be managing its own exchange or leasing one from an established firm.

Health insurance exchanges in the Affordable Care Act

President Obama promoted the concept of a health insurance exchange as a key component of his health reform initiative. Obama stated that it should be "... a market where Americans can one-stop shop for a health care plan, compare benefits and prices, and choose the plan that's best for them, in the same way that Members of Congress and their families can. None of these plans should deny coverage on the basis of a preexisting condition, and all of these plans should include an affordable basic benefit package that includes prevention, and protection against catastrophic costs. The insurance sold on the health insurance exchanges in the United States will be exclusively from the private insurers. USI is a broker for many of these private insurers.

The Affordable Care Act sets up insurance exchanges in each state known as American Health Benefits (AHB) Exchanges. Implementation of the individual exchanges changes the practice of insuring individuals. The expansion of this market is the major focus of the Act. Studies have shown increases in health care costs are driven by increases in per-case cost, not merely the overall prevalence of disease, thus driving the need for greater access to health coverage.

Major requirements affecting insurers in the individual exchanges

- Guaranteed issue: insurers will not be permitted to refuse to insure any individuals
- Limit to price variations: prices will vary based on four factors and not beyond a total factor of approximately 10
- Plans will be offered in four comparable tiers ranging from bronze to platinum with limited out of pocket expenses
- Strict regulations on rescission
- Lifetime and annual limits eliminated

Guaranteed issue

In the individual market, insurers have generally used a process called underwriting to ensure each individual paid for his or her actuarial value or to deny coverage altogether. The House Committee on Energy and Commerce found that, between 2007 and 2009, the four largest for-profit insurance companies refused insurance to 651,000 people for previous medical conditions, a number that has increased significantly each year (49% increase in that time period). The same memorandum said that 212,800 claims had been refused payment due to pre-existing conditions and the insurance firms had business plans to limit money paid based on these pre-existing conditions. These persons who might not have received insurance under previous industry practices are guaranteed insurance coverage under the ACA.

The ACA's prohibition on denying coverage for pre-existing conditions will begin in 2014.

Limit to price variation

Premiums in the individual private insurance exchanges should not exceed 4.5 times the cost of the lowest cost premium plan. Pricing Factors Allowed in the exchange under the ACA:

- Age: 3:1
- Smoking status: 1.5:1

Pricing variation will be allowed by area (within a state) and family composition ("tier") as well. Comparable tiers of plans

Within the exchanges, insurance plans are to be offered in four tiers designated from lowest premium to highest premium: bronze, silver, gold, and platinum. The plans covered ranges from 60% to 90% of bills in increments of 10% for each plan. Proponents of the health reform believe that allowing comparable plans to compete for consumer business in one convenient location will drive prices down. Having a centralized location increases consumer knowledge of the market and al-

continued on page 24

lows for greater conformation to perfect competition. Each of these plans will also be limited in it's out of pocket expenses at \$5,950 for individuals and \$11,900 for families.

Regulations on rescission

The House Committee on Energy and Commerce found that between 2007 and 2009, the four largest insurers (Aetna, Humana, UnitedHealth Group, and WellPoint) refused to pay 212,800 claims because of pre-existing conditions. This practice will be outlawed in the new reform.

Lifetime and annual limits eliminated

The ACA eliminates lifetime and annual limits from plans in the individual Health Benefits Exchanges. This effectively eliminates the ceiling on financial risk for individuals in the individual exchanges.

Additional cost management

Beyond the lifetime and annual benefit limit elimination, individuals within income range between 133% and 400% of the federal poverty level (FPL) are able to receive federal subsidies in the form of tax credits to purchase this insurance.

Economics of health insurance exchanges: the individual mandate

The individual mandate requires that all individuals purchase

health insurance. This requirement of the ACA allows insurers to spread the financial risk of newly insured people with pre-existing conditions among a larger pool of individuals.

Figures from the House Committee on Energy and Commerce would indicate that approximately 1 million high-risk individuals will pursue insurance in the Exchanges. Congress has estimated that 22 million people will be newly insured in the Exchanges. Thus the high-risk individuals do not number in high enough quantities to increase the net risk per person from previous practice.

It is thus theoretically profitable to accept the individual mandate in exchange for the requirements presented in the ACA.

Insurer concerns

Despite economically profitable projections, there are possible problems inherent in the implementation of the exchanges. One of the primary concerns is that of adverse selection. This means that only sick individuals will enroll when they need care, and others will wait to enroll until they also need care. The result of this potential phenomenon would be an influx of high-risk individuals without the corresponding pool of healthy individuals over which to distribute risk. One possible solution is to create open enrollment periods in which all of the constraints of the ACA apply, but allow underwriting at other times. This places the imperative on consumers to buy into the exchanges before there are health concerns.

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Featured May Program...

Engineering & Surveying Ethics & Professional Courtesy

Approved for NY LS/PE 1.0

Friday, May 3, 2013

8:30am – 9:30am

Presented by Knud Hermansen, Esq., PE, LS, PhD

Registration Fees: Members \$49, Non-Members \$60



This dynamic webinar focusing on ethics and professional courtesy will discuss common and accepted ethical principles for surveyors. This interactive session will focus on the application of ethics in practice, resolving ethical conflicts, and the interaction of ethics and professional courtesy. The objectives of the seminar will be to gain a basic understanding of practical application of ethics; recognize ethical dilemmas and their resolution; learn value based ethical analysis; and compare generally accepted ethical principles with mandated ethics.

By the end of this session participants will be able to:

1. Understand the interaction of ethics to profits;
2. Analyze the priority of ethics among the public, client, peers, and others;
3. Balance ethics and practice; and
4. Understand the interplay among the law and ethics.

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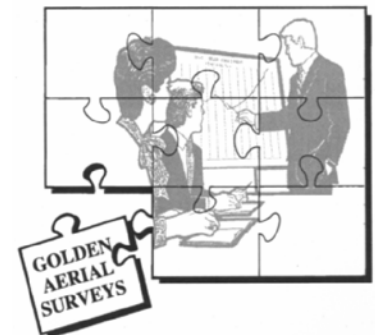
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NYSAPLS 2013 Spring Workshops

Aeronautical Survey Training

Presented by Mark Howard & Ted Doyle of NOAA/NGS

April 29 – May 3, 2013

8:00am – 4:00pm

Approved for 8.0 NY PE/LS

Join us for this informative 1-day workshop!

The program will provide an overview of the FAA Airports Surveying GIS (AGIS) Program and AGIS website, with an emphasis on the collection of survey data critical for instrument procedure development. The standard workflow and submission processes will be discussed, and the role of the National Geodetic Survey (NGS) in reviewing submissions will be clarified. The workshop will review the relationship between Statement of Work development and the standards and specifications of FAA Advisory Circulars 150/5300 16A, 17C and 18B. Additional topics will include an overview of the survey data and supporting evidence expected to be included in each type of submission and some of the common deficiencies often detected during NGS quality reviews.

Aeronautical surveys may include the establishment of accurate airport geodetic control (AC 16), the acquisition and geo-referencing of aerial imagery (AC 17), and the identification, collection and reporting of airport safety critical data using a combination of field and remote sensing methods (AC 18).

The training will be beneficial to surveyors performing or interested in aeronautical surveys in accordance with FAA Advisory Circulars 150/5300- 16, 17 and 18 for Airport Sponsors. Attendees will walk away with an understanding of the FAA Airports AGIS Survey Program workflow and submission processes, the survey data requirements specified in each Advisory Circular and the supporting documentation and evidence to be included in each submission.

Course fees include emailed handout, refreshments and breaks. Lunch will not be provided, as ample restaurant options are available in the immediate area. Registrations will be processed in the order upon which they are received. Payment must be made in full upon registration. Purchase orders are not accepted. No refund will be given without written notification, and subject to policy terms. Registrations cancelled 10-29 days prior to the course date will receive a 50% refund. No refunds will be granted within 10 days of the course. Schedules and presenters are subject to change without notice. In accordance with Title III of the Americans with Disabilities Act, we invite all registrants to advise us of any disability and any requests for accommodations to that disability.

Register online today at www.nysapls.org or complete the form on page 27 and submit with payment by mail.



Mr. Mark Howard is a cartographer at NOAA's National Geodetic Survey. He is responsible

for managing the NGS Aeronautical Survey Program and serves as NGS's liaison with the Federal Aviation Administration. Mark joined NOAA in 1987 as a member of an airport survey team and moved into his present position in 2003. He is a 1982 graduate of Lake Superior State University where he earned a Bachelor of Science degree in geology.



Ted Doyle has worked as a Photogrammetrist for the Remote Sensing Division of the National Geodetic Survey

(NGS) since 1981. The vast majority of his service time as been spent supporting the activities of NGS' Aeronautical Survey Program. His career has spanned the eras from analog, through analytic, to the present digital age of photogrammetry. He has had the pleasure of serving under some of the brightest minds in the field, particularly those who were instrumental in the integration of airborne GPS technology to photogrammetric mapping. A native of the Washington DC area, he is a proud Terp (graduate of the University of Maryland) and big supporter of Washington Nationals Baseball.

NYSAPLS Spring Workshops 2013 – Aeronautical Survey Training

Registration form

Register ONLINE now at www.nysapls.org OR complete this form today.

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

(this is my home/ work address)

PHONE #: (____) _____ E-MAIL: _____

NYS LS license number _____

Choose your rate:

- Member discount: \$200
- Member pricing after April 15: \$260
- Non-member registration: \$290
- Non-member pricing after April 15: \$345

Choose a date and location:

- April 29 – Rochester, NY
- April 30 – Syracuse, NY
- May 1 – Albany, NY
- May 3 – Long Island, NY

Payment Options:

- Check enclosed (make payable to NYSAPLS Inc.)
- Credit card __MC __Visa __Amex __Discover

Credit card number _____

Exp date _____

Security code _____

Signature _____

Billing Address _____

Return this form along with payment to:

NYSAPLS, PO Box 200718, Pittsburgh, PA 15251-0718

Questions? Please call, (518) 432-4046, fax (518) 432-4055

Or email, contactnysapls@nysapls.net

Locations

April 29 – Rochester
RIT Inn & Conference Center
5257 West Henrietta Rd.
Henrietta, NY 14467

April 30 – Syracuse
Crowne Plaza Syracuse
701 East Genesee St.
Syracuse, NY 13201

May 1 – Albany
Hilton Garden Inn
62 New Scotland Ave.
Albany, NY 12208

May 3 – Long Island
Ramada Plaza Hotel
1730 North Ocean Ave.
Holtsville, NY 11742

Welcome New NYSAPLS Members

Jon Logue, Albany, NY – Associate Member
Dayna M. Pedergraft, Clifton Park, NY – Regular Member

Congratulations New Licensees!

NYSAPLS would like to congratulate the following individual(s) who have been granted the title of “Land Surveyor” as an official licensee in the state of New York:

James R. Freeland	50885	Greenville, NC
Jessica Venditto	50887	Staten Island, NY
Michael J. Scalice	50884	Lindenhurst, NY
Mathew G. White	50886	Panama, NY

All new licensees are granted a complimentary 1-year NYSAPLS membership and are invited to attend the New Licensee & Scholarship Luncheon at the NYSAPLS 55th Annual Surveyors Conference and Exhibition in Rochester, New York.

NYSAPLS job postings online

Are you looking for a surveying job, or looking to hire someone for the spring or summer months? Are you interested in buying a land surveying business, or have one you wish to sell? Check out the newest job listings and classifieds in the Career Center found on our website, www.nysapls.org.

NEW POSTINGS

NYSAPLS Bookstore

Looking for a gift for an associate, boss or friend? Want to add to your survey library? Studying for a licensing exam? We can help! Visit our bookstore online for the latest listing of over 100 titles to choose from at www.nysapls.org.

Call for Presentations – 2014 Annual Conference

Share your experience and submit a speaker proposal today! Be recognized as an industry expert by your peers, be exposed to prospective clients in your industry, and be enriched by the NYSAPLS conference experience!

Going on our 55th year, the NYSAPLS Annual Surveyors Conference and Exhibition has become THE premier industry event for progressive thinking, emerging issues, and revolutionary technology advancements.

This annual three-day program features nationally-recognized presenters and award winning seminars showcasing the achievements, advancements, and developments emerging from the surveying field. It attracts leaders from fast growing companies in the land planning/real property arena who gather to share strategies for success, learn tactics from their peers, and leave with renewed inspiration.

We are seeking presentation submissions on GIS, GPS, project management, case studies, business management, technological advances and legal issues affecting the land surveying industry. Submit your abstract today!

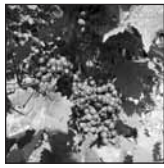
Event date – January 22-24, 2014

Location – Riverside Convention Center & Hyatt Hotel, Rochester, NY

Contact –

Amber Anderson
Director of Operations
NYSAPLS, Inc.
amber@nysapls.net
518-432-4046





ENYSLS

The Eastern New York Society of Land Surveyors held a board meeting and general membership meeting on January 17th at the Ravenswood restaurant in Clifton Park, NY. President Bennett reported a review of the NYSAPLS conference including the scholarships that were awarded on behalf of the Eastern regional. ENYSLS member and NYSAPLS trustee was awarded the Pillars of Excellence Lifetime Achievement award at the conference.

The next general membership meeting is scheduled for March 7th. The region will participate in the NYSAPLS 2nd showing of the "First Friday Webinar Series" on the "Role of Land Surveyors in Locating and Mapping Subsurface Utilities" to be presented by Carol Parenzan Smalley of Underground Imaging Technologies, LLC.

DHLSA

The Delaware Hudson Land Surveyors Association met on Tuesday, February 12th at the Bella Luna Italian Restaurant. The topic of discussion was the thoughts and views from anyone who had attended the NYSAPLS conference. President Green has lined up John Cooke to return to hold additional Civil 3D seminars, beginning on March 12th. He is also working on getting a GIS class up and running.

NSCE

Nassau Suffolk Civil Engineers' President Matt Crane Reports:

We had an interesting topic and speaker at our January 16th General Meeting. His name is Mark Lowery and he is a climate policy analyst at the NYSDEC's Office of Climate Change. This was a bit of a disturbing subject to those of us within reach of the Ocean. It seems the only steady trend in the climate model forecasts is that sea level rise will be at the high end of the estimates, with some very real impacts being felt now on Long Island, New York City and the Hudson Valley.

On October 27, 2012 NSCE was one of the supporters of the annual Pumpkin Fling hosted by the Cornell Cooperative Extension. This is a competition to hurl 3-5 pound pumpkins with medieval type catapults made by local high schools. An interested crowd watched as NSCE member Tammy Stillman supervised survey measurements with four rodmen (one on a quad). Sheriff's deputies clocked some of the missiles at 100 miles an hour and the longest hurl was 1,045' and struck a flock of geese.

On January 12th, I investigated a claim made by a local naturalist stating that he had found the tallest tree in New York State. A Tulip Tree in Shu Swamp in Oyster Bay was 167' tall according to his measurements with a clinometer. Using survey instruments and redundant measurements we came up with a height of 153' however I think there may be some unmeasured Tulip Trees on Long Island that may top 175'. I will keep you posted. I also would like to ask the members in other regionals if they have any giant trees in their respective back yards. Let's find out what the tallest tree is in the State! Email me at mcrane@hwjaeger.com.



**Jack W. Cottrell, PLS
1918- 2012**

Jack W. Cottrell lost his battle with Parkinson's disease on Friday, December 28 at the Iroquois Nursing Home in Jamesville. He was born in Syracuse on August 21, 1918, attended the Syracuse Public Schools and graduated from Syracuse University in 1941 with a master's degree in Civil Engineering. He joined his father, Ensign S. Cottrell, in the family surveying business, becoming sole proprietor in 1947 when his father died. In 1990, he incorporated in a professional corporation, Cottrell Land Surveyors, with his son, Gary, and was still active in the business until his health began to fade. He loved his work and was probably one of the oldest surveyors in New York State who maintained his license to practice. He was an authority on roads and highways and historic survey documents in central New York and provided information to many private and public people who requested advice. He was one of the founders, first presidents and treasurer of the Central New York Society of Land Surveyors. He belonged to the American Congress of Surveying & Mapping and the New York State Society of Professional Engineers.

Long interested in history and things historical he was one of the directors of the Onondaga County Historical Association, serving as interim president for a period of time. He was also a member of the New York State Canal Society, the Canal Museum Association, the National Trust for Historic Preservation, the Archaeological Institute of America, the Landmarks Association and the Town of Manlius Historical Society, serving on the Board of Trustees for many years and being recognized by said society for his contributions to the Town of Manlius community.

In 1968, he was chairman of the Town of Manlius Advisory Committee for a Community Plan which assessed the needs and desires of Town residents and compiled a long-range and orderly development plan for the Town. He also served on the Onondaga County Planning Board from 1987 to 1993.

Jack was a member of the Conservative Party of New York State. He ran unsuccessfully for N.Y. State Assembly, Town of Manlius Supervisor and Town of Manlius Board of Trustees on the Conservative Party Line during the 1960s and 1970s. He was also treasurer of the Onondaga County Conservative Party for over 20 years.

He was elected to the Board of Education of the F-M School Board and served for nine years in that position, partly as president. He helped plan and construct three new school district buildings lending his knowledge and judgment to the process.

He acquired a private pilot's license in 1941 and joined the U.S. Air Force in 1942, serving in World War II until 1946. In 1947, he and his wife, Dawn, bought an 1850 brick farmhouse in the Town of Manlius and have lived there for 66 years. Jack loved farming and operated a "homestead farm" for many years with farm animals and machinery. Children from local nursery schools visited the "farm" every spring to enjoy the machinery and pet the animals. He loved children and shared this home and farm with over 35 foster children from public and private agencies and people.

Jack was always interested in history and things historical. More than 200 of his collection of books were donated to the Village of Manlius Library and the F-M School District over the years. He and his wife traveled extensively through New York State, the United States, and over 21 countries worldwide. Slide shows were developed from his films and Jack shared these with many local groups during the 1960s through 1980s.

Jack is survived by his wife, Dawn, of 71 years and seven children which include two sons, Gary (Rosemary) of Fayetteville, Karl (Diane) of Spotsylvania, Virginia, and five daughters, Diana, deceased, Anita Cottrell of Manlius, Faith (Thomas) Stephenson of Ottawa, Canada, Florence (David) Grant of Weedsport, NY, and Laurie Cottrell of Syracuse, NY. He also had 13 grandchildren and nine great-grandchildren.

This was a quiet, unpretentious man who gave of his time, talents and money to serve his neighbors and community. His knowledge and presence will be greatly missed by all those who knew, loved, respected and worked with him.

Contributions may be made to Onondaga County Historical Association, 321 Montgomery Street, Syracuse NY 13202 or Manlius Town Historical Society, P.O. Box 28, Manlius, NY 13104.

For a guestbook, please visit www.SCHEPPFAMILY.com

NCEES Seeks Licensed Professional Surveyor Volunteers

NCEES is seeking volunteers to participate in a standard-setting study for the Principles and Practice of Surveying (PS) exam. To qualify, volunteers must have taken and passed the NCEES PS exam and must be a licensed professional surveyor.

The standard-setting study will take place May 17–18, 2013, in Clemson, South Carolina. Travel and lodging expenses will be paid by NCEES. Selected volunteers will review and rate the difficulty of items that will be included on the updated exam. The volunteers' responses will help NCEES determine the passing score for the PS exam.

To volunteer, complete a short online questionnaire at www.ncees.org/PSstandards.

MAPPS Endorses US Geological Survey's 3D Elevation Program (3DEP)

February 7, 2013 - Reston, VA - MAPPS (www.mapps.org), the national association of private sector geospatial firms, has formerly endorsed the 3D Elevation Program (3DEP) developed by the US Geological Survey (USGS).

"USGS should be applauded for its diligence developing the 3DEP program, identifying stakeholders in the public and private sector, and coordinating with Federal, state and local agency partners and the private sector in an effort to develop and fund the program," said Dick McDonald, PLS, MAPPS President (T3 Global Strategies, Bridgeville, PA). "It is because of the partnership and the framework for the program that MAPPS endorses the program and will work in conjunction with USGS to make the program a reality for the benefit the citizens of the United States."

In the endorsement, MAPPS urges the Obama Administration, Congress, and the states to cooperatively fund the program at its optimal level of \$146 million per year. MAPPS conducted a market analysis that indicated that a public-private partnership would spawn economic growth using multiple-award USGS contracts for data collection services and increase the demand in the manufacturing for LIDAR equipment. The study showed that there is excess capacity in the private sector to complete the program in the near-term and over its proposed lifespan.

The primary goal of 3DEP is to systematically collect enhanced elevation data in the form of high-quality light detection and ranging (LIDAR) data over the conterminous United States,

Hawaii, and the U.S. territories, with data acquired over an 8-year period. The 3DEP initiative is being developed to respond to growing need for high-quality elevation data and for a wide range of applications requiring LIDAR of the Nation's natural and constructed features. Interferometric synthetic aperture radar (ifsar) data will be collected over Alaska, where cloud cover and remote locations preclude the use of LIDAR over much of the State.

The MAPPS Board of Directors unanimously adopted a formal endorsement statement during the association's winter meeting in Sunny Isles, Florida on January 27.

About MAPPS

Formed in 1982, MAPPS is the only national association exclusively comprised of private firms in the remote sensing, spatial data and geographic information systems field in the United States. The MAPPS membership spans the entire spectrum of the geospatial community, including Member Firms engaged in satellite and airborne remote sensing, surveying, photogrammetry, aerial photography, LIDAR, hydrography, bathymetry, charting, aerial and satellite image processing, GPS, and GIS data collection and conversion services. MAPPS also includes Associate Member Firms, which are companies that provide hardware, software, products and services to the geospatial profession in the United States and other firms from around the world. Independent Consultant Members are sole proprietors engaged in consulting in or to the geospatial profession, or provides a consulting service of interest to the geospatial profession. MAPPS provides its 160+ member firms opportunities for networking and developing business-to-business relationships, information sharing, education, public policy advocacy, market growth, and professional development and image enhancement. For more information on MAPPS, please visit www.MAPPS.org.

Pictometry Introduces First iPad Application for Connect Mobile™

Customers have the ability to access over 200 million current aerial images covering more than 87 percent of the united states population in one simple interface.

Customers of Pictometry International Corp., the inventor of high-resolution aerial oblique imagery, are now able to access Pictometry's vast image library from an iPad, with Pictometry Connect Mobile™.

Pictometry® Connect Mobile™, available to Pictometry Connect and Pictometry Online customers, provides visualization

continued on page 32

capabilities of high resolution imagery with a simple interface to navigate, pan and zoom. Users have multiple search options including by address, by latitude and longitude coordinates, by specific points of interest and by airports.

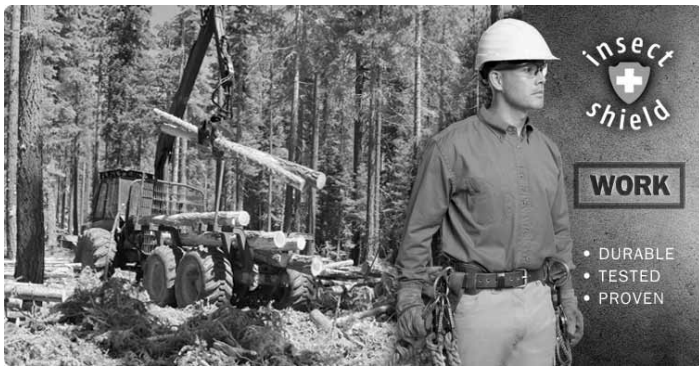
“We are now able to supply imagery to our customers who are on the go, giving them the freedom to easily view and reference Pictometry imagery away from their desktop computers,” said Jim Smyth, chief marketing officer at Pictometry.

Upon downloading the free iPad app and entering their Pictometry Connect credentials, users will be able to search, overlay US parcels and US streets onto imagery, tap to identify parcel data, export and email images and be presented with imagery of their current location.

Within the application, users can pivot on the oblique images, displaying all five captured angles of the structure. Depending upon their Pictometry Connect account, users may have access to over 200 million aerial images covering more than 87 percent of the United States population and will be able to zoom out from one parcel to assess an entire area or neighborhood. A pin can be dropped on any parcel, and a bubble will appear to reveal its address.

Pictometry® Connect Mobile™ is available on the Apple iTunes App Store. Customers using devices other than an iPad such as an iPhone or Android tablet can access a web-based version of the application via: <https://pol.pictometry.com/m>.

Insect Shield® Launches New Work Wear Online Store with Expanded Product Offering to Help Protect At-Risk Outdoor Workers from Insects and the Diseases they Carry



The new Insect Shield Workplace Safety & Health online store <http://www.insectshield.com/shop> makes protective clothing and gear items available to workers in at-risk locations across the globe. The Insect Shield assortment consists of work wear, professional apparel and accessories—including clothing that also offers sun protection, flame resistance and high visibility—as well as additional protective items such as mosquito nets for

use at home. The new storefront offers the added functionality of zoom to reveal detailed product feature views, videos to explain how the technology works and enhanced site navigation.

According to the World Health Organization (WHO), approximately half the world's population is at risk for Malaria. 40,000 cases of Lyme disease are reported every year in the US alone. Recently, researchers have found yet another insect-borne disease caused by ticks. The as-yet unnamed disease is said to be caused by the *Borrelia miyamotoi* pathogen carried by blacklegged ticks. Many corporations within the oil and gas, mining and forestry industries, in particular, operate out of regions where insect-borne disease is one of the largest risks to employee health. Insect Shield's expanded line-up of repellent work wear offers vital protection against a variety of insects that can cause dangerous diseases such as malaria, dengue fever or Lyme disease.

Every day, thousands of these company employees are exposed to insects that can carry malaria, dengue fever, trypanosomiasis, filariasis, leishmaniasis, and other dangerous diseases. Insect Shield's long-lasting clothing treatment—proven to last through 70 washings—is an excellent solution for employees living in harm's way.

Patent-pending Insect Shield technology provides long-lasting, effective, invisible, and odorless protection against insects. Insect Shield apparel products repel ticks, ants, flies, chiggers, and midges (no-see-ums) through 70 launderings.

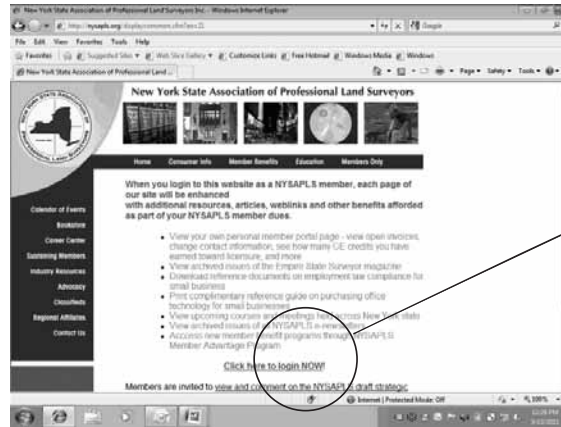
About Insect Shield Technology:

In July 2003, Insect Shield introduced the first EPA-registered insect-repellent apparel. Insect Shield® Repellent Apparel technology provides effective, invisible and odorless protection against mosquitoes, ticks, ants, flies, chiggers, and midges (no-see-ums) through 70 launderings. Insect Shield® Repellent Gear technology is proven to repel mosquitoes, ticks, flies, and fleas through six months of constant exposure to weathering (sun/rain). In partnership with a number of agencies and international relief organizations, Insect Shield technology is being used for apparel and other items that people use daily to aid in protection against insects.

Get your CE certificates online 24/7

NYSAPLS members can now obtain their CE certificates through the NYSAPLS website! By entering the Members Only site area, you can view all the professional development classes you've taken with NYSAPLS. And if you need to print your CE certificate, it's as easy as a click of a button. Just follow the screen shots to login and see how easy it is to find your class.

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This is what we call the NYSAPLS Member Portal Page. It will provide you a glimpse of all the pertinent information we have on file for you as a member of NYSAPLS. You can also view important news alerts or register online for programs.

Click on the Professional Development link at the top to view your CE programs.



Here you will see a list of seminars, webinars and other programs you have taken with us. By clicking on the document icon to the right, you can view and print (or save) your CE Certificate for that particular class.



New York State Association of Professional Land Surveyors Membership Application/Renewal

I, _____ hereby apply for membership in the

New York State Association of Professional Land Surveyors, Inc. and _____

(Regional Association)

as a(n) _____ member for dues year July 1, 2013 – June 30, 2014.

Date of Birth: ____/____/____

License # _____

Please check here if you do not wish to have your contact information displayed in a public format such as the NYSAPLS website and printed membership directory. By not opting out, you are authorizing NYSAPLS to make your contact information available. You may opt out at any time.

Company Profile

Company Name/Employer _____ Company website: _____

Address: _____ City, State, & Zip: _____

Work Telephone: (____)____-____ Fax: (____)____-____

E-mail: _____

Firm Specialty: Engineering Services only Land Surveying Services Only Multi-disciplinary firm

Home mailing address

Address: _____ City, State, & Zip: _____

Home Telephone: (____)____-____ Home E-mail: _____

Which equipment manufacturer do you primarily use/prefer to buy? *please check all that apply*

- Bentley Systems Inc. Berntsen International, Inc. Leica Geosystems, Inc. Trimble
- Sokkia Co. Ltd. TopCon ESRI Quickbooks Accounting Software
- Other

Work Profile:

Education: Associates Degree [2yr] Bachelors Degree [4yr] Masters High School Diploma

Job Title: _____

Total employees in firm: _____ Total staff employed in surveying: _____

Supervise # _____ staff Yes No

Job Position: Choose one from the list below

- Chief Engineer Chief Surveyor Educator Field Crew Staff GIS Specialist GPS Specialist
- Imaging Specialist Office Mgr Party Chief President/ Owner Project Mgr Rodman
- Staff Engineer Staff Surveyor Student Vice President

I hereby submit dues in the amount of \$ _____ along with this application.

Payment method:

Check enclosed (Please make checks payable to NYSAPLS)

Visa or MasterCard # _____ Exp. Date _____ Security Code _____

Signature _____ Date _____

** Dues are not deductible as a charitable contribution but may be deductible as a business expense.*

Call to order and roll call

The meeting was called to order at 7:09 pm by President Boddecker with the following members present:

Association Officers:

President	Steve Boddecker
Executive Vice President	Joseph Malinowski
Vice President	Gary Thompson
Treasurer	Gregory de Bruin
Secretary	Daniel Marvin
Executive Director:	Patricia Brooks

Directors:

Allegheny Plateau	William Kankolenski & Kera Mariotti
Black River	Stephen Gracey & Jeremy Thompson
Catskill	(none present)
Central	Hans Christopherson
City	John Benardone
Delaware-Hudson	(none present)
Eastern	Richard Bennett
Genesee Valley	Robert Hatch & John Gillen
Long Island	Martin Reed
Mid-Hudson	Adolf Jonietz
Mohawk Valley	Duane Frymire
Nassau Suffolk	Frank Flanagan
Niagara Frontier	(none present)
Northern	Robert Marvin
Southern Finger Lakes	Thomas Merrill & John Trimber
Southern Tier	Rodney Carey & Scott Edsall
Queensboro	Malcolm Shaw
Westchester Putnam	Peter Meisler

Trustees: Daren Morgan, Patricia Brooks, Glennon Watson, Malcolm Shaw, Edwin Summerhays, Marie T. Welch

Member guests: None

Guests: Frank Lenik – NSPS Area 2 Director

Staff: Amber Anderson

I. Consent Calendar

A motion by Peter Meisler, and seconded by Ed Summerhays and passed to accept the consent agenda. Items on the agenda included approval of the November 16, 2012 minutes, Treasurer's financial report, membership report, and conference committee minutes and progress report and education committee minutes.

II. Treasurer's Report

- We are in good shape, should have the final conf. numbers within a week.
- Working on ideas to pay for the \$40 per member to NSPS.

III. President's Report

- Welcome to the Conference.

IV. Executive Vice President's Report

- Attended the New Hampshire Conference, had a great time. They are facing some of the same problems that we are.
- Planning on attending the New Jersey Conference.

V. Association Operation's Report

- Welcome to the 54th Conference.
- Simran had a baby girl, congratulations!!
- 577 pre-registered for the Conference
- A round of applause to the Conf. committee for all of the hard work.
- The Empire State Surveyor is being mailed out.
- 45 new licensees this year, 58% of them took the NYS specific review course.
- We are looking for ways to get the new licensees involved with NYSAPLS, send ideas to Amber.

VI. Committee and Industry Liaison reports

- **NSPS** – Mr. Shaw reported that NSPS has a disaster relief foundation to help out surveyors affected by natural disasters.
- **Education** – Mr. Malinowski asked that you take the exit surveys from the courses seriously. Spring workshops are going to be on Avigation. Fall workshops will be on Railroad Surveying.
- **Legislative** – Mr. Morgan reported that the LS definition bill has been submitted to State Ed.
- **Conference** – Miss Anderson reported that she will have more information to report on Friday.
- **Nominations** – Mr. Watson reported that there is a lifetime achievement award being presented this year at the gala dinner.

VII. Old Business

- More discussion on the letter from the former Associate member.
- We are still looking for someone to chair the Strategic Plan.

VIII. New Business

- A motion was made by Peter Meisler and seconded by Glenn Watson to offer life membership to Lawrence Rizzo of Westchester - Putnam, subject to review by NYSAPLS staff to ensure he meets the qualifications of life membership as stated in the NYSAPLS bylaws.
- Discussion followed on the requirements of life membership and whether you could be registered or not to be a life member.

With nothing further to discuss, the meeting was recessed at 8:30pm and to be reconvened on Friday, January 11, 2013 at 12:00pm.

NYSAPLS Board of Director's meeting-reconvened January 11, 2013

President Boddecker reconvened the meeting at 12:08 pm. **Executive officers** in attendance were President Steven Boddecker, Vice President Gary Thompson, Treasurer Greg de Bruin, Secretary Daniel Marvin and Executive Director Patricia Brooks. **Directors:** Allegheny Plateau Bill Kankolenski, Black River Jeremy Thompson, Stephen Gracey, Central Hans Christopherson, City John Benardone, Eastern Richard Bennett, Genesee Valley Robert Hatch, Mid-Hudson Adolf Jonietz, Northern Ralph Schissler, Robert Marvin, Southern Finger Lakes Thomas Merrill, Southern Tier Scott Edsall, Queensboro Malcolm Shaw, Westchester Putnam Peter Meisler. **Trustees:** Ed Summerhays, Malcolm Shaw, Glennon Watson, Marie Welch. **Guests:** Barbara Marvin, Lisa Marvin, Kate Jonietz & Rick Brooks. **Staff:** Amber Anderson

Mr. Boddecker thanked the Conference Committee for a great conference.

- Reported that he had attended the NESS meeting and that they are facing similar situations.

Mrs. Brooks reported on the Education Summit meeting.

- A large part of the meeting was on the discussion of scholarships.
- Talked about the proposed Long Island Surveying program.
- Discussion on getting young people aware of Land Surveying.

Miss. Anderson reported on the Conference.

- We had 50 walk-ins. For a total of 630 registered at Conference
- Have only heard good comments about the Conference.
- The grand total for the Shaw Fund auctions is \$9500.00.

Mr. de Bruin reported that we have made \$7000.00 over the expected budget, with the expenses about the same as last year.

Old Business:

- The motion to offer life membership to Lawrence Rizzo of Westchester - Putnam, has been reviewed and is carried.

New Business:

- Jeremy Thompson thanked everyone for the support over the last year.

With nothing further to discuss, the meeting was adjourned at 12:28pm with a motion by Robert Marvin and seconded by Ralph Schissler.

Respectfully submitted: Daniel Marvin, LS, Secretary.

Support Your Sustaining Members!

The listed firms support the New York State Association of Professional Land Surveyors by their interest and concern through Sustaining Membership in the NYSAPLS. Regular members should show support in turn by patronizing these member firms for their needs!

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As of December 1, 2012, this list represents those corporate members who have renewed for the 2012-13 year.

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