

NEWS AND VIEWS

VOLUME 42, ISSUE 2

Published by and for the members of Chapter 18 IRWA since 1966

DECEMBER 2009

CHAPTER MEETING

2:00 P.M. on December 17, 2009:
EHNP Office, Southgate Plaza
950-A Union Road
West Seneca, NY 14224

PRESIDENT'S MESSAGE

October 2009

I apologize for not submitting a President's message sooner. However, since my term of office has been extended to June 30, 2010, there is plenty of time to make amends. A recap of events, which have occurred to date, follows:

An executive meeting was held at the offices of Emminger, Hyatt, Newton & Pigeon, Inc. on January 15, 2009. Our intent was to lay the foundation for upcoming chapter events for the 2009 calendar year. Minutes to that meeting were prepared by Bill Dow, Chapter Secretary, and were dispersed to chapter membership.

On April 1, 2009, a general membership meeting was held at the Ramada Inn, Syracuse, New York. Due to a lack of available meeting space, we were "forced" to hold the meeting in the lounge. To my knowledge, this was the first time a chapter meeting was held within such a setting. Although the meeting was rather lengthy, no one objected. I highly recommend holding future meetings in a similar setting. This should improve attendance. President Elect Tim Magyar, Roger Pigeon, Ed Zehler, Vice President, and I officially adjourned the meeting at approximately 1:30 am.

The following day the Chapter held the 7 hour USPAP Update Course. As usual our instructor, David Champagne, SR/WA did a wonderful job. The course was well attended having 17 registrants. Many thanks to Kelly Eaton for her work in coordinating this course.

On April 10, 2009, the IRWA Region 4 Spring Forum hosted by Potomac Chapter 14 was held at the Sheraton Atlantic City Convention Center, Atlantic City, New Jersey. Tim Magyar and I attended the event.

Our entire Chapter was saddened to hear of the passing of Richard Laitenberger on June 3, 2009. Over the years Dick had been very active in Chapter 18, being a past President and past Region 4 Officer. The Chapter made a \$100 donation to the Firemen's Home in his honor. Dick will be greatly missed.

IRWA's 55th Annual International Education Conference was held June 28 thru July 1, 2009 in Indianapolis, Indiana. Our Chapter was well represented with attendees including Bill Dow, Tim Magyar, Ed Zehler, Roger P. Pigeon, Past Chapter Presidents Frank Cirillo, SR/WA, David Layne, SR/WA, and Frank Mengel SR/WA and the undersigned. Over the years I have had the opportunity to attend these conferences in Orlando, Kansas

(continued on page 2)

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PRESIDENT'S MESSAGE *(continued from page 1)*

City, Philadelphia, Toronto, Austin and New Orleans (actual location of conference that year was Mobile, Alabama) and have always had a great time. I would encourage all Chapter members to try to attend one conference. My guess is once you attend one of these events you will never want to miss another one. It is a great opportunity to meet professionals from throughout North America and abroad who are involved in the complex Right-of-Way industry. Next year's event will be held June 27 thru June 30 in Calgary, Alberta. I hope to see many of you there.

The Chapter had planned to hold Course 401, The Appraisal of Partial Acquisitions, on July 27 thru July 31, 2009 at the Embassy Suites Hotel in Syracuse. Ed Zehler had been coordinating that event with assistance from Bill Dow. David Layne, SR/WA and Frank Cirillo, SR/WA had agreed to be co-facilitators. As we all know, the Chapter is heavily reliant on NYS DOT for course support. Due to the State's financial crisis and their inability to support their workforce, we were forced to cancel the course. We hope to reschedule in 2010. We will keep everyone posted.

Also in July, the David Layne, SR/WA Scholarship Awards were presented to Zachary S. Adams and Gina Pigeon. Each scholarship was in the amount of \$500. I am in receipt of thank you letters from each recipient which will be shared with everyone at our next chapter meeting.

On Wednesday, August 26, 2009 a general membership meeting was held at the Canandaigua Inn On The Lake in Canandaigua, New York. Lara Bailey, Region 4 Chair was at the meeting together with Karen Coon of Chapter 55. There were also 17 Chapter 18 Members present. Perhaps the most significant decision approved at the meeting was for the retention of all 2009 Chapter Officers through June of 2010 to bring our chapter into compliance with International's fiscal year.

Immediately following the meeting the Chapter hosted a 2 hour boat tour on Canandaigua Lake. Thirty-nine people were on the boat and refreshments were plentiful. Thanks to those individuals who donated refreshments. It was a great opportunity to visit with Chapter members and potential members, who registered to attend our annual symposium the next day.

As for the symposium, 43 people were in attendance making it one of the most successful to date. A special note of gratitude is extended to the primary organizers of the event, namely, Dave Champagne, SR/WA and Ed Zehler. Ed has already scheduled next year's event for Thursday, August 19, 2010. Once again we are planning a Chapter meeting and boat tour the day before. I encourage everyone to try to attend next year's event and, if possible, bring a non-member.

A special thank you also goes out to the presenters,

who did a fantastic job. These individuals include the following:

Nathan Gabbert, Appraiser, and Assessor for the Town of Henrietta, NY

Roger Pigeon (EHNP Appraisal)

William Lonergran, Assistant Attorney General, State of NY

Don Fisher, (Pomeroy Appraisal)

Dave Layne, SR/WA (Layne Consulting Services, Inc.)

Lara Bailey, R/W-NAC, Spectra Energy

Bill Dow, Coats Field Service, Inc.

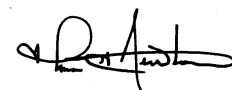
Charles Ducar, Coats Field Service, Inc.

We appreciate the time and knowledge you extend to the Chapter to make this event such a success. Frank Cirillo, SR/WA also did a fantastic job being emcee for the symposium. To keep the material fresh and exciting, we will be reaching out for some new presenters for 2010. Everyone is encouraged to take an active part.

The Region 4 and Region 8 Joint Fall Forum was held September 30 thru October 3, 2009 in Niagara Falls, Ontario. Tim Magyar and I attended the Friday hospitality event hosted by Region 4 as well as the business meeting on Saturday. Frank Cirillo and his wife, Lisa, also attended Friday night's event. Dave Champagne and Dave Layne also attended earlier parts of the forum. As you will recall, during our general membership meeting held on August 26, 2009, the Chapter had voted to help sponsor the event in the amount of \$1,000. Corporate sponsors were also solicited. Girasole Appraisal Company donated \$100. Right-of-Way Professionals donated \$500. Both companies and our Chapter were acknowledged at the hospitality room and business meeting. With regard to IRWA educational opportunities, Lara Bailey indicated during the business meeting, there are currently six (6) online Courses available with more to follow. These web based courses supplement our standard classroom based offerings. Complete course information is available at the IRWA website.

In closing, it's an exciting time to be a member of Chapter 18. The continued success of the Chapter is important to all of us. We have a strong financial basis which gives us unlimited opportunities. We need to encourage our colleagues to become new members and expand chapter participation. Collectively we can make this happen.

Sincerely,



Thomas H. Newton
President, Chapter 18

2010 DAVID LAYNE, SR/WA SCHOLARSHIP

Presented By

CHAPTER 18 INTERNATIONAL RIGHT OF WAY ASSOCIATION

Applications are being accepted for the 2010 David Layne, SR/WA Scholarship presented by Chapter 18 of the International Right of Way Association.

The 2010 scholarship(s):

1. Shall be a maximum of three scholarships at \$500 each.
2. Must be applied to educational expenses at an accredited college or university of post secondary education.
3. Will be paid directly to the student(s) for tuition or other school expenses.

Candidates for the scholarship:

1. Must be a child, grandchild, or ward of an active or retired member of Chapter 18.
2. Must not have previously received the award.
3. Must submit the completed application and other materials, either by mail or electronically, to the Scholarship Committee no later than June 30, 2010.
4. The candidate's member sponsor must be a member of the International Right of Way Association as of January 1, 2010, and must retain membership through December 31, 2012.

Required material to be submitted:

1. Application.
2. Personal essay. Suggested topics include, but are not limited to, educational plans, future goals, interests, employment, or any unusual circumstances relating to this application.
3. Most recent high school or college transcript.
4. Letter of recommendation from a teacher, instructor, advisor, cleric, etc.

Selection process:

The Scholarship Committee will select the scholarship recipient(s) from the candidate applications. The Committee will base its selection on the following criteria: scholastic ability, extracurricular activities, recommendation, and the applicant's personal essay.

2010 APPLICATION
DAVID LAYNE, SR/WA SCHOLARSHIP
Presented By
Chapter 18 International Right of Way Association

Name _____

Address _____

Ch. 18 Member's Name _____

EDUCATION

High School _____

Graduation or Anticipated Graduation Date _____

College or University _____

Anticipated Graduation Date _____

Extracurricular activities, special awards, interests, employment, etc.

Candidate's signature _____

Member's signature _____

All application information will be kept confidential. Return the completed application material by June 30, 2010 to:

David Layne, SR/WA
PO Box 8
New York Mills, NY 13417
or
lcs360@roadrunner.com

To be considered, the following items must be included:

- Application
- Personal essay
- Transcript
- Letter of recommendation

Chapter 18 List of Members 8.26.09

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IRWA Chapter 18 Executive Meeting Minutes

Offices of Emminger, Hyatt, Newton & Pigeon, Inc.
950-A Union Road, Suite 213, Buffalo, NY 14224
January 15, 2009

Attendees: Tom Newton, Bill Dow, Rich Hite, Ed Zehler, Frank Cirillo, Tim Magyar, Roger Pigeon

Call to order by Tom Newton, President, at 9:30 A.M.

Secretary's Report: None

Treasurer's Report: None

Professional Development: The group discussed policies for Chapter funding of education and noted it was very common for other chapters to provide sponsorship for their members. Further discussion centered on who would be eligible for funding, such as government or private employees, and should there be reimbursement if their employer pays. Frank Cirillo provided a chart entitled "SR/WA Program At a Glance", a step-by-step summary of obtaining an SR/WA designation. The group also discussed Chapter funding of the \$50 fee for enrolling in the SR/WA Program. The group decided to review previous funding policies so the Chapter can decide what to do going forward, and there were no motions at this time. Rich Hite volunteered to review the minutes and compile approved policies back to 2001 and took Secretary's binders (2) of the Meeting Minutes from Bill Dow.

Education: Frank Cirillo reported that **Uniform Standards of Professional Appraisal Practices (USPAP)** is scheduled for April 2nd at the Ramada Inn on Buckley Road in Liverpool, NY. There were no objections to extending member pricing to the DOT, and it was noted that we cannot offer volume discounts or prorated prices to State agencies. Rich Hite will sign the application form as the "non-appraiser", which Frank has prepared, and provide certificates upon completion. A Chapter 18 meeting was scheduled for April 1st at 6 P.M. at the Ramada Inn the night before the course.

Course 401-Partial Acquisitions, is scheduled for May 4th – 8th, and another Chapter meeting was scheduled for May 6th at 5 P.M., during the course, Ramada Inn on Buckley Road in Liverpool, NY.

Summer Symposium – Scheduled for Thursday, August 27th at the Inn at Lake Canandaigua. Ed Zehler reported good progress in planning the Symposium along with Dave Champagne. A Wednesday boat ride is available for about \$300 and Ed moved for the Chapter to sponsor the trip for members attending the Symposium. Tom Newton seconded the motion. **Motion passed.** Later in the meeting, the list of speakers was discussed and the group made suggestions for additional speakers. It would be nice to have a roster of speakers and a program in place for the May 6th meeting. This way, the Department of State will be able to review and approve credit hours in time for advertising for the event. Several speakers were suggested by Roger and Rich primarily.

They include: Nate Gattert, Henrietta Assessor; Rich's brother the attorney; Bill Lonergan of the AG's office; Mark Handley of Coates; Karen Munde and Charlie Ducar of Coates; Steve Golding, Manager of Economic Development for the City of Rochester. Ed might be able to get the Genesee County Clerk who could discuss the recent evolution of the Clerk's duties.

Membership: There are three (3) new members from EHNP, Eric Sonnenberger, Robert Chelus and Eric Lester. Rich Hite reported three (3) more new members as well.

Newsletter: The group discussed the long time period between newsletters and possible remedies. Rich Hite suggested an infusion of guest writers to change the format and improve the content.

Website: The website currently needs to be updated and the group discussed ways to keep the site current. Bill Dow will call Todd Thurston to find out how we can assist him to update the website in a timely fashion.

New Business: The group reported that with USPAP, Course 401 and the Symposium, the course and meeting calendar was set for 2009.

Also discussed: Spring Forum, April 9th-10th, Atlantic City, NJ (Chapter 15); Annual International Education Conference, June 28th-July 1st, Indianapolis, IN; Joint Session, Oct. 1st-3rd, Niagara Falls, Ontario; Fall Forum

Meeting speakers are not needed for upcoming Chapter 18 meetings, because they are being held during courses. It was noted that speakers, topics and courses sponsored by the Chapter should be aimed at continuing education for SR/WA and appraisal licensing.

Committee representation and chairs- it was agreed that the Chapter could possibly support member participation in IR/WA committees, on a case-by-case basis, provided the Chapter gets something in return for this participation, such as a report to be published in the newsletter and website.

Membership help/participation was discussed. The group reviewed expanding the e-mail list, bringing non-members to meetings with lunch paid by the Chapter, and distributing the newsletter to non-members.

The membership list is in need of reconciliation.

Tom Newton discussed the need to standardize meetings and publish a "to do list and agenda" for each meeting, which he will try to do this year.

General chapter financial awareness and understanding was briefly discussed. The Chapter has sufficient funds to consider new areas of support and spending.

Certificates for the Symposium are needed for DOS credit, which Rich Hite will take care of.

Tom Newton adjourned the meeting at 11:54 A.M.

**IRWA Chapter 18
Executive
Meeting Minutes**

Offices of Emminger, Hyatt, Newton & Pigeon, Inc.
950-A Union Road, Suite 213
Buffalo, NY 14224
June 5, 2009

Attendees: Tom Newton, Bill Dow, Ed Zehler, Nancy Mullin, Tim Magyar, Joe Barnes, Dave Layne, Dave Champagne

Call to order by Tom Newton, President, at 10:05 A.M.

Secretary's Report: None

Treasurer's Report: None

Course 401: Ed Zehler reported 19 applications have been received from DOT employees. However, Attachment A needs approval from the Division of Budget and the requests are backlogged for months. They do not think approval will be forthcoming before the scheduled date of the course. Therefore, the course will be cancelled until further notice. Ed cancelled the reservation and contract with the hotel with no penalty. We will try to reschedule the course later in the year should the approvals come in.

IRWA International Education Seminar: Tom Newton discussed the education seminar coming up in three weeks. The chapters are being asked to donate items for the auction, sponsor a golf hole, or donate to Rupert's Kids. After some discussion, the group decided to donate \$100 to Rupert's Kids, and sponsor a golf hole for \$300. Bill Dow moved and Tom Newton seconded the above. **Motion passed.**

ROWie SAYS

I was crying because I had no shoes until I saw a man with no feet.

Symposium: Scheduled for August 27th at the Inn on the Lake, Canandaigua, NY. Ed Zehler reported the boat ride is reserved for 2 hours starting at 4 pm on Wednesday, August 26th, at a cost of \$500. A Chapter 18 meeting is scheduled for 2:30 pm the same day. It was noted the speakers need to be lined up by June 27th and the announcements sent by newsletter and on the website as soon as the speakers are verified.

Tom Newton adjourned the meeting at 11:34 A.M.

OBITUARY

Richard F. Laitenberger, SR/WA

Richard F. "Dick" Laitenberger, SR/WA, of Webster, New York, passed away on June 3, 2009. He was 83.

Dick is survived by his wife of 58 years, Doris Holtz Laitenberger, and their children, Richard, Carl, and Debra.

He was a WW II Army Veteran, a member of the Union Hill Fire Department for 64 years and a 32nd Degree Mason of the Webster Lodge.

Dick had a long and distinguished career in the *Right of Way* Office of the Rochester Gas and Electric Company in Rochester, New York.

Dick is a legacy member of Chapter 18 (New York State). He served in just about every position and function in Chapter 18 over many years. In addition, Dick served IRWA at the Regional level (Region 4) and at the International level as Chair of the International Nominations and Elections Committee and a several times member of the International Board of Trustees. Dick's contributions are too numerous to itemize here but his most valuable and lasting contribution was and will be in the area of professional development. In 1979, to recognize outstanding professional achievement, Chapter 18 established its own Professional of the Year Award. The first winner was Richard F. Laitenberger, SR/W A. He received the award three times. In 1985, Dick was a finalist for the Frank C. Balfour International Professional of the Year Award. In 2004, Chapter 18 named its award the "Richard F. Laitenberger, SR/W A Professional of the Year Award".

IRWA Empire Chapter 18 Treasurer's Report for August 26, 2009

BALANCE SHEET (as of July 31, 2009)

Assets			
Checking - HSBC		\$12,609.51	
Savings - HSBC		\$29,640.75	
Securities - RBC			
Dain Raucher (6/30/09)		\$5,903.71	
Total Assets			\$48,153.97
Liabilities			\$0.00
Total Assets and Liabilities			<u>\$48,153.97</u>

PROFIT AND LOSS (January 1, 2009 - July 31, 2009)

Income			
2008 Summer Symposium		\$125.00	
11/20/08 Installation Dinner		\$100.00	
10/9/08 Chapter Meeting		\$70.00	
Chapter Rebates		\$1,140.00	
2009 USPAP Course		\$1,875.00	
Newsletter Sponsorship		\$500.00	
Interest		\$37.27	
Total Income			\$3,847.27
Expenses			
11/20/08 Installation Dinner		\$112.07	
2009 USPAP Course		\$1,250.33	
Newsletter		\$54.38	
2009 Chapter Scholarship		\$1,000.00	
2009 Summer Symposium		\$100.00	
Donations		\$100.00	
Total Expenses			\$2,616.78
Net Income/Loss			<u>\$1,230.49</u>

IRWA Chapter 18 Meeting Minutes

Inn on the Lake, Canandaigua, New York

August 26, 2009

Call to order by Tom Newton, President, at 2:30 P.M.

Attendees: See attached roster.

General: 2009 David Layne, SR/WA Scholarship Awards of \$500 each were presented to **Gina Pigeon** and **Zachary Adams**. Congratulations to these fine scholarship recipients.

Secretary's Report: None.

Treasurer's Report: Rich Hite gave the Treasurer's Report. He also suggested the Treasurer serve a two (2) year term. The group discussed the upcoming need to move the fiscal year and officer terms to match International, from July 1 – June 30.

COMMITTEE REPORTS

Professional Development: No report. Let the record show it was the shortest report ever given by Frank Cirillo!

Education: Ed Zehler discussed Course 401 and the need to cancel due to NY State budget problems which has postponed educational funding for NYSDOT. There was a lot of interest at the DOT to take the course plus 4 non-DOT registrants. The Embassy Suites was most gracious and waived the penalties in the contract. Should the budgeting problems get resolved by the end of the year, Dave Layne indicated we could put it together again in Central New York, preferably at the Embassy Suites.

The Symposium has 46 registrants, with 39 on the inaugural boat ride with Captain Gray's Boat Tours that will pick us up at the Inn. Next year the Symposium has already been reserved at the Inn for August 19, 2010. 7 hours of continuing education has been approved by the IRWA and the NYDOS for appraisers. Thanks to Tim Magyar, Chairman Dave Champagne, Bill Dow, Frank Cirillo and Dave Layne for all your assistance with these courses.

Membership: Nancy Mullin reported two (2) new membership applications:

1. Karen Wieland-Schmidt, New York Power Authority
2. Matthew J. Guzowski, Goodman Marks Associates, Inc.

A motion was made by Dick Stropp, seconded by Tim Magyar to accept these applicants as new members. **Motion passed.**

Newsletter: Dick Stropp is preparing the next issue of the Newsletter and needs the Treasurer's Report and meeting minutes to complete.

Website: The website has been updated and Tom Newton

said that we owe Todd Thurston for past payments to the website host AC Services. Tom asked that we pay Todd as soon as possible. Bill Dow is having future bills sent to him.

New Business: The 2010 slate of officers was presented.

President:	Tim Magyar
President Elect:	Ed Zehler
Vice President:	Rich Hite
Treasurer:	Bill Dow
Secretary:	Open

As the group discussed during the Treasurer's Report, the Chapter needs to adjust the terms of office to match the International's fiscal year of July 1 – June 30. Tom Newton discussed the need for new officers and volunteers to fill the Secretary position for the upcoming year. Bill Dow agreed and stated how rewarding the position has been. Rich Hite discussed how the Treasurer should serve for two (2) years because of the difficulty in changing the accounts every year. Lara Bailey suggested 18 month terms of office to get the Chapter in line with International's fiscal year. For the change of the fiscal year and for 18 month terms of office, a motion was made by Dick Stropp and seconded by Steve Adams. Upon further discussion, the above motion was withdrawn and a new motion was made by Steve Adams, seconded by Rich Hite, to extend the current terms of office for 6 months and change the fiscal year to July 1 – June 30. **Motion passed.** Due to the extended terms, there will be no installation dinner this year.

Tom Newton announced the Region 4 & Region 8 Joint Fall Forum. Courses will be held on Wednesday and Thursday, September 30th and October 1st. The education seminar will be on Friday, October 2nd. And the Joint Region Fall Forum will be held Saturday, October 3rd.

ROWie SAYS
Everyone shuns trouble unless it
comes disguised as money.

Hospitality will be on Thursday and Friday evenings. For the Joint Fall Forum, a motion was made by Rich Hite and seconded by Ed Zehler to donate \$1000. **Motion passed.** Tom encouraged the members to attend if possible.

Old Business: none

Tom Newton adjourned the meeting at 3:45 P.M.

IRWA Chapter 18 General Meeting

August 26, 2009

Attendees: Tom Newton, Tim Magyar, Ed Zehler, Bill Dow, Rich Hite, Lara Bailey, Karen Coon, Steve Adams, Kayla Biltucci, Robert Chelus, Frank Cirillo, Patti Darch, Kelly Eaton, Dave Layne, Diane Layne, Nancy Mullin, Roger Pigeon, Chad Stropp, Erik Stropp, Richard Stropp

CHAPTER LEADERSHIP

CHAPTER 18 — EMPIRE STATE CHAPTER
TERM OF OFFICE: JANUARY 1, 2009 TO JUNE 30, 2010

CHAPTER OFFICERS

PRESIDENT

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Patti Darch, SR/WA

Frank Mangel, SR/WA

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INTERNATIONAL BOARD OF DIRECTORS

Tom Newton

Tim Magyar



FORWARD AND ADDRESS
CORRECTION REQUESTED

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