

**New York State Bar Association  
Environmental Law Section  
Executive Committee Meeting  
New York State Bar Center  
1 Elk Street, Albany, New York  
April 18, 2007**

**Attendees:**

Alan Knauf	Laurie Silberfeld	Philip Dixon
Walter Mugdan	Michael Lesser	Michael Naughton
William Fahey	John Greenthal	David Freeman
Louis Alexander	John Hanna, Jr.	Tel Putsavage
Gail Port	Nicholas Robinson	John F. Lyons
Maureen Leary	Tom West	James Periconi
Ginny Robbins	Dan Riesel	Lisa Bataille
Robert Kafin	Jeff Baker	
Kevin Bernstein	Vince Altieri	
Jennifer Hairie	Dean S. Sommer	

1. **Call to Order.** Section Chair Walter Mugdan called the meeting to order at 2:03 p.m.
2. **Opening Remarks.** Section Chair Mugdan thanked Phil Dixon and Mike Lesser and the others involved for their work on the great Legislative Forum was held earlier in the day. He announced that it was the highest turnout yet for the Government Lawyers Lunch, and the second highest for the Legislative Forum.
3. **Approval of Minutes.** On motion by Robbins, seconded by Leary, the minutes of the January 26, 2007 General Meeting of the Section and Executive Committee Meeting were unanimously approved.
4. **Advocacy Issues.**
  - a. **Wetlands Assumption.** Chair Mugdan summarized the Section decision taking a position on this issues. He will submit a memorandum to the Governor and legislative leaders from regarding our position on wetlands
  - b. **Bigger, Better Bottle Bill.** Chair Mugdan summarized the electronic vote on the proposed position in favor of this proposal. He announced that it passed by a vote of 35 in favor, 0 opposed, and 1 abstention. John Hanna said he voted no, so the vote was recounted as 34 in favor, 1 opposed, and 1 abstention. Chair Mugdan distributed a report from the Senate Standing Committee on Environmental Conservation from the State Senate web site, which lists bills under consideration in the Senate. There was a discussion of possible future consideration of the bottle bill. Chair Mugdan stated that this was not necessarily an endorsement of just a particular bill, and he would interpret it as an endorsement of future bills if the substance stayed the same.

5. **Section Journal.** Alexander reported that the Journal is looking for articles.
6. **House of Delegates Report.** Phil Dixon reported that the last meeting was uneventful. He reported that membership levels for the State Bar and finances are going well. Kate Madigan will be new president, followed by Bernice Leber. The House of Delegates heard recommendations from Judge Kaye regarding recommendations to address the patchwork system to address indigent criminal defendants. The next meeting will be at the end of June. Since Dixon was elected Section Secretary, in the future John Greenthal will be the new Section Delegate, and Shannon Martin LaFrance will be the Alternate Delegate.
7. **Treasurer's Report.** The Treasurer's Report was given by Alan Knauf. Surplus at the end of year is \$47,586, up from \$39,702. Alexander said a few years ago the goal was set for \$50,000 rainy day fund. Chair Mugdan reported that membership was at 1,117. Knauf reported that the numbers are currently generally running with budget, and he was optimistic that the accumulated surplus will be increased. On motion by Dixon, seconded by Lesser, the Treasurer's Report was approved.
8. **Government Agency Reports.**
  - A. **New York State Environmental Conservation.** Lou Alexander gave a report on new leadership at DEC for the new administration. Stu Gruskin is the new Executive Deputy Commissioner. He was an attorney in private practice. Mike Lenane will be responsible for the regions. Other new appointments include: Julie Canfield, Julie Tighe, and Beth Meer. Further, Jared Snyder is the new Deputy Commissioner for Air, Climate Change & Energy. Alexander also reported that Carl Johnson is leaving this week, and Ruth Moore is leaving to be General Counsel at Department of Agriculture & Markets.
  - B. **Office of New York State Attorney General.** Leary reported Jared Snyder is leaving. More changes are upcoming under new Attorney General Cuomo.
  - C. **Other.** Laurie Silberfeld announced that Carol Ash was confirmed today as Commissioner of Parks. Chair Mugdan reported that Glen Bruening was appointed General Counsel for the Parks Department.
9. **Fall Meeting.** Alexander announced that the meeting would be held at the Gideon Putnam. He discussed possible speakers for Saturday night, and stated that the program will include SEQRA issues.
10. **Annual Meeting.** The topic will be revisiting brownfields, and the panels will include regulators, municipal officials and community activists, as well as an ethics program. The annual meeting will be held later, on February 1, 2008.
11. **2008 Fall Meeting.** Joan Leary Mathews is planning to hold the fall meeting in Long Island. An exact location is not set yet.

12. **New Business.** Chair Mugdan announced that Michael Naughton will be Co-Chair of the Environmental Impact Assessment Committee. The Rudin Center for Transportation Policy & Management will be holding a seminar at NYU on freight issues. Port moved, Silberfeld seconded that we act as co-sponsor for \$1000 for year's series. The motion was passed unanimously. The Leadership Institute is going well, with 15 participants. Chair Mugdan announced that Kit Kennedy will be a one-year at-large member of the Executive Committee, and Jim Ferreira's term will be extended one year as an at-large member. The two nominations were unanimously approved.

Nick Robinson suggested we take a leadership role with respect to global climate change and making a green initiative in the State Bar Association, contacting other sections. Chair Mugdan stated that EPA has tools online for greenness of buildings. There was a discussion of reducing paper for CLEs by using CDs. John Hanna suggested that we make a proposal to House of Delegates for goals, and let the State Bar staff implement this. Chair Mugdan stated that this should be a topic for the fall of 2007, and that the officers will take up the issue.

13. **Adjournment.** On motion by Alexander, seconded by Robbins, and unanimously approved, the meeting was adjourned at 3:15 PM.

Respectfully submitted,

**Alan J.**

**Knauf**

Alan J. Knauf  
Acting Secretary