

Minutes of a meeting held Friday, March 15, 1907, at 4:00 P.M.

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The meeting came to order promptly in the office of the Commissioner of Education, all members present, and Commissioner Draper in the chair.

The minutes of the previous meeting were approved as read.

The Secretary read the following correspondence between himself and State Architect Heins, which had taken place since the last meeting:

Albany, N. Y., Jan. 29, 1907.

Dr. Samuel B. Ward,  
Secretary, Executive Committee,  
Albany Normal College.

Dear Sir:-

In reply to your note of January 28th, containing resolutions by the Executive Committee of the State Normal College, the Committee are already aware of my views with respect to the design prepared by Mr. Ross.

Regarding the proposition that I should associate with Mr. Ross in carrying out this work, I would state that under the statute governing this Department, I believe this to be impossible as all such positions are under the classified civil service.

Respectfully yours,

(Signed) G. L. Heins

State Architect.

Albany, N. Y., Jan. 29, 1907.

G. L. Heins, Esq.,

State Architect.

My dear Sir:-

I am in receipt of your reply of to-day to the Executive Committee of the State Normal College, stating your belief that the statute governing

your Department makes it impossible to comply with the Committee's suggestion, on account of Civil Service rules.

In the interests of harmony and good feeling, and before any further steps are taken, may I take the liberty of enquiring whether, in case the Civil Service Commission certify to you their willingness to have Mr. Ross employed, and you are likewise assured that such employment meets with the approval of the Comptroller, you would then be willing to have him co-operate with you in carrying out the design preferred by the Committee?

It seems to me that this would bring the matter squarely within the provisions of the special act providing for the erection of this building.

The Committee meets again tomorrow afternoon at four o'clock and I would esteem it a favor if you would send your reply to Commissioner Draper's office at or before that hour.

Respectfully yours,

(Signed) Saml. B. Ward.

SEC. EXECUTIVE COMMITTEE

Albany, N. Y., Jan 30, 1907.

Dr. Samuel B. Ward,  
Secretary, Executive Committee,  
Albany Normal College.

Dear Sir:-

Your letter of January 29th to Mr. Heins received this morning. Mr. Heins left for New York last evening, and will be absent the remainder of the week. I will bring your letter to his attention immediately upon his return.

Very truly yours,,

(Signed) J. P. O'Marah,

SECRETARY.

Albany, N. Y., Jan. 31, 1907.

Dr. Samuel E. Ward, Secretary,  
Executive Committee, State Normal College,  
Albany, N. Y.

Dear Sir:-

Your note of January 29th has only just reached me. I am obliged to be in and about New York for the remainder of the week on business connected with a State Commission of which I am a member.

I do not feel at liberty to authorize the employment of a private architect for the Normal College, or any other State work, without affirmative action by the Legislature. I greatly regret that we have not been able to come nearer to an agreement in regard to the plans for this building, but there are certain points on which I feel it my duty to be inflexible. I cannot acquiesce in any method of procedure which would be likely to result in the overrunning of appropriations. There is a section of the Finance law which makes this a misdemeanor on the part of any State officer. Without going into the merits of the design, I can state positively that in order to meet the minimum requirements as determined by the Commissioner of Education, we can spend only about 18 cents per cubic foot for the building. The exterior porticoes, etc. of Mr. Ross' design would have to be paid for either by an additional appropriation, or by a reduction in the cubic contents of the building, that is the accommodations would have to be reduced. If the latter course should be followed, it would probably not be very long before the Legislature would be asked to make an appropriation for adding to the building which, in the long run, would amount to the same thing as an additional appropriation now.

It is greatly to be regretted that the statutes under which we are working make a deadlock apparently possible. The real question at issue is whether the final responsibility and authority in matters of architectural design rest with the Commissioner of Education and the Executive Committee,

or with the State Architect. This question has never before come up during my term of office, and I think it would be of advantage if it could be settled by direct legislative enactment.

I am to be in Albany next week, and shall be glad to meet with the Committee if they desire it.

Very truly yours,

(Signed) G. L. Heins.

State architect.

Commissioner Draper then stated that bill No. 728, authorizing the Commissioner of Education to employ an outside architect, had been introduced into the Legislature. Hearings had been had before the Ways and Means Committee of the Lower House and also later before a sub-committee in which there was free discussion of the whole matter. Mr. Ross was also present at the last meeting. The following agreement was finally reached and handed to the Secretary of the Executive Committee by the Chairman of the sub-committee. At the same time <sup>Architect</sup> Secretary Heins presented to the Secretary of the Executive Committee the Ross plans for their consideration and action in accordance with the agreement.

MEMORANDUM OF AGREEMENT MADE AT A CONFERENCE HELD AT THE WAYS AND MEANS COMMITTEE ROOM IN THE CAPITOL, AT ALBANY, ON THE EVENING OF MARCH 13TH, 1907

PRESENT:

HON. Sherman Moreland, Chairman of Ways and Means Committee.

Messrs. Rogers, Patton and G. H. Whitney, being the sub-committee of the Ways and Means Committee.

Hon. George Lewis Heins, State Architect.

Thomas W. Finegan, representing the Commissioner of Education.

Dr. Samuel B. Ward, representing the Executive Committee of the Albany State Normal College.

Albert Randolph Ross, Architect.

1. Mr. Heins is to submit the Ross Plans now on exhibition to the Executive Committee of the Normal College without delay, subject to such minor modifications as may be agreed upon.
2. Mr. Heins is to associate Mr. Ross with him to prepare necessary working drawings and specifications of the exterior and in the supervision of the same.
3. Mr. Heins is to prepare remaining corresponding working and engineering drawings and specifications.
4. The entire cost of the construction of these buildings shall not exceed the amount which is available, which is about three hundred and sixty-six thousand (\$366,000) dollars. This is understood to include all architect's fees except in the event of the legislature granting Mr. Heins' pending request for additional appropriation for his department to cover work now and heretofore charged to the account of special appropriations.
5. In the event of differences arising in the course of carrying out this agreement, the same shall be arbitrated and determined by the sub-committee of the Ways and Means Committee, consisting of Messrs. Rogers, Patton, and G. E. Whitney.

Mr. Van Rensselaer moved that the Executive Committee approve and accept the design prepared by Mr. Albert R. Ross and submitted by State Architect Heins. This motion was carried unanimously.

Mr. Cogswell moved that Mr. Finegan be appointed with Mr. Van Rensselaer to serve on the building committee to replace the late Mr. Pruyn. The motion was carried.

There being no further business the meeting adjourned.

*Saml. B. Ward,*

Secretary Executive Com.