

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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December 4, 2018

MINUTES – NOVEMBER 14, 2018 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, November 14, 2018, at the DAPE offices in New Castle, Delaware.

President C. Balascio convened the meeting at 3:06 p.m.

The Roll call was taken and a quorum was declared.

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| Council Members Present: | C. Balascio, P.E. | W. Balascio, P.E. |
| | D. Barbato, P.E. | M. Clendaniel, P.E. |
| | R. Hayden, P.E. | J. Jakubowski, P.E. |
| | J. Kalmbacher, P.E. | K. Maxson, P.E. |
| | C. McAllister, P.E. | R. Smith, Esq. |
| | J. Tracey, Esq. | R. Wheatley |

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| Council Members absent: | S. Gharebaghi, P.E. | M. Lennon, P.E. |
| | E. Retzlaff, P.E. | |

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| Staff present: | J. Wootten |
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| DAG present: | Catherine "Terry" Hickey, Esq. |
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Open Forum

No members of the public present.

Minutes of the October 10, 2018 Council Meeting

Council reviewed the Minutes of the October 10, 2018 Council meeting.

Motion by M. Clendaniel, seconded by C. McAllister, to approve the minutes of the October 10, 2018 meeting. Approved unanimously.

D.A.G. Report – No Report

Financial Reports

- Finances for the six months (50%) of fiscal year ending April 30, 2019 reflect income has reached 85.4% of projections; and expenses 42.2%.

The Committee will prepare a 6-month interim financial report at the December Council meeting.

Motion by D. Barbato, seconded by J. Tracey, Council accept the Finance Report subject to audit. Approved unanimously.

Committee Reports

Executive Committee

The Executive Committee met just prior to the Council meeting, therefore, a written report is unavailable. Items discussed at Executive Committee meeting will be covered under the appropriate Committee reports.

Finance Committee

The Committee met October 25, 2018. Cover & Rossiter representatives have issued the final audit for fiscal year ending April 30, 2018. The committee reviewed charges for 2018-2019.

Employee Compensation & Benefits Committee

The Committee met October 25, 2018. The Committee plans to hire Santora CPA Group to prepare an employee policy manual.

Motion by J. Jakubowski, seconded by C. McAllister, to go into Executive Session for the purpose of discussing employee compensation. Approved unanimously.

Motion by J. Tracey, seconded by M. Clendaniel, to come out of Executive Session. Approved unanimously.

Motion by W. Balascio, seconded by J. Tracey, to provide a salary adjustment and raise as discussed in executive session. Approved unanimously.

DAG Hickey distributed a revised draft employee leave policy for discussion.

Motion by M. Clendaniel, seconded by C. McAllister, to approve interim employee leave policy with changes as discussed. Approved unanimously. The interim leave policy is effective January 1, 2019.

Motion by J. Jakubowski to approve A. Diaz, P.E. and P. Canzano, P.E. for membership in the Finance & Employee Compensation & Benefits committee, seconded by M. Clendaniel. Approved unanimously. The bylaws specify that the Council's Vice President, Secretary, Treasurer and Immediate Past-President also serve on this committee.

Law Enforcement/Ethics Committee

Chair McAllister reported that the Committee met on November 7, 2018.

- Code of Ethics revision – committee continuing to review research.
- Reviewing a draft letter for Business license/name violations, prior to opening new cases in January 2019.
- The Joint Advisory Committee requested clarification regarding PE's signing and sealing the work of another engineer; J. Wootten will refer them to Section 2830 of the Delaware Engineers Act: §2830. Dating, Signing and Sealing. (a) All final drawings, specifications and documents involving the practice of engineering as defined in this chapter when issued or filed for public record shall be dated and bear the signature and seal of the licensee(s) who prepared or approved them.
- Committee reviewed a proposal for a potential training session, and will give feedback to J. Wootten.
- The committee is recommending closure of 5 cases as listed in its report.

Motion by C. McAllister, seconded by M. Clendaniel, Council approve the closure of the 5 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Motion by C. McAllister, seconded by J. Tracey, to approve committee members: C. McAllister, P.E., J. Jakubowski, P.E., J. Davidson, P.E., A. Diaz, P.E., T. Kiefer, P.E., R. Leitsch, P.E., J. Mayan, P.E., D. Reinhold, P.E., K. Rudy, P.E., A. Say, P.E. and A. Steinle, P.E.. Approved unanimously.

Examining Committee

Chair W. Balascio reported that the Committee met on October 24, 2018 and reviewed **33** individual applications for licensure, consisting of **27 applications for comity** and **6 applications for examination**. All recommendations are shown on **Exhibit A1** which is now ready for Council action.

The Committee reviewed **6** applications for **Certificate of Authorization** and **5** applications for **Certificate of Authorization Reinstatements**. Committee recommendations are noted on **Exhibit A2**.

Motion by W. Balascio, seconded by M. Clendaniel, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 and Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

Motion by W. Balascio, seconded by J. Jakubowski, to approve committee members: W. Balascio, P.E., C. Balascio, P.E., D. Barbato, P.E., N. Gallagher Burkhardt, P.E., N. Buttorff, P.E., M. Clendaniel, P.E., J. Davidson, P.E., C. Kraucunas, P.E., M. Lester, P.E., M. Siwek, P.E., B.J. Song, P.E., J. Volk, P.E., A. Weiser, P.E.. Approved unanimously.

External Affairs Committee

Motion by R. Hayden, seconded by J. Tracey, to approve members Robert Hayden, P.E. and Jeremy Kalmbacher, P.E.. This committee needs one more member (at least).

Facilities Committee

Motion by C. Balascio to combine this committee with the Finance/Employee Benefits & Compensation Committee, seconded by R. Wheatley. Approved unanimously.

Public Information

Motion by M. Clendaniel, seconded by J. Tracey to approve committee members Michael Clendaniel, P.E., Jordan Jakubowski, P.E., and Jason Hastings, P.E.. Approved unanimously.

Correspondence – None.

Government Affairs/By-laws Committee -- No report.

Nominating Committee

Motion by K. Maxson, seconded by M. Clendaniel to approve committee members K. Maxson, P.E., Joseph Flowers, P.E., and Lynn Szabo, P.E.. Approved unanimously.

NCEES

Old Business

R. Hayden and J. Kalmbacher presented the JAC's most recent draft of the Guidelines for Building Officials document (dated 8/9/18). Revisions to this document since 5/14/16 were highlighted and discussed.

Motion by R. Hayden, seconded by J. Kalmbacher to approve the August 9, 2018 draft. Approved unanimously.

New Business

Governor-appointed Council Member John Tracey (New Castle) will continue to serve until DAPE can find a replacement (his 2nd four year term ended September 2017). Council members should suggest prospective candidates to J. Wootten or C. Balascio prior to the December Council meeting.

Governor-appointed Council Member Ronald Smith (Kent) will serve a second 4-year term which will expire September 2022.

Governor-appointed Council Member Robert Wheatley (Sussex) is currently serving his second 4-year term which will expire September 2021.

Next Meeting -- Next meeting scheduled for December 12, 2018 in Sussex County.

Motion by M. Clendaniel, seconded by D. Barbato, to nominate Meghan Lester for the 2019 Distinguished Service award. Approved unanimously. J. Wootten will arrange the January Council meeting with dinner after to present the award.

Motion to adjourn by M. Clendaniel, seconded by J. Tracey. Approved unanimously.

Meeting adjourned at 4:35 p.m.

/jw