

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

92 Read's Way, Suite 208, New Castle, DE 19720

PHONE: 302-323-4588

E-mail: office@dape.org

March 18, 2019

MINUTES – MARCH 13, 2019 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, March 13, 2019, at the DAPE office in New Castle, Delaware.

President C. Balascio convened the meeting at 3:03 p.m.

The Roll call was taken and a quorum was declared.

Council Members Present:	C. Balascio, P.E.	W. Balascio, P.E.
	D. Barbato, P.E.	M. Clendaniel, P.E.
	S. Gharebaghi, P.E.	R. Hayden, P.E.
	J. Jakubowski, P.E.	M. Lennon, P.E.
	K. Maxson, P.E.	C. McAllister, P.E.
	R. Wheatley	
Council Members absent:	J. Kalmbacher, P.E.	E. Retzlaff, P.E.
	R. Smith, Esq.	J. Tracey, Esq.
Staff present:	J. Wootten	
DAG present:	Eileen Kelly, Esq.	

Open Forum

No members of the public were present.

Minutes of the February 13, 2019 Council Meeting

Council reviewed the Minutes of the February 13, 2019 Council meeting.

Motion by M. Clendaniel, seconded by M. Lennon, to approve the minutes of the February 13, 2019 meeting. Approved unanimously.

D.A.G. Report – DAG Kelly updated the proposed changes to the Delaware Professional Engineers' Act, and passed along to R. Smith, who will reformat the bill and forward to F. Newton.

Financial Reports

Finances for the ten months (83%) of fiscal year ending April 30, 2019 reflect income has reached 104.7% of projections and expenses 64.6%. J. Wootten added that she expects an increase in CA registration and penalty fees as she follows up with firms that are registered with the Division of Revenue that do not have a current Certificate. The actual income from PE renewals vs. the budget income is a bit low, which the committee will keep in mind when forecasting for next year's budget.

Motion by S. Gharebaghi, seconded by C. McAllister, 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/Employee Compensation & Benefits Committee/Facilities Committee

The Committee met on February 28, 2019 and discussed the following:

- Financial investment update from Wells Fargo - Continue ladder CD investments.
- Draft Employee Handbook – Hope to have a final draft for April Council meeting.
- 2019-2020 Budget – Working on forecasts for 2019-2020 budget. Committee chairs and Council members should review current budget and make suggestions prior to the next Finance Committee meeting on March 26. One item that will be factored into the new budget is new licensing software and website updates which should improve the application process, make application review easier for the examining committee, and provide the opportunity to RSVP for events such as our ethics training.
- Facilities: we will have a water filtration system installed in the next few weeks.

Motion by S. Gharebaghi, seconded by W. Balascio, to enter Executive Session for the purpose of discussing employee compensation at 3:13 PM. Approved unanimously. Open Session resumed at 3:20 p.m.

Motion by J. Jakubowski, seconded by S. Gharebaghi, to accept the Committee's recommendation for employee compensation increase as discussed in Executive Session.

Law Enforcement/Ethics Committee

The Committee met on March 6, 2019 and discussed the following:

- The article from the latest NCEES newsletter regarding a gas pipeline incident in Massachusetts. DAG Kelly will research Delaware law in this area.
- A recent inquiry from Community Engineering Corps, a subsidiary of Engineers Without Borders-USA, to determine if they are required to have a Certificate of Authorization for engineering work in Delaware. DAG Mulveny believes that should have a Certificate of Authorization, since our law does not provide an exemption for nonprofits. J. Wooten is following up with NCEES to see if/why they believe we should waive the Certificate of Authorization requirement, what neighboring states are doing, and also research Community Engineering Corps. DAG Kelly will also do some research.
- The committee is recommending closure of 4 cases as listed in its report.
- Next meeting April 3, 2019; Ethics training May 16, with an afternoon session on interview techniques.

Motion by C. McAllister, seconded by M. Clendaniel, Council approve the closure of 4 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Chair W. Balascio reported that the Committee met on February 27, 2019 and reviewed **54** individual applications for licensure, consisting of **46 applications for comity, and 8 applications for examination**. All recommendations are shown on **Exhibit A1** which is now ready for Council action.

Motion by W. Balascio, seconded by C. McAllister, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 of the committee's report. Approved unanimously.

The Committee reviewed **13** applications for **Certificate of Authorization** and **1** application for **Certificate of Authorization Reinstatements**. Committee recommendations are noted on **Exhibit A2**.

Motion by W. Balascio, seconded by K. Maxson, Council approve the Committee's recommendations for Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

External Affairs Committee

Joint Advisory Committee met on February 18, 2019.

- The committee discussed a recent inquiry from a PE regarding Sussex County Code requirements. Neither board was aware of the requirement. The Board of Architects and Sussex County will discuss further prior to the next JAC meeting. R. Wheatley offered to look into this matter for DAPE.
- BOA is reviewing changes to Building Officials Handbook since May 4, 2016 (we expect they'll have proposed revisions to discuss at our next meeting, scheduled for April 17).

Public Information

Committee met on March 12, 2019 to train volunteers to present licensure information at University of Delaware engineering classes. We are scheduled to present to junior mechanical engineers on March 18, and the civil engineering senior design class on May 1. We'll also have a table at the DelTech Career Fair Expo on March 19.

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

Nominating Committee – We need a Kent County candidate. It's preferred to have candidates that have been involved on a committee already, but not required.

Correspondence – None.

NCEES

We need to designate our funded delegates for the August 14-17 NCEES annual meeting in Washington, DC by May 3. We have spots for 3 funded delegates, and an additional two first-time attendees. We will likely reschedule the August 2019 Council meeting to August 21 to avoid a conflict with the NCEES annual meeting. The PE Exam is scheduled for April 5 at Nur Shrine, and the SE exam for April 6 at DAPE.

Old Business

Draft house bill to amend Professional Engineers' Act (Decoupling). J. Wootten will follow up with R. Smith on status.

New Business – None.

Next Meeting -- Next meeting scheduled for Wednesday April 10, 2019 at The Counting House in Georgetown, Delaware, Sussex County (formerly the Brick Hotel Restaurant).

Motion to adjourn by M. Clendaniel, seconded by S. Gharebaghi. Approved unanimously. Meeting adjourned at 3:55 p.m.

/jw