

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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August 22, 2019

**MINUTES – AUGUST 8, 2019 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Thursday, August 8, 2019, at JD Shuckers in Georgetown, Delaware at 3:00 p.m.

The Roll call was taken and a quorum was declared.

Council Members present:	C. Balascio, P.E.	M. Clendaniel, P.E.
	S. Gharebaghi, P.E.	J. Jakubowski, P.E.
	J. Kalmbacher, P.E.	M. Lennon, P.E.
	K. Maxson, P.E.	C. McAllister, P.E.
	E. Retzlaff, P.E.	R. Smith, Esq.

Council Members absent:	W. Balascio, P.E.	D. Barbato, P.E.
	W. Gamgort, Esq.	R. Hayden, P.E.
	R. Wheatley	

Staff present: J. Wootten

DAG present: E. Kelly, Esq.

Members of the public present:

M. Siwek, P.E. (begins Council term 9/1/19)

Michael Vaughan, Assistant Dean, College of Engineering, University of Delaware

Levi Thompson, Dean, College of Engineering, University of Delaware

**Open Forum**

Council President C. Balascio modified the agenda to postpone this portion of the meeting until expected representatives from the University of Delaware arrived.

**Minutes of the July 10, 2019 Council Meeting**

Council reviewed the Minutes of the July 10, 2019 Council meeting.

*Motion by M. Clendaniel, seconded by J. Jakubowski, to approve the minutes of the July 10, 2019 meeting. Approved unanimously.*

**D.A.G. Report**

DAG Kelly summarized the draft statutory revisions, which included feedback from the Ad Hoc legislation committee's last meeting.

*Motion by C. McAllister, seconded by M. Clendaniel, to move forward with these revisions and put this into bill format, including renumbering sections as appropriate. Approved unanimously.*

## Open Forum

C. Balascio welcomed and introduced Levi Thompson, Dean, and Michael Vaughan, Assistant Dean, from the College of Engineering, University of Delaware, to present their thoughts and answer questions about a potential MOU between the University and DAPE, with the intention of promoting licensure at the College of Engineering among both faculty and students. Council and the Ad Hoc Legislation Committee will continue to explore this topic, including potential legislation/guidelines changes to encourage more faculty members to become licensed.

## Financial Reports

Finances for the three months (25%) of fiscal year ending April 30, 2020 reflect income has reached 13.5% of projections and expenses 17.9%. Approximately 25% of our CAs have paid their renewal fee in the first week of the open renewal window. DAPE's financial audit is scheduled for August 22 & 23.

*Motion by M. Clendaniel, seconded by M. Lennon, 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

A final draft of the employee handbook has been reviewed by the Committee, and is recommended for approval by the Council. J. Jakubowski summarized the last round of revisions.

*Motion by M. Clendaniel, seconded by K. Maxson, Council approve the Employee Handbook. Approved unanimously. J. Wootten will distribute to employees for review and acknowledgement. Thanks to Committee member P. Canzano for his participation in this process.*

### Law Enforcement/Ethics Committee

The Committee met on August 7, 2019 and discussed a possible change to the law or Administrative Penalty Guidelines so we have clear and consistent disciplinary action for firms that practice without a Certificate of Authorization. Specifically, firms that let their license lapse beyond two years can apply for a new license, saving money compared to the fees charged for renewal and/or reinstatement. DAPE representatives attending the NCEES annual meeting will seek input from other boards on this topic, as well as the topic of threats to licensure. DAG Kelly will review the law about Certificate of Authorization renewals/reinstatements for further discussion at the September Council meeting.

*Motion by C. McAllister, seconded by S. Gharebaghi, Council approve the closure of 6 cases as listed on Exhibit A of the Committee's report. Approved unanimously.*

### Examining Committee

J. Wootten reported that the Committee met on July 31, 2019 and reviewed 49 individual applications for licensure, consisting of **17 applications for examination, 30 applications for comity, and 2 applications for initial licensure**. Additionally, 1 candidate that was previously approved for examination was granted an FE waiver. All recommendations are shown on **Exhibit A1** which is now ready for Council action.

*Motion by M. Clendaniel, seconded by M. Lennon, 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 7 applications for **Certificate of Authorization** and 1 application for **Certificate of Authorization Reinstatement**. Committee recommendations are noted on **Exhibit A2**.

*Motion by M. Clendaniel, seconded by J. Jakubowski, 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 – No Report**

#### **Public Information – No Report**

#### **Government Affairs/By-laws Committee – No Report**

#### **Nominating Committee** – No Report

#### **Ad Hoc Legislation Committee**

Committee met Monday July 29, 2019 and discussed the following:

Specific law revisions for 7 legislative changes that have been approved by Council. See DAG report above for more information on this topic.

Proposed MOU with University of Delaware. *Motion by C. McAllister, seconded by M. Lennon, to accept MOU as drafted and discussed. Approved unanimously.*

The Ad Hoc committee will discuss specific law changes in relation to the MOU. The University of Delaware does not intend to sign the MOU until Council has approved a specific amendment to the law which will address a new path to licensure for PhD candidates. In addition to the law revision, Council could consider modifying the guidelines for the Examining Committee, such as requiring PhD candidates to submit a CV and/or have an interview with the Examining Committee, or specifying that a specific portion of engineering experience be after the PhD degree is conferred.

#### **Correspondence – None.**

#### **NCEES**

Annual Meeting August 14-17. Attendees: C. Balascio, S. Gharebaghi, C. McAllister, J. Wootten, as well as LEE Committee members J. Davidson and D. Reinhold (for Law Enforcement program on Friday and Saturday). J. Wootten summarized items on/off consent agenda for the NCEES business meeting.

NCEES recently announced that they are one of the founding members of the Alliance for Responsible Professional Licensing. Details available on their website.

NCEES also shared information about phishing emails claiming to be from NCEES (they were not, and NCEES reminded member boards/licensees that they do not send exam results via email).

#### **Old Business**

Status on the proposed bill to amend Professional Engineers' Act (Decoupling): The bill was enacted on July 17, 2019. J. Wootten drafted a communication to send to candidates with applications in

process, and that pass the FE going forward. J. Wootten will meet with NCEES staff to discuss technical details on their end that will allow candidates to register for PE exam (NCEES will verify degree/eligibility, as they do now for FE applicants).

### **New Business**

The Executive Committee will recommend that the Council ratify the following election results:

- Charles L. McAllister, P.E. – Private Consulting Seat
- Nicholas Dean, P.E. – Kent County Seat
- Michael P. Siwek, P.E. – Electrical Engineering Seat

*Motion by M. Clendaniel to ratify election results, seconded by K. Maxson. Approved unanimously.*

The Executive Committee will propose keeping the same slate of officers for the 2019-2020 year:

- President: Carmine Balascio, P.E.
- Vice President: Joseph Jakubowski, P.E.
- Secretary: Charles L. McAllister, P.E.
- Treasurer: Michael Clendaniel, P.E.
- Immediate Past President: Soheil Gharebaghi, P.E.

Officer election takes place at the September meeting.

The ASCE Crab Feast is September 10, 2019. DAPE presents certificates to new PEs. All Council members are encouraged to attend and welcome/congratulate new PEs.

Note: Bylaws say each committee needs to report on annual activities at our September meeting. President to appoint Committee chairs after Executive Committee election.

*Motion to adjourn by M. Clendaniel, seconded by K. Maxson. Approved unanimously. Meeting adjourned at 5:00 p.m.*