

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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August 23, 2017

MINUTES – COUNCIL MEETING, August 9, 2017

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, August 9, 2017, in the offices of the Association, New Castle, Delaware.

Vice-President Lennon convened the meeting at 3:06 p.m.

Council Members Present:	C. Balascio, P.E.	M. Lester, P.E.
	W. Balascio, P.E.	C. McAllister, P.E.
	M. Clendaniel, P.E.	E. Retzlaff, P.E.
	S. Gharebaghi, P.E.	R. Smith, Esq.
	R. Hayden, P.E.	J. Tracey, Esq.
	M. Lennon, P.E.	R. Wheatley

Council Members absent:	D. Barbato, P.E.	-	excused
	J. Jakubowski, P.E.	-	excused
	J. Ludman, P.E.	-	excused

Staff present: P. Abshagen

DAG present: Catherine "Terry" Hickey, Esq.

Guest: J. Kalmbacher, P.E.

The Roll call was taken and a quorum was declared.

Open Forum -- No members of the public present.

Introductions -- Council members introduced themselves to incoming Council member Kalmbacher.

Minutes of the July 12, 2017 Council Meeting

Council reviewed the Minutes of the July 12, 2017 Council meeting and recommends approval of the Minutes as submitted.

Motion by McAllister, seconded by Hayden, Council approve the Minutes of the July 12, 2017 meeting, as submitted. Approved unanimously.

D.A.G. Report

- Disciplinary Hearing -- Hearing was held on 4/4/17 for Stephen Maslan, P.E. Council reviewed the report and recommendations of The Hearing Panel to revoke Mr. Maslan's license #7457, with his long history of disciplinary actions taken in other states, as well as in Delaware.

Motion by Retzlaff, seconded by Tracey, Council approve the recommendations of the Hearing Panel to revoke the license of Stephen Maslan #7457 (license number to be corrected in the Hearing Panel's report). Approved. (Recused: McAllister, Clendaniel, Hayden and Lester)

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 Benefits & Compensation

- Finances for the first three months (25%) of fiscal year ending April 30, 2018 reflect income has reached 36% of projections; and expenses 26%.
- Audit has been completed and a draft distributed to Finance Committee for comment.
- Bookkeeper has taken care of the auditor's entries and reconciled statements for 2017.

Motion by Retzlaff, seconded by C. Balascio, Council accept the Finance Report subject to audit. Approved unanimously.

- Recruiter is making progress towards identifying potential candidates for the Executive Director position.

Law Enforcement/Ethics Committee

- DNREC – Class B designs for lift station on-site wastewater systems update – No update
- Code of Ethics – pending final report of state review committee – No update
- Alan Steinle, P.E. has been added to the committee, although he was unable to attend the August meeting.
- Committee discussed SB 131 which will require proposed rules and regulations pertaining to licensure be reviewed by the Joint Legislative Oversight and the Sunset Committees.
- Committee has proposed the closure of 13 cases as listed in its report.

Motion by Gharebaghi, seconded by Tracey, Council approve the closure of the 13 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Chair Lester reported the committee met on July 26, 2017 and reviewed **forty-three (43)** applications for licensure including **29** for **comity**; **1** application for **initial** licensure; **13** applications for **examination**. The committee also reviewed **4** applications for **Certificates of Authorization**; **2** applications for **reinstatement of Certificates of Authorization**.

Motion by Lester, seconded by Hayden, Council approve the Committee's recommendations for applications for licensure and Certificates of Authorization as noted on Exhibits A1-A2 of the committee's report. Approved unanimously.

CPC Guidelines are under review for further clarification and will be distributed to Council for review as well.

External Affairs Committee -- JAC meeting in September.

Facilities Committee -- No report.

Public Information -- Fall newsletter due September/October. Chair Gharebaghi is ascertaining interest in Laboratory for Learning program with Caesar Rodney High School.

Government Affairs/By-laws Committee

- HB 197 is awaiting the signature of the Governor.
- SB 131 requiring boards/commissions adopting rules and regulations pertaining to licensure to be reviewed by both the Joint Legislative Oversight and Sunset Committees, does not apply to DAPE.

Correspondence -- None.

NCEES

- NCEES Annual meeting will be held in Miami, August 23-26, 2017.

Old Business -- None

New Business

- Council member McAllister shared that he is a potential candidate for an appointment to the Board of License Inspections & Review. This still needs approval.
- 2017 Council Election Results:
 - M. Lennon, P.E. - Chemical Seat
 - M. Clendaniel, P.E. - Government Employment
 - J. Kalmbacher, P.E. - "Other" Eng. Seat
 - J. Jakubowski, P.E. - Civil Seat
 - Bylaws Revision increasing PE application fee to \$150 was approved by the membership

Motion by C. Balascio, seconded by Clendaniel, Council ratify the results of the 2017 Council election and revision to the bylaws. Approved unanimously.

- Executive Committee presented its slate of officers for 2017/2018:

- President - S. Gharebaghi, P.E.
- Vice President - C. Balascio, P.E.
- Secretary - C. McAllister, P.E.
- Treasurer - J. Jakubowski, P.E.

Election of officers will take place at the September Council meeting. Nominations may be taken from the floor.

- ASCE/Crab Feast – New PE's will be presented with their framed certificates at the Crab Feast scheduled for 9/12/17 at White Clay Creek state park. (Council members Lennon and W. Balascio interested in attending.)

Next meeting is scheduled on **Wednesday, September 13, 2017 in Kent County.**

Meeting adjourned at 3:45 p.m.

/pa