

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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February 14, 2018

MINUTES – COUNCIL MEETING, February 14, 2018

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

President Gharebaghi convened the meeting at 3:00 p.m.

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. Kalmbacher, P.E.	M. Lennon, P.E.
	M. Lester, P.E.	J. Ludman, P.E.
	C. McAllister, P.E.	R. Smith, Esq.
	J. Tracey, Esq.	

Council Members absent:	J. Jakubowski, P.E.	-	excused
	E. Retzlaff, P.E.	-	excused
	R. Wheatley	-	excused

Staff present: J. Wootten, M. Savona

DAG present: Catherine "Terry" Hickey, Esq.

The Roll call was taken and a quorum was declared.

Open Forum

Doug Hokuf, Chief of Site Management at New Castle County Dept. of Land Use, attended the meeting. As the issue of his correspondence to the Council dated January 23, 2018 was already on the agenda, Council President S. Gharebaghi proposed that the agenda be reordered to discuss this matter in open forum.

This correspondence was regarding DAPE's interpretation of Section 2830 of the Professional Engineers' Act, and DAPE's expectations regarding signing and sealing "preliminary" engineering documents. Mr. Hokuf explained that he oversees plan review and construction oversight, and his office has seen a deterioration of quality/completeness in submitted plans in recent years. A discussion ensued regarding when plans need to be signed and sealed, and if stamping plans as "Preliminary" offers any sort of protection to a licensed PE.

NCC's practice is that exploratory plans do not have to be signed and sealed. Once a plan progresses past this phase, however, the county requires a PE sign/seal. He believes this is a broader, state-wide issue, and has reached out to other agencies for input and advice.

The Council discussed the meaning of preliminary vs. final plans.

Proposed next steps:

- NCC should feel free to contact our Law Enforcement and Ethics Committee with concerns regarding the quality of the work submitted by a specific engineer, particularly if it is an ongoing problem, for further investigation.
- Consider an Ethics PDH program, or an information and exchange session, for our members on this topic, possibly as a joint session with New Castle County, including information on the entire permitting process. This would also be a good topic for our newsletter.
- Council applauded Mr. Hokuf's effort to improve process and quality of engineering plans that will be submitted.

Minutes of the January 10, 2018 Council Meeting

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

Motion by Clendaniel, seconded by C. Balascio, to change January 10, 2018 meeting adjournment time to 3:35 in the minutes.

Motion by McAllister, seconded by C. Balascio, to approve the minutes of the January 10, 2018 meeting with this change. Approved unanimously.

D.A.G. Report -- none

Financial Reports

- Finances for the nine months (75%) of fiscal year ending April 30, 2018 reflect income has reached 58.5% of projections; and expenses 53.4%.

The education budget line item was for two DAPE-sponsored ethics PDH sessions, which have not yet been planned. Wootten will discuss with Abshagen upon her return.

Motion by C. Balascio, seconded by 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.

Employee Benefits & Compensation – No report

Law Enforcement/Ethics Committee

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

- Code of Ethics proposed revisions still pending.

- DAG Jarosz has been requested to review Business License and Name Violation standard letters, and suggest edits to Committee, particularly in regards to including information about both Sections 2821 and 2825.
- DAG Jarosz requested to prepare a Cease & Desist order.
- The Committee is recommending the closure of 39 cases as listed in its report.

Motion by McAllister, seconded by Barbato, Council approve the closure of the 39 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Co-chair W. Balascio reported the Examining Committee met on January 31, 2018 and reviewed **fifty-one (51)** applications for licensure including 36 for **comity**; and **15** applications for **examination**. The committee also reviewed 8 applications for **Certificates of Authorization**; and 17 applications for Certificate of Authorization **Reinstatements**.

Motion by W. Balascio, seconded by C. Balascio, Council approve the Committee's recommendations for applications for licensure and Certificates of Authorization as noted on Exhibits A1-A5 of the committee's report. Approved unanimously.

Chair Lester reported volunteers from the Examining Committee will be representing DAPE at the eWeek Carnival at University of DE on February 19, and welcomed Council members to participate.

External Affairs Committee -- No report. JAC meeting scheduled for March 8.

Facilities Committee -- No report.

Public Information -- No report.

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

Correspondence

Request from NCC regarding technical document submittal guidance was discussed in Open Forum.

NCEES --

S. Gharebaghi reported:

- NCEES is searching for a CEO. A job description is available on their website.
- The 2018 Northeast Zone Interim meeting will be in Portland, Maine from May 17-19. The registration deadline is April 6. J. Wootten will look into NCEES delegate funding and send registration details to the full council. DAPE will reimburse Council members for registration and travel expenses.

C. Balascio nominated D. Barbato for emeritus status, W. Balascio seconded. Approved unanimously.

Old Business -- None

New Business

10 PE's (and their guests) will be attending the 2018 E-Week Banquet on February 22 at the Executive Banquet & Conference Center. President Gharebaghi will present their certificates, announce P. Abshagen's retirement plans, and introduce J. Wootten.

Preliminary dates/locations for the Distinguished Engineer of the Year award for Pat Canzano were discussed, as well as an open house retirement party for P. Abshagen. J. Wootten, M. Savona and M. Lester to research further.

Next meeting is scheduled on **Wednesday, March 14, 2018** in Sussex County, location TBD.

Motion to adjourn by R. Hayden, seconded by M. Clendaniel. Approved unanimously.

Meeting adjourned at 4:25 p.m.

/jw