

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS**  
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July 31 2017

**MINUTES – COUNCIL MEETING, July 12, 2017**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, July 12, 2017, in the meeting room of the Quality Inn, Rehoboth, Delaware.

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

Council Members Present:	C. Balascio, P.E.	J. Jakubowski, P.E.
	W. Balascio, P.E.	J. Ludman, P.E.
	D. Barbato, P.E.	C. McAllister, P.E.
	M. Clendaniel, P.E.	E. Retzlaff, P.E.
	S. Gharebaghi, P.E.	R. Wheatley

Council Members absent:	R. Hayden, P.E.	-	excused
	M. Lennon, P.E.	-	excused
	M. Lester, P.E.	-	excused
	R. Smith, Esq.	-	excused
	J. Tracey, Esq.	-	excused

Staff present: P. Abshagen

DAG present: Catherine "Terry" Hickey, Esq.

The Roll call was taken and a quorum was declared.

**Open Forum** -- No members of the public present.

**Minutes of the June 14, 2017 Council Meeting**

Council reviewed the Minutes of the June 14, 2017 Council meeting and recommends approval of the Minutes as submitted.

*Motion by McAllister, seconded by Clendaniel, Council approve the Minutes of the June 14, 2017 meeting, as submitted. Approved unanimously.*

## **D.A.G. Report**

- Disciplinary Hearing -- Hearing was held on 4/4/17 for Stephen Maslan, P.E. The Hearing Panel's recommendations will be presented to Council at its August meeting for consideration.
- FOIA Request -- Attorney General's office issued Opinion No. 17-IB13 in reference to a request for a listing of professional engineers in Delaware in an electronic format to include in addition to the PE Roster information, email addresses. The conclusion of this opinion is that the email addresses of Delaware's professional engineers are protected by the common law right of privacy. And the request that a suit be filed for violation of FOIA was denied.

## **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 this first two months (16%) of fiscal year ending April 30, 2018 reflect income has reached 27% of projections; and expenses 15%. (Penalty fee category #435 is 47%.)
- Audit has been completed and a draft distributed to Finance Committee for comment.
- Bookkeeper scheduled for 7/27/17.

*Motion by McAllister, seconded by Gharebaghi, Council accept the Finance Report subject to audit. Approved unanimously.*

### **Law Enforcement/Ethics Committee**

- No report as committee did not meet.
- Committee would like to add a member to it ranks. Chair McAllister has spoken with Alan Steinle who would add structural experience to the committee.

*Motion by McAllister, seconded by Gharebaghi, Council approve the appointment of Alan Steinle to the Law Enforcement/Ethics Committee. Approved unanimously.*

### **Examining Committee**

Co-Chair Balascio reported the committee met on June 28, 2017 and reviewed **thirty-seven (37)** applications for licensure including **22** for **comity**; **2** applications for **initial** licensure; **13** applications for **examination**. The committee also reviewed **8** applications for **Certificates of Authorization**; **6** applications for **reinstatement of Certificates of Authorization**.

**CPC Guidelines** are under review for further clarification. W. Balascio offered to provide an article for the upcoming issue of the newsletter discussing proposed revisions.

*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-A2 of the committee's report. Approved unanimously.*

*Motion by W. Balascio, seconded by Clendaniel, two applications for Certificates of Authorization be placed on the backlog of files pending additional information: A Squared Plus Engineering Support Group, LLC and TK Consulting Group LLC. Approved unanimously.*

**External Affairs Committee** -- No report. JAC meeting needs to be scheduled.

**Facilities Committee** -- No report. Fall newsletter due September/October.

**Public Information** -- No report.

**Government Affairs/By-laws Committee**

HB 197 is awaiting the signature of the Governor.

**Correspondence** -- None.

## **NCEES**

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

## **Old Business**

- Council election will conclude on July 15th. 23.8% of the voting membership have participated thus far.
- Ethics Session for membership on Thursday, June 22<sup>nd</sup> at the Doubletree Hotel, Concord Pike, Wilmington, DE, was very favorably received.

## **New Business**

- Jason Wardrup Cease & Desist has been issued and Mr. Wardrup is requesting a hearing. A Hearing Panel needs to be appointed. President Barbato appointed Council members: Clendaniel (Chair), Ludman and C. Balascio.

*Motion by C. Balascio, seconded by Gharebaghi, the Hearing Panel for the Wardrup hearing will be Clendaniel (Chair), Ludman and C. Balascio. Approved unanimously.*

- P. Abshagen shared that Council member Smith's wife recently passed away.

Next meeting is scheduled on **Wednesday, August 9, 2017 in the DAPE offices.**

Meeting adjourned at 4:05 p.m.

/pa