

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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March 19, 2018

MINUTES – COUNCIL MEETING, March 14, 2018

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, March 14, 2018, at The Brick Hotel, Georgetown, Delaware.

President Gharebaghi convened the meeting at 3:06 p.m.

Council Members Present:	C. Balascio, P.E.	W. Balascio, P.E.
	M. Clendaniel, P.E.	S. Gharebaghi, P.E.
	J. Jakubowski, P.E.	J. Kalmbacher, P.E.
	C. McAllister, P.E.	J. Tracey, Esq.
	R. Wheatley	

Council Members absent:	D. Barbato, P.E.	R. Hayden, P.E.
	M. Lennon, P.E.	M. Lester, P.E.
	J. Ludman, P.E.	E. Retzlaff, P.E.
	R. Smith, Esq.	

Staff present: J. Wootten

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 February 14, 2018 Council Meeting

Council reviewed the Minutes of the February 14, 2018 Council meeting.

Motion by J. Kalmbacher, seconded by C. Balascio, to approve the minutes of the February 14, 2018 meeting as submitted. Approved unanimously.

D.A.G. Report

DAG Hickey distributed a draft of a letter addressed to S. Douglas Hokuf of the New Castle County Department of Land Use to summarize the Council's position regarding the Delaware Professional Engineers Act as it pertains to the signing/sealing of final plans. Mr. Hokuf attended the Open Forum of our February 14, 2018 Council Meeting.

DAG Hickey reminded the Council that members of the public that attend Council meetings are welcome to speak during the Open Forum, but do not have to be present for Council discussions on the topics that they bring forward until the topic is listed on the Council Meeting Agenda.

Motion by J. Tracey, seconded by C. Balascio to approve that after modifications to add more clarifying language from Statute 2830, this letter be sent to D. Hokuf; further, DAG Hickey will draft and distribute for comment a cover letter to Randy Greer at DNREC (to send with a copy of the letter to D. Hokuf) pertaining to a recent posting on DNREC's listserv related to this topic. In favor: C. Balascio, W. Balascio, S. Gharebaghi, J. Jakubowski, J. Kalmbacher, C. McAllister, J. Tracey, R. Wheatley; Recused: M. Clendaniel. Motion carried.

Financial Reports

The Finance Committee will meet to prepare a draft budget for Council review in April.

- Finances for the ten months (83.3%) of fiscal year ending April 30, 2018 reflect income has reached 66.6% of projections; and expenses 60.2%.
- Penalty fee income has increased.
- Renewal notices go out in April.

Motion by C. Balascio, seconded by J. Tracey, 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 March 12, 2018.

- Code of Ethics proposed revisions still pending.
- Town of Middletown reached out to DAPE for guidance regarding an existing project with a change in PE, specifically if Delaware law requires a notification or sign-off from the original PE before a new PE resumes the project. The Committee recommends that the Town consult our law and their attorney to decide how to proceed in this matter.
- The Committee is recommending the closure of 35 cases as listed in its report.
- Committee to research 8 companies that have responded to a Code 2825(2) name violation letter before responding.

Motion by C. McAllister, seconded by C. Balascio, Council approve the closure of the 35 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

The Examining Committee met on February 28, 2018 and reviewed forty **(40)** applications for licensure including 37 for **comity**; and **3** applications for **examination**. The committee also reviewed 19 applications for **Certificates of Authorization**; and 16 applications for Certificate of Authorization **Reinstatements**.

Motion by W. Balascio, seconded by J. Kalmbacher, 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.

External Affairs Committee -- J. Kalmbacher reported that a JAC meeting was held on March 8 in Dover. The committee discussed final edits to the "Guidelines for Delaware Building Officials" document. The JAC would like to distribute a revised draft to the Delaware Board of Architects and DAPE for feedback. S. Gharebaghi shared contact information of a colleague that is interested in getting involved with the JAC. As these meetings are open to the public, J. Kalmbacher will invite him to attend the June 14 meeting.

Facilities Committee -- No report.

Public Information

A newsletter will be published soon.

Government Affairs/By-laws Committee

S. Gharebaghi and M. Abshagen met with Frank Newton recently to discuss advocacy issues. He will continue to monitor legislation on behalf of DAPE.

S. Gharebaghi, D. Barbato, J. Jakubowski and J. Wootten attended the eWeek banquet organized by the Delaware Engineering Society. Nine new PE's were presented with their certificates.

Correspondence -- None.

NCEES --

S. Gharebaghi reported the deadline to register for the Northeast Zone Interim meeting (May 17-19 in Maine) is April 6. Council members can make reservations online, indicating payment by check, and forward reservation to J. Wootten.

Old Business -- None

New Business

DAPE will sponsor a 3-hour ethics session on Thursday, May 3 from 8:30-11:30 AM at the Executive Banquet & Conference Center in Newark, DE. To register, email Kathy@dape.org.

Next Meeting

Next meeting scheduled for April 11, 2018 at The Deerfield Conference Center in Newark, DE. Meeting to be followed by DAPE's annual Council & Committee Appreciation Ceremony.

Motion to adjourn by M. Clendaniel, seconded by J. Tracey. Approved unanimously.

Meeting adjourned at 4:23 p.m.

/jw