

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS**  
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March 18, 2016

**MINUTES – COUNCIL MEETING, March 9, 2016**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, March 9, 2016, in the Brick Hotel, Georgetown, Delaware.

Vice-President Thomson convened the meeting at 3:01 p.m.

Council Members Present:	C. Balascio, P.E.	C. McAllister, P.E.
	W. Balascio, P.E.	T. Thomson, P.E.
	S. Gharebaghi, P.E.	J. Tracey, Esq.
	M. Lennon, P.E.	R. Wheatley
	M. Lester, P.E.	
	J. Ludman, P.E.	

Council Members absent:	D. Barbato, P.E.	-	excused
	R. Hayden, P.E.	-	excused
	H. Medlarz, P.E.	-	not excused
	E. Retzlaff, P.E.	-	not excused
	R. Smith, 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 report.

**Minutes of the February 10, 2016 Council Meeting**

Council reviewed the Minutes of the February 10, 2016 Council meeting and recommends approval of the Minutes as submitted.

*Motion by Tracey, seconded by McAllister, Council approve the Minutes of the February 10, 2016 meeting as submitted. Approved (Gharebaghi abstained).*

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

- William Risko Intent to Deny – Hearing was held on 2/24/16. The written decision will be drafted, reviewed by the Hearing Panel and presented to Council at its May meeting.
- DAG Hickey will attend the NCEES Northeast Zone meeting in Burlington, VT.

## **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.

### **Financial Report**

Committee will convene to discuss the budget for fiscal year 2016/2017.

Finances for the ten months (83%) of this fiscal year reflect income has reached 70% of projections; and expenses 67%.

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

### **Employee Benefits & Compensation**

Chair Thomson advised committee met recently to discuss employee job descriptions. Will finalize draft for committee for presentation to Council.

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

Chair Thomson reported on the committee's meeting of March 2, 2016:

- Committee is still working on an MOU with DNREC for Class B designs of lift stations
- DAG Jarosz discussed potential revisions to the Code of Ethics, specifically, the current list of crimes substantially related to the practice of engineering. Committee will continue its discussions on recommended revisions.
- Committee member Diaz attended a FARB meeting and shared some discussions on new legislation, top regulatory cases, criminal prosecutions, advisory opinions, etc.
- Committee is recommending closure of 29 cases as listed on Exhibits A1-A2 of its report.

*Motion by Tracey, seconded by McAllister, Council approve the closure of the cases listed on Exhibits A1-A2 of the committee's report. Approved unanimously.*

## **Examining Committee**

Chair M. Lester reported on the committee's meeting of February 24, 2016. Thirty-five (35) applications for licensure, including 24 for comity; 1 for initial licensure; and 10 applications for examination. Committee also reviewed 21 applications for Certificates of Authorization. Committee recommendations are listed on Exhibits A1-A2 of the committee's report.

*Motion by W. Balascio, seconded by C. Balascio, Council approve the applications for licensure as listed on Exhibits A1-A2. Approved unanimously.*

*Motion by McAllister, seconded by Lennon, Council approve the applications for Certificates of Authorization, with the exception of Ch2M. Approved unanimously.*

*Motion by W. Balascio, seconded by C. Balascio, Council approve the comity application for applicant #20485, as he has met all requirements for licensure. Approved unanimously.*

Committee discussed the intended purpose of a temporary permit and is working on a recommendation to revise the law to state that temporary permits will be issued for a period of 30-60 days, contingent upon submission of an application for licensure.

CPC Requirement/Renewal – Council discussed several aspects of the CPC requirement, specifically:

- Corrective Action Plan (CAP) – This will require a licensee to submit by May 16<sup>th</sup> the appropriate documentation to support a request for a CAP. This will require a review and approval. Council member Lester has agreed to review these requests.

*Motion by Tracey, seconded by C. Balascio, Council appoint M. Lester as the CAP Sub-Committee. Approved unanimously.*

- CPC Audits -- A procedural outline for auditing a percentage of the membership will need to be developed. Audits will be conducted by the Examining Committee, perhaps, at the July-August meetings. A CPC/Hearing Committee will be appointed to hear those not in compliance.

*Council member Wheatley excused at 3:30 p.m.*

**External Affairs Committee** -- No report.

**Facilities Committee** -- No report.

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

## **Public Information**

- Spring issue of the newsletter is due. Council members W. Balascio and Lennon offered to contribute articles on CPC and decoupling of the PE exam, respectively.
- Laboratory for Learning: Jim Vescovi of DSWA spoke at the January meeting; Michaelena Hayes was the speaker for the February meeting; no session in March; seeking speaker for April.

**Ad-Hoc/Law Revision Committee** -- No report.

**Correspondence** -- None.

**NCEES**

- The Northeast Zone meeting is in Burlington, VT on 4/21/16 – 4/23/16. Attendees will include Thomson, McAllister, Abshagen, and DAG Hickey.
- NCEES has announced P. Abshagen is to be awarded the NE Zone/Distinguished Service Award at the zone meeting.

**Old Business** -- (None)

**New Business**

- Ethics Presentations -- P. Abshagen has been in touch with Paul Cottrell, Esq. to discuss presentation of an ethics session over the lunch hour on several different dates to assist the membership in getting their ethics pdh's. These sessions will be held in the DAPE conference room, to accommodate 50+ members. Cottrell has requested a \$300 honorarium/session. If this is acceptable to Council, these will be scheduled within the next 30-60 days (prior to license expiration on 6/30/16). Council did support this recommendation. An invitation will be extended to the membership.

Next meeting is scheduled on **Wednesday, April 13, 2016**, in Kent County.

Meeting adjourned at 4:25 p.m.

/pa