

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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May 20, 2013

MINUTES – COUNCIL MEETING, May 8, 2013

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, May 8, 2013, in the DAPE offices, New Castle, Delaware.

President McAllister convened the meeting at 3:05 p.m.

Council Members present:	C. Balascio, P.E.	K. Kooker, P.E.	J. Tracey, Esq.
	W. Balascio, P.E.	M. Lester, P.E.	V. Robertson, Esq.
	D. Barbato, P.E.	C. McAllister, P.E.	
	D. Clark, P.E.	F. Newton	
	R. Hayden, P.E.	T. Thomson, P.E.	

Council Members absent:

S. Gharebaghi, P.E.
M. Mallamo, P.E.
H. Medlarz, P.E.

Staff present:

P. Abshagen

DAG:

Catherine (Terry) Hickey, Esq.

The Roll call was taken and a quorum was declared.

Open Forum -- No members of public present.

Minutes of the April 10, 2013 Council Meeting

Council reviewed the Minutes of the April 10, 2013 Council meeting. Motion by Newton, seconded by Robertson, Council approve the Minutes of the April 10, 2013 Council meeting as submitted. Approved unanimously.

D.A.G. Report

Motion by Tracey, seconded by C. Balascio, to enter Executive Session at 3:08 p.m. to discuss potential litigation. Approved unanimously.

Motion by Newton, seconded by Robertson, at 3:15 p.m. to return to Open Session. 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.

Financial Report

Finance Report for the full fiscal year reflects income actuals at 105% of projections; expenses at 84% of projections. It was noted that expense categories #562 and #563 (investigative and expert witness services) will remain in the current year's budget, even though not used last fiscal year. Report will be recommended for approval subject to audit.

Finance Guidelines -- Draft finance guidelines provided to Council. (EB&C guidelines to be a separate document.)

Motion by Newton, seconded by Robertson, Council approve the Finance Guidelines. Approved unanimously.

Employee Benefits & Compensation

- Job descriptions have been finalized.
- Evaluations of employees conducted and salary increases recommended (2.5% for Executive Director and 3% for other employees).

Motion by Kooker, seconded by Robertson, Council approve the employee salary adjustments. Approved unanimously.

Law Enforcement/Ethics Committee

Chair Kooker presented the committee's May 1st meeting report, wherein the committee is recommending closure of 15 cases.

Motion by Kooker, seconded by Robertson, Council approve the closure of the 15 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Case 11/146-Investigative Report and Complaint -- Council reviewed the investigative report and complaint in this matter. Motion by Robertson, seconded by C. Balascio, Council approve issuing the formal complaint and appointing a Hearing Committee to schedule a hearing in this matter. Approved unanimously.

Motion by Robertson, seconded by Newton, Council member Tracey serve as the Chair of the Hearing Committee, and Council members W. Balascio and R. Hayden complete this committee. Approved unanimously.

Professional Licensing Report – Committee also reviewed the articles on standard of care and the meaning of revocation from this publication.

Future Workshops -- Committee member Diaz is interested in the topic for our next workshop. A moot court forum was suggested. Consensus of Council is to get through a couple more hearings and then discuss future workshops to determine the best agenda issues.

Examining Committee

Committee member Lester presented the report of the Examining Committee's meeting of April 24, 2013. Thirty-five (35) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **33** applications for **comity**; and **2** applications for **examination**. The Committee also reviewed **7** applications for **Certificate of Authorization**.

Motion by Lester, seconded by C. Balascio, Council approve the Committee's recommendations for licensure as shown on Exhibits A1-A2 of the committee's report. Approved unanimously.

Computer-Based Testing (CBT)/Registration Process -- Committee discussed the pros and cons of the automatic registration process (all applicants apply directly to NCEES). Currently applicants with technology and science-related to engineering degrees have transcripts reviewed to determine eligibility. The Examining Committee is still comfortable with this procedure and, therefore, recommends Delaware applicants registering for the CBT be semi-automatic (ABET-accredited engineering applicants may register directly; all others require approval from DAPE).

Motion by Lester, seconded by Hayden, NCEES will be advised DAPE will be semi-automatic registration (ABET-accredited engineering applicants may register directly with NCEES; all others require approval from DAPE.) Approved unanimously.

Also, NCEES is recommending scores be released weekly. DAPE is in agreement with this.

External Affairs Committee -- No report.

Facilities Committee -- No report.

Public Information

Spring issue of the newsletter is scheduled for publication next week.

Government Affairs/By-laws Committee

Chair Tracey advised proposed legislative revisions have been finalized and are ready to go to our lobbyist. These address adding CPC requirements; eliminating grace period for renewal of licenses; addition of a retired status; adding option of electronic voting; eliminating 16-hour written exams to comply with computer-based testing; and clarifying requirements for those with 4 failed attempts of the PE exam.

Electronic voting will require a bylaws revision and this can be pending approval of the law revision.

Ad-Hoc/Policies & Procedures Manual

Examining & Law Enforcement Committees' guidelines are needed.

Ad-Hoc/CPC

Chair Balascio reported revised guidelines to be included in the newsletter.

NCEES

- Northeast Zone meeting in Cape May, NJ (May 2-4, 2013) was a good meeting. Council members Barbato, McAllister, C. Balascio and W. Balascio attending. Council member Barbato presented the Law Enforcement Committee's report. There was also a plea for heightened awareness of the use of Enforcement Exchange.
- Maryland board member Skip Harclerode is running for NCEES President, as is David Widmer of PA. The election resulted in a tie-vote, therefore, the NE representative will be determined at the Annual meeting.

Correspondence

- Former Council member Pat Canzano was quoted in the PE magazine in an article about increasing one's value with certification.

Old Business -- None

New Business

- Council Election – Petitions have been received for all seat vacancies with the exception of the Chemical Engineering seat. (Council members C. Balascio and D. Clark are working on this.)
- Appointed Seats -- Council member Newton is working on a replacement for the Kent County seat and New Castle County Council member Tracey would be interested in serving another term.

Next meeting on **June 12, 2013** in Kent County.

Meeting adjourned at 5:10 p.m.

	<u>ACTION LIST:</u>	
COMMITTEE:	ACTION:	<u>STATUS:</u>
Finance		
Employee Benefits		
Law Enforcement	4-1: Guidelines needed	
Examining	4-2: Guidelines needed	
External Affairs	4-3: Plan for outreach workshops	
Facilities	12-3: Website Update	12/20/11: Ongoing
Public Information	3-1: Chair Gharebaghi to provide strategies for enhancing committee's work.	
Gov't Affairs	5-1: Legislation ready for lobbyist	
Ad-Hoc/Policy Manual	5-2: Need Exam. and LEE Committee's sections	
Ad-Hoc/CPC	3-2: CPC guidelines reviewed and tweaked	Rev. guidelines to be reviewed again by membership
Ad-Hoc/Enforcement Seminar		
DAG		