

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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June 3, 2016

MINUTES – COUNCIL MEETING, May 11, 2016

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, May 11, 2016, at the DAPE office in New Castle, Delaware.

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

Council Members Present:	D. Barbato, P.E.	M. Lester, P.E.
	C. Balascio, P.E.	J. Ludman, P.E.
	W. Balascio, P.E.	C. McAllister, P.E.
	S. Gharebaghi, P.E.	R. Smith, Esq.
	R. Hayden, P.E.	T. Thomson, P.E.
	M. Lennon, P.E.	

Council Members absent:	H. Medlarz, P.E.	-	excused
	E. Retzlaff, P.E.	-	excused
	J. Tracey, Esq.	-	excused
	R. Wheatley, P.E.	-	excused

Staff present: L. Thomson

DAG present: Catherine Hickey

The Roll call was taken and a quorum was declared.

Open Forum -- No report.

Minutes of the April 13, 2016 Council Meeting

Council reviewed the Minutes of the April 13, 2016 Council meeting and recommends approval of the Minutes as submitted.

Motion by McAllister, seconded by Ludman, Council approve the Minutes of the April 13, 2016 meeting as submitted. Approved unanimously.

D.A.G. Report

DAG Hickey expressed appreciation for the opportunity to attend the NCEES NE Zone meeting recently.

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

- Finances for the fiscal year (12 months ending April 30, 2016) indicate income at 76.6% of the projected budget income (the difference is due to Item 250 - Deferred Income being transferred); and expenses at 81%.

Motion by T. Thomson, seconded by R. Hayden, Council accept the Finance Report subject to audit. Approved unanimously.

Employee Benefits & Compensation

Chair T. Thomson reported that employee evaluations were recently completed and the employee compensation committee met a few weeks ago to provide recommendations for salary adjustments. The Executive Director was requested to develop a list of responsibilities with associated timelines and critical paths. Salary adjustments of 2.0% for the Executive Director and 3.0% for the Executive Assistant were recommended.

Motion by C. McAllister, seconded by W. Balascio, Council approve the employee compensation adjustments. Approved unanimously.

Law Enforcement/Ethics Committee

Chair T. Thomson reported on the committee's meeting of May 4, 2016:

- Committee is considering revisions to the Code of Ethics. This would not be a law change, but rather code revisions, requiring approval by Council.
- Ana Diaz would like to go to an upcoming JAC meeting to discuss the issue of anti-trust. Council discussed the advantages and disadvantages of such a discussion. The Council generally concluded that such a discussion is not necessary at this time.
- Committee is recommending closure of 7 cases as listed on Exhibit A1 of its report.

Motion by T. Thomson, seconded by C. McAllister, Council approve the closure of the 7 cases listed on Exhibit A1 of the committee's report. Approved unanimously.

Examining Committee

Chair Lester reported on the committee's meeting of April 27, 2016. Thirty-five (35) applications for licensure, including 27 for **comity**; and 8 applications for **examination** were reviewed. Committee also reviewed 10 applications for **Certificates of Authorization**, 1 application for **Temporary Permit** and 7 applications for **Reinstatement**. Committee recommendations are listed on Exhibits A1 and A2 of the committee's report.

Motion by Lester, seconded by McAllister, Council approve the applications for licensure, Certificates of Authorization, Temporary Permit and Reinstatements as listed on Exhibits A1 and A2. Approved unanimously.

CPC audit - Council members Lester and W. Balascio will review requests for extensions (CAP). It was discussed to have the IT department draw the names for random CPC audit and DAPE will select the individuals to audit. M. Lester and W. Balascio will develop a CPC audit procedure outline and will consult with NCEES and the Maryland board for feedback.

External Affairs Committee

- JAC meeting scheduled for May 12, 2016. Committee is working on a building official's handbook.
- President Barbato will schedule a meeting with the Delaware Surveyors' Board.

Facilities Committee -- No report.

Government Affairs/By-laws Committee

- Council member McAllister spoke with Frank Newton regarding the lobbyist position. Mr. Newton requests \$1,000 per month for 6 months, while the General Assembly is in session. Prior to moving forward, we will need to review the current contract with Mary Davis. McAllister will advise Newton that Council is interested; however, will need to clear up some items before proceeding.

Public Information

- Spring issue of the newsletter is due shortly.
- Laboratory for Learning: Brian Carbaugh is scheduled at the May 19th session to discuss wastewater.

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

Correspondence

- President Barbato has corresponded with David Jamison, P.E. regarding the requirements for CPC. Jamison has requested Council consider a CPC waiver based on his 40 years of experience. The Council agreed that all licensees were notified well in advance of the current CPC requirements and were provided adequate time to provide input. Council agreed that Jamison is required to comply with the law in renewing his license (R. Smith recuses himself). President Barbato will contact Mr. Jamison.
- DAPE received a FOIA request from PDH Express requesting the email addresses of all membership. DAG Hickey will research if DAPE needs to provide this information. Hickey also noted that we have 15 days to respond, not 7 days, as noted in the correspondence.
- DNREC is presenting workshops on aboveground storage tanks' regulations. DAPE should be represented. J. Ludman volunteered to represent DAPE.
- John Farina, P.E. wanted Council to review NCC procedures for plan submission and advise. Council believes that as long as it satisfies DAPE's law and is done in accordance with the law, it is acceptable. D. Barbato will contact Mr. Farina.

NCEES

- Annual meeting will take place in Indianapolis, IN from 8/24/16 – 8/27/16

Old Business -- (None)

New Business

- Council member T. Thomson shared an opportunity to participate with the ACE (Architect Contractor Engineer) Mentor program. The ACE mentor program works with high school students from November to April in 4 schools on a weekly basis. The program works with the students from concept to design. Council member Thomson will follow up regarding volunteer opportunities.

Next meeting is scheduled on **Wednesday, June 8, 2016**, in Sussex County.

Meeting adjourned at 5:05 p.m.

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