

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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November 22, 2019

MINUTES – NOVEMBER 13, 2019 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday November 13, 2019, at the DAPE Office in New Castle, Delaware at 3:00 p.m.

The Roll call was taken and a quorum was declared.

Council Members present:	C. Balascio, P.E.	D. Barbato, P.E.
	M. Clendaniel, P.E.	W. Gamgort, Esq.
	R. Hayden, P.E.	J. Kalmbacher, P.E.
	M. Lennon, P.E.	C. McAllister, P.E.
	M. Siwek, P.E.	R. Smith, Esq.
	R. Wheatley	

Exec Committee Member Present:	S. Gharebaghi
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Council Members absent:	J. Jakubowski, P.E.	K. Maxson, P.E.
	N. Dean, P.E.	E. Retzlaff, P.E.

Staff present:	J. Wootten
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DAG present:	E. Kelly, Esq.
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Called to order at 3:00 PM.

Open Forum

No members of the public attended.

Minutes of the October 9, 2019 Council Meeting

Council reviewed the Minutes of the October 9, 2019 Council meeting.

Motion by C. McAllister, seconded by M. Clendaniel, to approve the minutes of the October 9, 2019 meeting. Approved unanimously.

D.A.G. Report

DAG Kelly reported that she has updated proposed bill language and synopsis. After a few final edits, it will be ready to forward to DAPE's lobbyist and move on to State legislature.

Financial Reports

M. Clendaniel summarized DAPE's finances for the six months (50%) of fiscal year ending April 30, 2020, which reflect income has reached 90.1% of projections and expenses 39.5%.

Motion by R. Wheatley, seconded by C. McAllister, 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.

Finance/Employee Compensation & Benefits Committee/Facilities Committee

M. Clendaniel reported that the committee met November 1:

- Cover & Rossiter representatives have issued the final audit for fiscal year ending April 30, 2019. The Committee reviewed the Audit.
- Preliminary review for 6-month interim report
- Employee reviews will be completed this month.
- Discussed committee charges.

Next meeting scheduled for December 4.

Motion by M. Clendaniel, seconded by C. McAllister, to approve Committee charges. Approved unanimously.

Law Enforcement/Ethics Committee

Committee met November 6.

- Working towards consistent approach to lapsed CA
- Committee is recommending closure of 2 cases as listed in its report.
- Recommended that Council pursue disciplinary action for 2 cases (1 PE, 1 CA).
- Discussed Committee charges.

Motion by C. McAllister, seconded by R. Hayden, Council approve the closure of 2 cases as listed on Exhibit A of the Committee's report. Approved unanimously.

Motion by C. McAllister, seconded by R. Hayden, Council approve the Committee charges. Approved unanimously.

Examining Committee

M. Siwek reported that the Committee met on October 30, 2019, and reviewed 50 individual applications for licensure, consisting of 9 applications for examination, 1 application for new license, 39 applications for comity and 1 applicant who now meets all licensing requirements after successful passage of the PE exam. All recommendations are shown on Exhibit A1 which is now ready for Council action.

Motion by M. Siwek, seconded by R. Wheatley, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 of the committee's report. Approved unanimously.

The Committee reviewed 10 applications for Certificate of Authorization and 2 applications for Certificate of Authorization Reinstatement. Committee recommendations are noted on Exhibit A2.

Motion by M. Siwek, seconded by C. McAllister, Council approve the Committee's recommendations for Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

Motion by M. Siwek, seconded by R. Smith, to approve Examining Committee charges. Approved unanimously.

Motion by M. Siwek, seconded by C. McAllister, to nominate new Committee member Vince Fazio. Approved unanimously.

External Affairs Committee

JAC met November 7. Board of Architects requested further revisions to Building Officials Handbook (once edits have been finalized by Committee members, this will be added to the December agenda for Council to review). Also discussed:

- Sussex County Certificate of Occupancy requirements
- DAPE November 14 training
- DNREC/building code updates
- Fire Marshal plan approval with multiple code violations (JAC going to send a letter)
- DAPE legislation amendments

Motion by R. Hayden, seconded by M. Lennon, to approve External Affairs Committee charges. Approved unanimously.

Public Information – No Report

M. Clendaniel reminded Council of the technical training scheduled for November 14 at DelDOT in Dover, bringing together PEs from the public and private sectors to discuss plan submissions.

Motion by M. Clendaniel, seconded by M. Lennon, to approve Public Information Committee charges. Approved unanimously.

Government Affairs/By-laws Committee – No Report

Motion by R. Smith, seconded by R. Wheatley, to nominate H. Medlarz to the Government Affairs/Bylaws Committee. Approved unanimously.

Motion by R. Smith, seconded by C. McAllister, to approve Government Affairs/Bylaws Committee charges. Approved unanimously.

Nominating Committee – No Report

Ad Hoc Legislation Committee – No report.

Correspondence—None.

NCEES -- None.

Old Business

C. McAllister opened the floor for further discussion regarding a proposed path to licensure for doctoral candidates (including feedback shared by Council members since the October meeting).

Motion by C. Balascio, seconded by C. McAllister, to accept proposal for licensing engineers with doctorates. Motion failed, with C. Balascio and C. McAllister in favor, and D. Barbato, M. Clendaniel, W. Gamgort, R. Hayden, J. Kalmbacher, M. Lennon, M. Siwek, R. Smith and R. Wheatley opposed.

New Business

Council reviewed a draft of the annual report to the Governor prepared by J. Wootten.

Motion by M. Clendaniel, seconded by R. Wheatley, to approve DAPE's Annual Report to the Governor. Approved unanimously.

Motion by M. Siwek, seconded by M. Clendaniel, to nominate William Balascio for the 2020 Distinguished Service award. Approved unanimously. J. Wootten will arrange the January 8, 2020 Council meeting with dinner after to present the award.

Next Meeting: December 11, 2019 at Sussex County location TBD.

Motion to adjourn by R. Hayden, seconded by M. Clendaniel. Approved unanimously. Meeting adjourned at 3:59 p.m.