

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS**  
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September 19, 2017

**MINUTES – COUNCIL MEETING, October 11, 2017**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, October 11, 2017, in the offices of the Association, New Castle, Delaware

President Gharebaghi convened the meeting at 3:11 p.m.

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

Council Members absent:	D. Barbato, P.E.	-	excused
	M. Lennon, P.E.	-	excused
	J. Ludman, P.E.	-	excused
	E. Retzlaff, P.E.	-	excused
	R. Wheatley	-	excused

Staff present: P. Abshagen

DAG present: Catherine "Terry" Hickey, Esq.

Guest: P. Canzano, P.E.

The Roll call was taken and a quorum was declared.

**Open Forum** -- No members of the public present.

**President's Remarks**

President Gharebaghi shared some remarks with Council. He extended his appreciation for the vote of confidence Council has bestowed upon him, and indicated he is depending upon the experience of other members of Council in the discharge of his duties. His goal is always to work in the best interest of Council, staff, the engineering community and the public. This will entail a unity of vision and action of Council. He would like all Council members to become active in some committee, and has assigned a committee task to each member of Council. Lastly, President Gharebaghi expressed his appreciation to guest, Pat Canzano, for his participation on the sub-committee to select a new Executive Director.

## **Minutes of the September 13, 2017 Council Meeting**

Council reviewed the Minutes of the September 13, 2017 Council meeting and recommends approval of the Minutes as submitted.

*Motion by C. Balascio, seconded by Tracey, Council approve the Minutes of the September 13, 2017 meeting, as submitted. Approved unanimously.*

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

- DAG Hickey provided a reminder to insure that JAC meetings comply with the open meeting law, requiring notice and minutes posted to the state's calendar, as well as with the respective boards.
- After discussion of the request for a legal opinion on the "practice of engineering", DAG Hickey suggests making this request of LEE DAG Carla Jarosz.

## **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 Benefits & Compensation**

- Finances for the first five months (42%) of fiscal year ending April 30, 2018 reflect income has reached 41% of projections; and expenses 35%.

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

*Motion by C. Balascio, seconded by Clendaniel, Council approve the appointments to the Finance/Employee Benefits & Compensation Committee of Balascio (Chair), McAllister (Co-Chair), Jakubowski, Barbato, Canzano and Diaz. Approved unanimously.*

P. Canzano served on the sub-committee interviewing prospective candidates for the Executive Director position. He advised that this sub-committee interviewed three candidates, who had previously been screened via a phone interview and a meeting with our recruiter and Director. The sub-committee prepared questions and developed a ranking system. At the conclusion of the interviews, the sub-committee deemed two candidates appropriate for further consideration, however, the recommendation was not unanimous.

Council discussed a path forward, which could include considering additional candidates by placing a classified ad to provide additional public notice; requesting and checking references for each of the candidates. And, administering the "Kolbe" evaluation test. All of these recommendations will be shared with our recruiter.

## **Law Enforcement/Ethics Committee**

Chair McAllister reported:

- DNREC proposed MOU is still pending.
- Code of Ethics proposed revisions are still pending.
- Committee member Diaz has recommended obtaining a legal opinion on what constitutes the practice of engineering. She suggests gathering research on how other states handle the overlap in practice among professions.
- Committee has proposed the closure of 14 cases as listed in its report.

*Motion by McAllister, seconded by Clendaniel, Council approve the closure of the 14 cases as listed on Exhibit A of the committee's report. Approved unanimously.*

*Motion by McAllister, seconded by Clendaniel, Council approve the appointments to the Law Enforcement/Ethics Committee of McAllister (Chair), Jakubowski (Co-Chair), Davidson, Diaz, Kiefer, Leitsch, Mayan, Reinhold, Rudy, Say, and Steinle. Approved unanimously.*

## **Examining Committee**

Chair Lester reported the Examining Committee met on September 27, 2017 and reviewed **forty-seven (47)** applications for licensure including **41** for **comity**; **1** application for **initial** licensure; **1** application for an individual who recently passed the examination; and **4** applications for **examination**. The committee also reviewed **5** applications for **Certificates of Authorization**. Committee recommendations are noted on Exhibits A-1 and A-2 of the committee's report.

*Motion by Lester, seconded by Clendaniel, 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.*

*Motion by Lester, seconded by Clendaniel, Council approve the appointments to the Examining Committee of Lester (Chair), W. Balascio (Co-Chair), Allen, C. Balascio, Barbato, Burkhardt, Buttorff, Clendaniel, Davidson, Kraucunas, Siwek, Song and Weiser. Approved unanimously.*

Proposed revisions to CPC Guidelines were distributed to Council for review and comment. Council member W. Balascio reviewed with Council proposed revisions to clarify requirements and simplify future audits.

*Motion by W. Balascio, seconded by C. Balascio, Council approve the proposed revisions to the CPC Guidelines. Approved unanimously.*

**External Affairs Committee** -- No report. No comments on the building official's handbook draft were received.

**Facilities Committee** -- No report.

**Public Information** -- Fall issue of the newsletter to be distributed shortly.

### **Government Affairs/By-laws Committee**

- HB 197 was signed by the Governor on 9/29/17 and copies are available for Council members.

**Correspondence** -- None

### **NCEES**

- Exams scheduled for October 27-28, 2017.

**Old Business** -- None

**New Business** -- None

Next meeting is scheduled on **Wednesday, November 8, 2017 in Sussex County. Location to be determined.**

Meeting adjourned at 4:40 p.m.

/pa