

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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February 17, 2025

MINUTES – FEBRUARY 12, 2025 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday February 12, 2025 in hybrid format (at DAPE office, New Castle, DE and via Zoom).

The Roll call was taken and a quorum was declared.

Council Members Present:	D. Barbato, P.E.	D. Calloway, P.E.
	M. Clendaniel, P.E.	V. Fazio, P.E.
	J. Jakubowski, P.E.	J. Kalmbacher, P.E.
	J. Puddicombe, P.E.	D. Reinhold, P.E.
	M. Scarborough, P.E.	K. Tadler, P.E.
	T. Thomson, P.E.	

Council Members Absent:	C. Lingenfelder, Esq.	M. Smith, P.E.
	R. Smith, Esq.	

DAG present:	Z. Naylor, Esq.
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Staff present:	J. Wootten
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DAPE Lobbyist present:	M. Davis
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Meeting was called to order at 3:08 PM.

Open Forum

No members of the public were present.

Minutes of the January 8, 2025 Council Meetings

Council reviewed the Minutes of the January 8, 2025 Council meeting.

Motion by M. Clendaniel, seconded by T. Thomson, to approve the minutes of the January 8, 2025 Council meeting. Approved unanimously.

D.A.G. Report

DAG Naylor attended the January 27, 2025 Government Affairs/Bylaws Committee and assisted with finalizing the draft legislative amendment to be presented to Council for approval.

DAG Naylor is reviewing past DAG's opinions regarding DAPE's status as an instrumentality of the State.

Financial Reports

T. Thomson reported that the finances for the 9 months (75%) of fiscal year ending April 30, 2025 reflect income has reached 96.6% of projections and expenses 69.3%.

Motion by T. Thomson, seconded by M. Clendaniel, Council accepts the Finance Report subject to audit. Approved unanimously.

J. Wootten will begin working on forecasts for the 2025-2026 budget and schedule a committee meeting.

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.

Law Enforcement/Ethics Committee

T. Thomson reported that the committee met on February 5, 2025 and discussed the following:

- Committee charges (including the University of Delaware MOU, and future training topics).
- Two recent questions from licensees regarding DAPE's signing and sealing requirements:
 - DNREC's requirements for signing and sealing CCR Reports. Council discussed this topic further in conjunction with new correspondence received from DelDOT on this topic. While the DNREC requirements are not new, they were recently communicated by DNREC, stating that "All CCR reports conducted on projects in DE must be signed and sealed by a licensed Professional Engineer. While the Delaware Sediment and Stormwater Regulations only specify that CCR reports must be signed, the Delaware Professional Engineers Act specifies the seal requirement. Further information can be found at the [Delaware Professional Engineers Act §2830](#)." J. Wootten will reach out to DelDOT and DNREC to facilitate a meeting to discuss this topic further.
 - DAPE also received correspondence regarding sealing requirements related to safety evaluations for machine design. These reports may be issued by both engineering firms and owners of firms that may not be licensed due to the industrial exemption. LEE Committee and Council requested additional information for further discussion. J. Wootten will also survey other state boards on this topic.

Motion by T. Thomson, seconded by D. Barbato, Council approves the closure of 27 cases listed on Exhibit A of committee report. Approved unanimously.

Motion by T. Thomson, seconded by D. Barbato, Council approve the draft consent order related to File 24-100. Approved unanimously.

Motion by T. Thomson, seconded by M. Clendaniel, Council approve Certificate of Authorization 5582 (which was previously referred to the LEE Committee by the examining committee). Approved unanimously.

Examining Committee

K. Tadler reported that the Committee met on January 29, 2025 and discussed the following:

- A recap of recent training for three new Examining Committee members.

- CCR Reports (J. Wootten provided a summary of the discussions held to date by LEE Committee and Council).

Motion by K. Tadler, seconded by T. Thomson, Council approve M. Young to join the committee. Approved unanimously.

All recommendations for licensure or approval to take the P&PE exam are shown on Exhibits A1 and A2 which are now ready for Council action. The recommendations are summarized below:

Application Type	Total applications	Recommendation	Exhibit Reference
Comity	7	License	A1
Comity	1	License with LEE Committee Approval (OK)	A1
Exam	5	Approval to take P&PE	A1
Exam	1	Approve to take P&PE with LEE Committee approval (OK)	A1
Exam	1	Backlog	B
Initial	8	License	A1
Exam (passed PE)	2	License	A2
Total Individual applications reviewed	25		

Motion by K. Tadler, seconded by D. Barbato, Council approves the Committee's recommendations for applications for licensure as noted on Exhibits A1 and A2 of the committee's report as amended just prior to the Council meeting. Approved unanimously.

Committee recommendations for firm licensure are noted on Exhibit A3. The recommendations are summarized below:

Application Type	Total applications	Recommendation	Exhibit Reference
Certificate of Authorization	10	License	A3
Certificate of Authorization	1	Refer to LEE (backlogged)	B
Certificate of Authorization	1	Refer to LEE (OK)	A3
Certificate of Authorization Reinstatement	7	License	A3

Motion by K. Tadler, seconded by T. Thomson, Council approves the Committee's recommendations for Certificates of Authorization as noted on Exhibit A3 of the committee's report. Approved unanimously.

The backlog of applications (which the Committee has reviewed but are not ready for Council action) is shown on Exhibit B.

Additional Committee Recommendations:

Application Type	Total applications	Recommendation	Exhibit Reference
Model Law Engineer Comity License	30	License	D
FE Exam/P&PE Exam Decoupling	3	Approve for FE & decoupling P&PE	C
FE Exam/P&PE Exam Decoupling	1	Backlog	B

External Affairs/Public Information Committee

J. Kalmbacher reported that the committees met on Thursday January 30, 2025 and discussed the following items from the Committee's 2025 charges:

- Newsletter (scheduled to go out during Engineers Week)
- DelTech job fair scheduled for March 26
- UD Outreach: FE Exam rally March 5 (MathCounts competition is the same day)
- Engineers Week Banquet: 4 new PEs attending in addition to several DAPE Council members
- Content of flyer for to be used for outreach to building officials and members of the public
- Website development
- Plans to reach out to the Board of Architects to revive the Joint Advisory Committee (JAC)

Government Affairs/By-Laws Committee

J. Jakubowski reported that the committee met on January 27, 2025 and discussed the following:

- Draft legislative Amendment.
- Engineering disciplines represented on Council: J. Jakubowski presented data from NCEES regarding engineering discipline exam trends, and suggested a potential change to the composition of Council seats. While there is a history of chemical engineering in Delaware, this seat has become more challenging to fill. Council could consider replacing it with a second "Other" engineering discipline, or expanding it to Chemical OR Environmental engineering. J. Wootten will provide data related to exam disciplines in Delaware, and current composition of active roster by discipline.

Motion by J. Jakubowski, seconded by M. Clendaniel, Council direct DAPE lobbyist to proceed with seeking legislative sponsors for proposed legislative amendment recommended by the Government Affairs/Bylaws committee. Approved unanimously.

M. Davis will also reach out to the Governor's office regarding their preferred process to appoint Council members (for Kent and New Castle County, as W. Gamgort resigned and R. Smith's term is past 8 years). J. Wootten will send the final draft legislation to M. Davis.

While the Delaware Professional Engineers' Act was updated to remove pronouns, DAPE's Bylaws may need to be updated as well. J. Wootten will review and schedule a committee meeting, as this amendment would need to be approved by DAPE's voting members. This is typically done in conjunction with the Council election.

Nominating Committee – No Report.

Ad Hoc Website Committee

M. Clendaniel reported that the committee met on February 6, 2025 and reviewed a Draft Licensing Software Agreement prepared by Big Picture Software.

Motion by M. Clendaniel, seconded by J. Kalmbacher, Council seek outside legal advice to finalize terms of the software agreement with Big Picture, as well as reviewing the past agreement with inLumon. Approved unanimously.

Correspondence

- DeIDOT correspondence related to CCR Reports.
- KBR correspondence related to machine design safety evaluations

Both topics were discussed during the LEE Committee report.

NCEES

- J. Wootten provided a recap of the recent MBA meeting which she attended: NCEES is working on a project to collect active roster data from member boards, in order to eliminate the need for license/exam verifications in the future. This is just in the beginning stages, but DAPE's new licensing software will collect the data that NCEES would need for our participation (NCEES account ID).
- NCEES hosted a State of the Council meeting on February 5. The Northeast Zone has elections for President and Assistant Vice President, as well as NCEES President-Elect.
- The Zone meeting registration deadline is February 24, 2025. Funded delegates are: M. Clendaniel, D. Reinhold, and K. Tadler. Additional attendees that register should indicate they will pay by check and send the registration confirmation to J. Wootten. Additional expenses will be reimbursed after the meeting.
- The Committee and task force request period is open.
- Please let J. Wootten know if you are not receiving communications directly from NCEES.

Old Business -- None.

New Business

The Engineers Week banquet February 17, 2025. DAPE will be hosting four new PEs.

DAPE staff is working on the random CPC audit related to the June 20, 2024 PE license renewal. The response deadline is February 27, so J. Wootten will provide an update at the March 12 meeting.

Next Council Meeting

March 12, 2025 Hybrid format (Zoom or DAPE).

Meeting adjourned at 4:44 PM.