

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

92 Read's Way, Suite 208, New Castle, DE 19720

PHONE: 302-323-4588

E-mail: office@dape.org

April 14, 2025

MINUTES – APRIL 9, 2025 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday April 9, 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. Kalmbacher, P.E.	C. Lingenfelder, Esq.
	J. Puddicombe, P.E.	D. Reinhold, P.E.
	M. Scarborough, P.E.	M. Smith, P.E.
	R. Smith, Esq.	K. Tadler, P.E.
	T. Thomson, P.E.	

Council Members Absent: J. Jakubowski, P.E.

DAG present: Z. Naylor, Esq.

Staff present: J. Wootten

Meeting was called to order at 3:04 PM.

Open Forum

A. Kline attended the meeting. He is in the process of obtaining nominations to run for the Other Engineering seat in the 2025 Council election.

Minutes of the March 12, 2025 Council Meetings

Council reviewed the Minutes of the March 12, 2025 Council meeting.

Motion by M. Clendaniel, seconded by C. Lingenfelder, to approve the minutes of the March 12, 2025 Council meeting (as amended to correct a typo). Approved unanimously.

D.A.G. Report

Update on legislative amendment: HB 81 was introduced on March 18, 2025 (sponsored by Representative Gray and Senator Hansen). Assigned (but not yet scheduled) to Sunset Committee in House.

Financial Reports

T. Thomson reported that the finances for the 11 months (91.7%) of fiscal year ending April 30, 2025 reflect income has reached 100.9% of projections and expenses 79.5%. The "member services" expense budget was increased as discussed at the March Council meeting.

Motion by T. Thomson, seconded by M. Clendaniel, Council accepts 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/Facilities Committee – No Report

Law Enforcement/Ethics Committee

D. Reinhold reported that the committee met on April 2, 2025 and discussed open files and investigations in Executive session.

Motion by D. Reinhold, seconded by T. Thomson, Council approves the closure of 8 cases listed on Exhibit A of committee report. Approved unanimously.

Motion by D. Reinhold, seconded by T. Thomson, Council approve Certificate of Authorization 3701 (since all conditions of signed consent order have been met). Approved unanimously.

Examining Committee

K. Tadler reported that the Committee met on March 26, 2025 and discussed the following:

- COA Application: Still need to review affidavit.
- Application review requirements (will discuss draft revisions further at April 30 meeting).

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	12	License	A1
Exam	9	Approval to take P&PE	A1
Initial	1	License	A1
Initial	1	Backlog	B
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	9	License	A3
Certificate of Authorization Reinstatement	1	License	A3

Motion by K. Tadler, seconded by D. Barbato, 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	40	License	D
FE Exam/P&PE Exam Decoupling	3	Approve for FE & decoupling P&PE	C
FE Exam/P&PE Exam Decoupling	1	No approved for FE & decoupling P&PE	C

External Affairs/Public Information Committee – No Report

Government Affairs/By-Laws Committee – No Report

Nominating Committee -- No Report

Ad Hoc Website Committee

M. Clendaniel reported that the committee meet on March 20 and April 7 to review proposed changes to the software agreement between DAPE and Albertson Consulting. J. Duda from Young Conaway attended the second meeting to answer committee members' questions. Council discussed the latest draft of the contract, particularly the issue of payments 1-7 not being refundable, and a concern that maintenance hours will be used to correct problems that should have been identified in the development phases.

Motion by M. Clendaniel, seconded by M. Smith, Council approve the draft software agreement with additional amendments as discussed, giving J. Wootten authority to negotiate the increased retainage fee (25%-15%) and timing of payment 8 and the year 1 maintenance and support payment (45-30 days after the Go Live Date). Approved unanimously.

J. Wootten will have Young Conaway draft an amendment and ask Committee Chair M. Clendaniel to review prior to presenting to Albertson Consulting.

Correspondence -- None

NCEES

- Zone meeting April 10-12 in Cambridge, MA. J. Wootten shared a request to support Azu Etoniru in his zone VP candidacy.
- Annual meeting: need to name funded delegates by May 1 (D. Reinhold and T. Thomson will attend).
- State of Council meeting on June 4 will be a review of annual meeting motions. There will be a recording available.

Old Business

File 24-098: J. Wootten will ask 3 hearing panel members and DAG Naylor to finalize the date and time for a hearing after today's Council meeting.

New Business

We have 2 candidates to recommend to the Governor's office for the New Castle County and Kent County seats. Resumes for M. Rasmussen and A. Ingram were shared with Council members.

Motion by M. Clendaniel, seconded by K. Tadler, to nominate M. Rasmussen for the Governor-appointed Kent County seat and A. Ingram for the Governor-appointed New Castle County seat. Discussion: The New Castle County seat was vacated when W. Gamgort resigned from Council in February 2025 due to a relocation to another state. Approved unanimously.

Ethics Training: Ethics Training: T. Michael Toole (former instructor at Bucknell University and former Dean of College of Engineering at University of Toledo). Presentation will be on the topic of "designing for safety." J. Wootten is coordinating the scheduling with Clayton Hall at University of Delaware and a camera crew to film the training, which will likely be scheduled for the morning of June 9.

Next Council Meeting

May 14, 2025 Hybrid format (Zoom or DAPE).

Meeting adjourned at 4:05 PM.