



News from Delaware's Licensing Council for Professional Engineers

Fall 2016

PRESIDENT'S MESSAGE

By Daniel P. Barbato, P.E.



Why do engineers do what we do? When we were in college, maybe we thought that engineers were rich, had big houses and drove fast cars. I think we know how that really turns out. Maybe we really liked mechanical things, loved bridges, or just loved to play in the dirt. We go into the field with a passion and innocent eagerness, ready to conquer the world and make our mark. Most of us make our mark and hang on to that passion for our whole career. I can drive down Route 1 in Delaware and see all the water tanks I worked on. Some give me happy feelings, and some still give me chest pains, but all of them are monumental accomplishments that give me a feeling of pride.

As we progress into our careers, we begin to see how what we do as engineers actually impacts lives, the environment, and our world. We also sometimes see how mistakes and bad judgement have even more profound impacts. We also become subject to additional career drivers like finances, employment competition, families, and a changing legal environment. Many of these can distract us from our primary mission. That mission is defined for us when we first become engineers in those zealous early days and is the first item listed in our Code of Ethics:

"The Engineer shall hold paramount safeguarding life, health and property and promoting the public welfare in the performance of his professional duties." (his meaning his or her). There are five other parts to the Code of Ethics, all describing how to practice and how to behave. Please take a moment to refresh your memory of them on the DAPE webpage.

When we become engineers, we are legally bound to follow this Code of Ethics, and that transcends our entire career. That said, the Code of Ethics answers the question of why we do what we do: It is to safeguard life, health and property and to promote public welfare. We have a duty far greater than just turning out projects, digging holes, and building tanks. Take a look at what you do and how your work helps protect and improve the world we live in. Sometimes it is a small contribution and sometimes it is profound. Make this the focus of your zeal for your entire career.

In upcoming messages I will talk about what happens when we lose focus on the other five items in the Code of Ethics. I wish all of you a happy and healthy holiday season and best wishes in the New Year!



EXECUTIVE DIRECTOR'S MESSAGE

Continued Professional Competency (CPC) is required for all Delaware licensees upon the expiration of their license on **June 30, 2016**. CPC was mandated in the Delaware Professional Engineer's Act in 2013, but the 2014-2016 renewal period was the initial implementation. Many, many communications were provided to the membership about this new mandate since 2013.

On September 13, 2013, Council approved CPC guidelines that provide all the details on the requirement, exemptions, reinstatement, definitions, determination of credits, recordkeeping, non-compliance, etc. On April 8, 2015, some revisions were made to these guidelines to assist the membership to comply. These guidelines are available at www.dape.org.

Following the conclusion of the renewal period, a random audit of up to 5% of the membership was conducted. Additionally, everyone who renewed their license late – and late means even on July 1st – were automatically audited.

The auditing of a select group of our professional members has been most revealing. A number of individuals were surprised to hear they were now required to have CPC in Delaware. Many were unfamiliar with the CPC guidelines, hence, the audit difficulties.

First and foremost, regular duties are not considered qualified activities, i.e., you may not claim pdh's for your work experience, including military, teaching, etc.

Secondly, if you are selected to be audited, it is your responsibility to not only respond in a timely manner to the request for audit, but also provide **sufficient** documentation to support any claimed pdh credits. Examples of documentation that are insufficient include plane tickets, agenda of events, power point presentations, to name a few. Ideally certificates from the sponsoring organization listing your name, date, title of event, presenter's name, and the pdh credit awarded are clear proof of your participation.

Keep in mind, your license is not activated until we have concluded the CPC audit of your activities to insure compliance with the law!

Recently, we held 25 Rule to Show Cause hearings for those individuals that neglected to respond to our request for audit. Please note, these are disciplinary actions that will be reported to the national enforcement database, requiring those that are licensed in other jurisdictions to report this action to those states or violate the laws. Regardless of the outcome of these hearings, all 25

individuals now have disciplinary actions on their record for failure to respond; and will automatically be audited during the next renewal cycle, in addition to other actions.

All licenses expired on June 30th, requiring renewal by that date. Renewal notifications were sent out on two occasions at least 60 and then 30 days prior to expiration to the email address on record. Remember, it is your responsibility for the renewal of your license, regardless of whether you received our reminders or not! Keep your contact information current – your license depends on it!

Expired licenses mean not only are you not permitted to practice engineering (unlicensed practice), but it will cost additional monies to renew the license (at least twice the renewal fee or more), and your continued professional competency (CPC) compliance will automatically be audited (additional time for auditing). Lastly, remember if you are listed on your firm's Certificate of Authorization, until your license is renewed, your firm cannot practice engineering and is accruing penalty fees on the late renewal of its authority to practice engineering in the State.

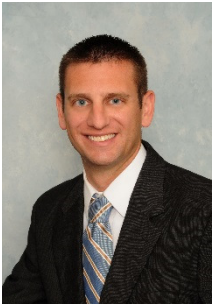
It is crucial to renew before your license expires to prevent unlicensed practice, penalty fees and audits!

If you are licensed in your home state and it requires CPC and you have met that state's requirements, then that is acceptable in lieu of meeting Delaware's requirements. However, if audited, you must provide the necessary documentation to support your home state's compliance. If it is determined that you do not meet your home state's requirements, you will need to meet Delaware's requirements.

President Barbato spoke of the mission of engineers in his President's Message: to safeguard life, health and property, and to promote the public welfare, through a high standard of integrity, skills and practice of engineering. This is also the mission of Continued Professional Competency.

Let's work together to accomplish this!





MEET OUR NEW COUNCIL MEMBERS ...

Joseph Jakubowski, P.E. joined Council with the departure of Theodore Thomson, P.E. who resigned his Civil Engineering seat earlier this year.

Joe earned a BSCE in 2001 from the University of Delaware and an MSCE from the University of Massachusetts Amherst in 2005. Licensed as a Professional Engineer since 2008, he became a LEED Accredited Professional in 2009.

After serving as an intern as an undergraduate, Joe returned to Duffield Associates in 2004. He currently manages geotechnical construction and civil engineering projects. In 2014 the Delaware Engineering Society honored Joe with the "Young Engineer of the Year" award. His current activities include serving as a school champion for the ACE Mentor Program, co-chair for the DCA Young Executive Committee, and board member for ASHE.

Joe lives in Newark and is planning to marry in 2017.

Joe's DAPE activities include Co-Chairing the Law Enforcement/Ethics Committee and participating in the recent Rule to Show Cause hearings.



Elected to fill the Government Employment seat vacated by Hans Medlarz, P.E., **Michael Clendaniel, P.E.** began his term on Council at its September 14, 2016 meeting.

A civil engineer for New Castle County Department of Land Use, where he has worked since graduating from the University of Delaware in 2003, his work allows him to work with everyone throughout the land development process meeting their goals while creating an aesthetically pleasing project meeting regulations. Mike is currently working with a team to enhance an ePlans review process and oversees the Engineering Section's site inspections.

Mike was recently afforded the opportunity to develop the PE exam cut score for NCEES. He served five years as DE State 4-H Camp Director and is presently a member of the Ronald McDonald House Red Shoe Society.

In his spare time, he enjoys the outdoors, sports, time with his family and friends.

We are certainly looking forward to Mike's contributions on the DAPE Council. He was recently appointed to serve on the Examining Committee and attended all 25 Rule to Show Cause hearings.



CERTIFICATE CEREMONY FOR NEW PE'S

The local chapter of ASCE has partnered with DAPE to provide a venue for recognizing the successful passage of the PE exam and the new licensing of our members. On September 13, 2016 all of those individuals that passed the April 15, 2016 exam were invited to attend this event.

Sarah Hartman was awarded the ASCE scholarship.

Pennoni Associates was recognized for its work on the Furness Bridge, Media, PA; and the Washington Street Sidewalk project in New Castle, DE.

Senator David McBride, P.E., was selected as the Engineer of the Year.

President Barbato presented certificates to:

Domenic Aversa, P.E.
 Nicholas Dean, P.E.
 Eric Feigenheimer, P.E.
 Kathlene Graf, P.E.
 Taylor King, P.E.
 Sonya LaGrand, P.E.
 Derek Maier, P.E.
 Wayne Martin, Jr., P.E.
 John Medendorp, IV, P.E.
 Marx Possible, P.E.
 Thomas Reid, P.E.
 Catherine Schwander, P.E.
 Michael Sheridan, P.E.
 Thomas Stringer, P.E.
 Scott Walls, P.E.

CONGRATULATIONS!



(New PE examinees attending the Sept. 2016 certificate presentation event at the ASCE Crab Feast presented by President Dan Barbato second row left)



(New DelDOT PE examinees attending the ASCE Crab Feast to receive their PE certificates.)

OCTOBER, 2016 PE RESULTS

Fifty-one (51) new engineers will be the newest members of DAPE after approval of their license in January, 2017. The following individuals are commended on the successful passage of the October, 2016 PE exam:

Antes, Scott	-	#20659
Barker, Christopher	-	#20744
Blate, Micah	-	#20194
Brown, David	-	#20442
Callahan, Patrick	-	#20010
Cho, Hwan	-	#18127
Chou, Tai Heng	-	#20181
Cifelli, Alex	-	#20840

Collins, Roy	-	#20215
Colubriale, Leanna	-	#20141
Delia, Christopher	-	#17958
Desipio, Edward	-	#20063
Dicko, Mohamed	-	#20559
Ditri, Antonio	-	#19984
Drennen, Timothy	-	#19950
Elghawy, Mohamed	-	#19992
Haller, Andrew	-	#20292
Hopper, Kevin	-	#20869
Hopper, Trevor	-	#15651
Horton, Geoffrey	-	#20134
Hurt, Casey	-	#20349
Iacobucci, Jessica	-	#20613
Jay, John	-	#20572
Kang, Sangguk	-	#18598
Kumar, Divya	-	#20137
Lam, Trian	-	#20456
Lang, Daniel	-	#20706
Mahler, Jonathan	-	#20277
Marvin, Adam	-	#20113
McCunney, Patrick	-	#20685
McGuire, David	-	#20568
Morrison, Matthew	-	#20852
Munns, Richard	-	#20513
Olsen, Erik	-	#20710
Patel, Digant	-	#19241
Patel, Komal	-	#20301
Powell, Thomas	-	#18286
Prosser, Andrew	-	#18486
Robertson, Richard	-	#20859
Ross, Chase	-	#19908
Schneider, Jason	-	#19182
Schreffler, Matthew	-	#20897
Sleasman, Gregory	-	#20225
Sledziewski, David	-	#20818
Stadel, Alexander	-	#20808
Stosik, Renata	-	#20424
Strickland, Mark	-	#20511
Vadino, Francis	-	#20091
Weaver, Brandon	-	#20788
Wilbert, Evan	-	#20107
Winslow, Ryan	-	#20700

CONGRATULATIONS!



LAW ENFORCEMENT CORNER:

What constitutes a disciplinary action? When is it required to be reported? Are reciprocal disciplinary actions reportable? Is a state obligated to take reciprocal action? Is voluntary surrender of a license considered a disciplinary action? When should disciplinary actions be reported?

A **disciplinary action** is any final written decision or settlement taken against an individual or firm by a licensing board for violations of the laws, rules or code of ethics of that jurisdiction.

Delaware law requires **reporting** of the discipline within 60 days of the final order imposing such discipline. Not reporting during this period is an additional violation of the law!

Reciprocal disciplinary actions taken by other states based on an initial action are reportable to all other states in which you are licensed. It is up to that state to determine whether additional discipline will be rendered.

A **voluntary surrender of a license** to circumvent discipline is considered a disciplinary action.

Most states participate in the national enforcement database which is accessible to all boards. We routinely review this database for all enforcement actions to insure compliance with the law. And, we post all disciplinary actions taken by DAPE promptly!



INTERESTED IN SERVING ON COUNCIL?

DAPE is unique in many regards, but none more than the process of electing its Council members. Each year typically four Council seats are up for election. In 2017, five seats are expiring because of special circumstances:

"Other (Eng. Discipline)" Seat
Chemical Engineering Seat
Civil Engineering Seat
Government Employment Seat
Sussex County Seat

At the time of election, and during the term of office, an individual must be a citizen of the U.S., a resident of the State, a member of the Association, and be qualified to represent the constituency from which the individual is elected.

A short biographical sketch is required to share with the membership, as well as a petition with the signatures of ten DAPE members who support the nomination. Forms are available from the DAPE office and are due by May 1, 2017.

The term of office for members of Council is four years and a member may not serve more than two consecutive terms.



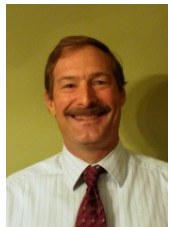





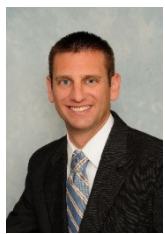








2016 COMMITTEE CHAIRS

President Barbato has appointed Committee Chairs for each of the standing committees as outlined in the bylaws. Committee chairs nominate their membership for appointment by Council; officiate at their respective meetings; and insure that their Charges are accomplished during this next year.

Chair appointments:

Examining:	M. Lester, W. Balascio
External Affairs:	R. Hayden, S. Gharebaghi
Employee Comp./Finance:	M. Lennon, S. Gharebaghi
Facilities:	R. Wheatley
Government Affairs:	R. Smith, E. Retzlaff
Law Enforcement/Ethics:	C. McAllister, J. Jakubowski
Public Information:	S. Gharebaghi

2016-2017 COUNCIL MEMBERS

		
C.C. Balascio, P.E. Education Seat	W.D. Balascio, P.E. Electrical Eng. Seat	D.P. Barbato, P.E. "Other" Eng. Seat
		
M.A. Clendaniel, P.E. Gov't Empl. Seat	S. Gharebaghi, P.E. Kent County Seat	R.E. Hayden, P.E. Mechanical Eng. Seat
		
J. Jakubowski, P.E. Civil Eng. Seat	M.A. Lennon, P.E. Chemical Eng. Seat	M. Lester, P.E. New Castle Co. Seat
		
J. Ludman, P.E. Industry Seat	C.L. McAllister, P.E. Private Cons. Seat	E.F. Retzlaff P.E. Sussex Co. Seat
		
R.D. Smith, Esq. Apptd.-Kent Co.	J.E. Tracey, Esq. Appt.-New Castle	R.C. Wheatley Apptd.-Sussex Co.

Council Executive Committee

Daniel P. Barbato, P.E., **President**
Michael A. Lennon, P.E., **Vice President**
Soheil Gharebaghi, P.E., **Secretary**
Charles L. McAllister, P.E., **Treasurer**
(Vacant) **Immed.Past President**

Council Members

Daniel P. Barbato, P.E., "Other" Eng.	8/31/17
Michael A. Clendaniel, P.E., Gov't Employment	8/31/17
Joseph Jakubowski, P.E., Civil Engineering	8/31/17
Michael A. Lennon, P.E., Chemical Engineering	8/31/17
John E. Tracey, Esq. -- New Castle Co. -- Apptd.	8/31/17
Robert C. Wheatley -- Sussex Co. -- Apptd.	8/31/17
Ronald D. Smith, Esq. -- Kent Co. -- Apptd.	8/31/18
Meghan Lester, P.E., New Castle County	8/31/18
John P. Ludman, P.E., Industry	8/31/18
William D. Balascio, P.E., Electrical Engineering	8/31/19
Soheil Gharebaghi, P.E., Kent County	8/31/19
Charles L. McAllister, P.E., Private Consulting	8/31/19
Carmine C. Balascio, P.E., Education	8/31/20
Robert E. Hayden, P.E., Mechanical Engineering	8/31/20
Erik F. Retzlaff, P.E., Sussex County	8/31/20

Council Staff:

Peggy Abshagen
Executive Director

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