

**PRESIDENT’S MESSAGE**

**By Daniel P. Barbato, P.E.**



One of my past messages talked about my path to licensure and how I ended up as President of DAPE. It surely was not a straight path but those who know me will understand that I don’t tend to follow the most beaten path. In this message, I say farewell to you as President and give my warmest wishes to the incoming President and Officers. They are great leaders and have inspired me as we worked together for the past several years. I have served two consecutive four year elected terms for DAPE and now hope to serve on the Examining Committee should the Council find that to their pleasure (hint). Our law states that we are limited to two consecutive terms. This allows for a changing of the guard and diversity of leadership. In contrast, some Council members finish their two terms and are re-elected after a year off duty. Those members bring great institutional knowledge and continuity to DAPE.

DAPE Council consists of professionals in various disciplines as well as several governor appointed non-engineer members. It makes for a good cross section of industry and allows for diverse input into all matters before Council. Your elected Council members work hard for you on top of their regular jobs, and above their retired time to serve Delaware Engineers and to advance our profession. Our Executive Director Peggy Abshagen works tireless hours organizing exams, renewals, training, C of As, keeping Council on track and answering the many questions, inquiries, and occasional love letters that are sent to the office. Peggy gets to attend the Council meetings and the committee meetings each month and she does it with a smile. I will miss being in the midst of it all. In closing, I ask you to please remember to communicate with DAPE and the Council Members for

your concerns and questions, and think about getting involved as a volunteer. Remember my previous message about the threats to licensure. It is only through active participation and advocacy that we will retain our right to practice as licensed engineers and keep our profession intact.



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## **EXECUTIVE DIRECTOR'S MESSAGE**

The year 2017 has been extremely busy thus far ....

We've finally wrapped up the renewals of Certificates of Authorization. We organized an ethics session for our membership that was very well received. The governor signed the revisions to our legislation that:

- ✓ Reduces the number of years a license may remain "Inactive" from 10 years to 4 years (or two renewal cycles).
- ✓ Requires an application for licensure concurrently when a temporary permit application is submitted.
- ✓ Permits electronic signatures and date, along with electronic seals.
- ✓ Clarifies that a licensee who voluntarily surrenders a license in order to avoid disciplinary action by other jurisdictions can be disciplined.

It is worth noting that although the law permits an electronic signature, seal, and date, it does not specify the security details that individuals should undertake to maintain the integrity of their work.

In just a couple of weeks, we will be administering the PE exam. A review of our numbers indicates the number of exam takers has remained relatively stagnant over the last 4 years: 2014 – 181 examinees; 2015 – 193 examinees; 2016 – 187 examinees; and for 2017 – 189 examinees.

The first computer-based PE exam is the Chemical exam and it will now be administered only via computer beginning in 2018. This 80-question exam will be available year round at the testing centers and the scheduled 9-hours includes a tutorial, the exam and a break.

The FE exam numbers are rebounding somewhat since computer-based testing was implemented. In 2014, 141 exams were administered; in 2015 – 214 exams; in 2016 – 287 exams; and thus far in 2017 – 234 exams. DAPE representatives are working with seniors at the University's engineering departments to encourage them to register for and take the FE exam prior to graduation.

The ethics session presented to the membership in June received rave reviews for an excellent presenter, addressing various perspectives on ethics specific to the engineering profession. Tony Potter of Half-Moon entertained attendees with various scenarios of ethical dilemmas.

We are working on organizing another CPC session, most likely for early 2018. Stay tuned ....

And, while on the issue of CPC – I would strongly encourage you to maintain good documentation of your continued professional competency activities. As mentioned elsewhere in this newsletter, one of our main issues in auditing professional development hours (pdh's), is the lack of acceptable documentation maintained by individuals. Appropriate recordkeeping is your responsibility. If you are audited, it is your responsibility to provide the documentation that clearly indicates you participated in an activity that meets the criteria of the CPC program, which is:

- ✓ Meets the requirements of your home state.
- ✓ Or, meets the requirements of Delaware:
  - 3-6 pdh's in ethics
  - 9 or less in project management
  - Balance in technical areas

Working together, we can streamline this CPC process. It may take you a few minutes to complete the appropriate forms for audit, but it can take us hours or sometimes days or weeks to ultimately get the appropriate documents for reinstating a license.

License renewals will occur in 2018. Insure that your email address in our records is current. Renew your license in a timely manner. And maintain appropriate records, in the event they are needed.



## **2017 COUNCIL ELECTION RESULTS**

The 2017 Council election and bylaws revision results are in and ratified by Council at its August 9, 2017 meeting. The results are as follows:

### **Chemical Engineering Seat:**

Michael A. Lennon, P.E.	-	159 votes
David M. Hagan, P.E.	-	103 votes

### **Government Employment Seat:**

Michael Clendaniel, P.E.	-	271 votes
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### **"Other" Engineering Seat:**

Jeremy Kalmbacher, P.E.	-	269 votes
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### **Civil Engineering Seat:**

Joseph Jakubowski, P.E.	-	185 votes
Darl O. Kolar, P.E.	-	93 votes

Congratulations to both our incumbents and our new Council member, who will serve for the next four years in these positions. (Please note, the "Civil" engineering seat will expire in 2018, as this is the remainder of that seat's original term.)



M. Lennon



M. Clendaniel



J.Kalmbacher



J.Jakubowski

The three Council seats that will be available for petitioning in **2018** are: **Civil, New Castle County, and Industry**. If interested in petitioning for one of these seats and you meet the requirements to represent this constituency, petitions are due by **May 1, 2018**. Contact the DAPE office for additional information.

Bylaws Revisions -- There was also a proposed revision to the bylaws to increase the PE application fee. This is necessitated by a procedural change by NCEES that now

requires all exam fees be paid directly to them in preparation for all exams going to computer-based testing. Currently only the Chemical Engineering exam is computer-based, which means we will continue to administer the other exams. This increase is to partially offset the expenses of exam administration. The proposed revision was supported by the membership 254-29 votes. Thank you!



## **2017-2018 COUNCIL OFFICERS**

At its September meeting, Council installed new officers:

President	-	Soheil Gharebaghi, P.E.
Vice President	-	Carmine Balascio, P.E.
Secretary	-	Charles McAllister, P.E.
Treasurer	-	Joseph Jakubowski, P.E.

Annually at its September meeting, in accordance with the bylaws, nominations and elections are made to serve in these official capacities. Officers serve for one year.

*Congratulations!*



## **SADLY, WE SAY GOODBYE ....**

In 2017, DAPE lost two of its longest serving distinguished members. Each of these gentlemen contributed more to not only DAPE by serving on its Council and numerous committees, but to the engineering profession, as well as numerous other organizations that benefited tremendously from their contributions.

**John G.S. Billingsley, P.E.**, (#2263 issued in 1960) born in Ontario, Canada relocated to Delaware, where he served as a representative in the Delaware General Assembly. In 1972, he sponsored legislation that would revise the Delaware Code to form the Delaware Association of Professional Engineers as a quasi-state agency. He believed that the complexities and qualifications of a professional engineer should be established and evaluated by other engineers in the best interests of the public. This legislation was the first of its kind in the nation.

He was an inventor and consulting engineer for the Dupont Company and was awarded 16 machine and process patents. He was very active in many professional organizations, including the Rotary Club, NSPE, NCEES, ASME, and participated in evaluating university engineering programs. His passion for the profession was recognized in 1982 when he was awarded the Delaware Engineer of the Year; in 1988 receiving the NCEES Distinguished Service Award; and in 2009 the DAPE Distinguished Service Award.

**Hugh Mahaffy, P.E.,** (#1853 issued in 1958) was a fourth generation Wilmingtonian, who wore his bow-ties to many, many DAPE meetings and activities over the decades. He routinely attended the Examining Committee meetings where he reviewed the credentials of perspective engineers, which have to amount to several hundred over the years. Fondly, he shared stories of his service with the Kalmar Nyckel Foundation and his sailing accomplishments. He dedicated a great deal of time to other organizations as well serving in the Rotary Club for 56 years, ASHRAE and numerous other organizations.

We are a better organization for having been the recipient of the invaluable time, energy and wealth of knowledge and expertise shared by these two truly devoted Professional Engineers!



### **CPC UPDATES**

By: William D. Balascio, P.E.

Experiencing our first license renewal period with CPC requirements in effect was eye-opening. The process has led to the following planned changes in the Guidelines:

1. **Elimination of Corrective Action Plans.**

These plans were not taken advantage of by many and were a great deal of work to administer.

The preferred approach for meeting your CPC requirements is for each licensee to keep up with their Continuing Professional Competency learning activities on an ongoing basis.

Given work and family demands, we at DAPE realize that sometimes things slip. When this happens the next best thing would be to finish up your learning activities once you get the 60 day prior notice for renewals.

The worst thing that you can do is to renew and state that you have complied when you know that you have not. This is an ethical violation that could result in a disciplinary action that would be reported to the Enforcement Exchange – effectively notifying every state where you have a license. This is a high risk choice.

If you can't get your learning objectives finished by June 30<sup>th</sup>, go to Inactive status and ask to go back to Active after you have met the requirements. You won't be able to practice Engineering in Delaware while Inactive, but it really won't take that long to get Active again AND you won't be risking disciplinary action – which could in the worst case include loss of your license.

2. **Elimination of Carry Forward.** A maximum of 12 PDHs can be carried forward for the next renewal cycle, after that this provision will be eliminated. Allowing carry forward will force DAPE to examine four years of records for an individual claiming this provision – since the claiming licensee will need to prove that those credits weren't needed in the previous cycle. This is a trend among other states and makes sense given the overwhelming workload.

3. **Clarification of Acceptable Records.** A great deal of what we received as proof of CPC was not of acceptable quality. One common method was to submit a conference program. Having a program from a conference or seminar and travel receipts are not sufficient proof of attendance. Similarly a log of courses that show a title and don't list durations or show PDH values is not sufficient.

CPC Requirements have been put in place to safeguard life, health and property and to promote the public welfare. Do all CPC activities accomplish this? I don't think so, but there are many that do – if not directly, then indirectly.

Involvement in technical societies, teaching courses, mentoring K-12 students, publishing papers & books and reviewing papers & books are all activities that help advance the profession of engineering, prepare the next generation of engineers and count as credit towards CPC. Delaware's requirements are some of the most generous to be found for these activities.

Are there other improvements that we can make that would make CPC more worthwhile to you? One suggestion is to drop the number of hours, but accept only activities with high value (quality not quantity). That might mean elimination of all on-line only content that isn't provided with certified credit (such as IACET). What would you think of that?

CPC requirements are not going away; we will all have to live with them going forward, but you can help us to make them better. If you would like to participate in the revision process, contact me through [office@dape.org](mailto:office@dape.org)



### **CRABS & CERTIFICATES**

Each year, DAPE recognizes the accomplishment of becoming a newly licensed Professional Engineer by a special presentation of an engineer's certificate. The Spring exam recipients are presented their framed certificates at the ASCE/DAPE co-sponsored Crab Feast held in September at the White Clay Creek State Park.

All those passing the PE exam are invited to attend, with a guest, to enjoy a crab feast with all the trimmings and then the presentation of their certificate by DAPE's President, Daniel Barbato, P.E.

This year we presented certificates to 15 individuals:

Michael Alestra, P.E.  
Cory Daviau, P.E.  
Michelle Davis, P.E.  
Scott Deisher, P.E.  
Evan Dissanayake, P.E.  
Jonathan Falkowski, P.E.  
Michael Falkowski, P.E.  
Erik Hughes, P.E.  
Dakota Laidman-Murray, P.E.  
Mindy Laybourne, P.E.  
Kyle Markell, P.E.  
Moustafa Moursy, P.E.  
Richard Savona, P.E.  
Xiaoyan Shi, P.E.  
Vincent Zaccone, P.E.

 *Congratulations!* 

### **LAW ENFORCEMENT CORNER:**

The Law Enforcement/Ethics Committee, comprised of 11 Professional Engineers, representing the various disciplines of engineering, routinely review complaints, concerns and inquiries forwarded to DAPE about the alleged illegal and unethical practices of engineers.

Committee members review, investigate and present the findings of their investigation to the full committee for discussion and recommendations for dismissal or further legal action. Legal counsel is provided by our Deputy Attorney General.

During the last quarter we closed 29 cases. Some of these were administrative issues; some were complaints that were resolved by obtaining licensure; and some were complaints that resulted in lack of sufficient evidence to support the allegation of unethical or illegal activity.













Earlier this year, a hearing was held in the matter of **Stephen P. Maslan (#7457)**. Mr. Maslan has been disciplined in Delaware on two previous occasions. This most recent disciplinary action was taken based on numerous violations/actions in other states and the ultimate revocation of license by another jurisdiction for violating the terms of an agreement in another jurisdiction limiting the practice of his engineering.

The three-person Hearing Panel conducted a hearing in April of 2017, with the recommendations considered by Council in August, 2017. After considering all evidence presented, the Hearing Panel's recommendation was to revoke Mr. Maslan's license #7457. This decision was unanimously approved by Council. This action was reported to the national enforcement database accessed by all other jurisdictions.





## **2017-2018 COUNCIL MEMBERS**

		
C.C. Balascio, P.E. Education Seat	W.D. Balascio, P.E. Electrical 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
		
J. Kalmbacher, P.E. "Other" 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. Apptd.-New Castle	R.C. Wheatley Apptd.-Sussex Co.

## **Council Executive Committee**

Soheil Gharebaghi, P.E., **President**  
Carmine Balascio, P.E., **Vice President**  
Charles McAllister, P.E., **Secretary**  
Joseph Jakubowski, P.E., **Treasurer**  
Daniel Barbato, P.E. **Immed.Past President**

## **Council Members**

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
Joseph Jakubowski, P.E., Civil Engineering	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
Michael A. Clendaniel, P.E., Gov't Employment	8/31/21
Jeremy Kalmbacher, P.E., "Other" Eng.	8/31/21
Michael A. Lennon, P.E., Chemical Engineering	8/31/21

Daniel Barbato, P.E. – Ex-Officio member

## **Council Staff:**

Peggy Abshagen  
Executive Director

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