

PRESIDENT’S MESSAGE
By Daniel P. Barbato, P.E.



In my previous message, I talked about the importance of ethics for Engineers and called for renewed zeal in championing the importance of our profession. I intended to delve deeper into the Code of Ethics with this message today. However, after recently attending the NCEES northeast and southern zone meeting, where almost half of the US Engineering boards were present, my focus has shifted to new concerns.

Our Professional Engineering licenses are under attack. Multiple state licensing boards have faced challenges from legislators in regard to the need for engineering licensure. Most believe that the nexus of this movement is the 2015 Supreme Court Ruling regarding the North Carolina Board of Dental Examiners. In this ruling the Dental Board was in to be restraining free trade in their field, which they regulated as members of that profession. Following this ruling, several State Engineering Boards were challenged on the same basis by anti-trust focused legislators, under the cloak of job creation and economic development. In Montana, a bill was proposed to eliminate the licensing board for engineers. In Arkansas, Minnesota and Iowa, bills were proposed to provide the “right to engage in lawful occupation free from regulation”, which follows this disturbing political trend to attack licensure as a barrier to employment. To date, none of these attempts have succeeded.

These attacks appear to often commingle groups of licenses such as barbers, cosmetologists, and Engineers, as if they are all just a simple license that impedes free trade. We as Engineers should clearly see how our profession is unique in that we protect public health,

safety, and welfare. The test is easy – if you have a dire medical need, would you accept someone other than an M.D., and if you have a critical legal issue, would you want to be defended by someone other than a licensed attorney? Both professions also protect public health and welfare. Despite this, we still see erosion to the Engineer title, even to the extent of some local employers courting and placing non-engineers (determined by education, experience and examination) into Engineering job titles.

My call to you now as Professional Engineers in this State is to carry yourself professionally and ethically, stay abreast of this critical topic, challenge those who speak out against Engineering licensure, and push for the continued recognition of the PE license as the defining qualification for practice. It is only through this license that we can guarantee the trust and protection of the public, as we have done since our first license in 1907.



<i>In this issue</i>	
<i>Executive Director’s Message</i>	<i>2</i>
<i>Farewell to longtime member</i>	<i>3</i>
<i>Council Election</i>	<i>3</i>
<i>C/A Renewals</i>	<i>3</i>
<i>Law Enforcement Corner</i>	<i>4</i>
<i>Ethics Course for Members</i>	<i>5</i>
<i>New Professional Engineers</i>	<i>5</i>
<i>Distinguished Members/Awards</i>	<i>6</i>

EXECUTIVE DIRECTOR'S MESSAGE

We've been busy tackling many issues since our last issue of the newsletter. We are proposing some legislative revisions and hope to have these endorsed by the legislature in the next few weeks. Changes include:

- ✓ Reducing the number of years a license may remain "Inactive" from 10 years to 4 years (or two renewal cycles).
- ✓ Requiring an application for licensure concurrently when a temporary permit application is submitted.
- ✓ Indicating that electronic signatures and date are permissible.
- ✓ Clarified that a licensee who voluntarily surrenders a license in order to avoid disciplinary action by other jurisdictions can be disciplined.

The rationale for these proposed revisions is to clarify the existing law and to update provisions with streamlined practices. Much discussion and several rewrites of the proposed legislation were involved in getting to this point. Whether electronic signatures should be encrypted and to what level of encryption is something still under discussion, however, since the current law was silent on the issue of electronic signature, but addressed electronic seals, we felt compelled to at least indicate that signing electronically is permissible.

In our previous issue of the newsletter we discussed our Rule to Show Cause hearings for those 25 licensees that did not respond to our request for an audit of their Continued Professional Competency (CPC) activities. As a result of these hearings, several licenses were reinstated with admonishment that responses are required. Some licenses were suspended until we were able to verify that the CPC requirements were met. And, several licenses were revoked for not meeting the CPC requirements for the renewal of the license. These are disciplinary matters that are reportable to the national database requiring licensees to report to their other states of licensure. We have discussed these cases further under our "Law Enforcement Corner" section of this newsletter.

This first renewal cycle implementing CPC was a learning experience for DAPE Council and staff as well as our membership. We trust that we have all learned from this experience and look forward to future streamlined audits, knowing that our licensees will attempt to renew timely and also provide adequate documentation to support any claimed activities.

Recently, DAPE co-hosted the NCEES Northeast/Southern Zone joint meeting in St. Thomas, Virgin Islands. Several representatives of the DAPE board were in attendance to hear the NCEES officer and committee reports from the many working committees on education, examinations, finances, law enforcement, bylaws and technology task force. There was an election for zone officers and a discussion on a proposed resolution to increase the votes for those states that have dual boards. Currently Delaware gets two votes – one for each of its separate surveyors and engineers boards. California with its dual board (engineers/surveyors) gets one vote. This resolution was not favored. I'm sure additional discussion will continue at the Annual meeting.



Council members: C. Balascio, M. Lennon, Exec. Dir. P. Abshagen, President D. Barbato, Council members J. Tracey, & W. Balascio.



AND, WE SAY GOODBYE

More than sixty-one (61) years ago, **license #1439** was issued to **Daniel Koffler, P.E.** on March 13, 1956.

After receiving his Bachelor's of Civil Engineering degree from New York University, Dan was employed by Ammann and Whitney Consulting Engineers in New York in 1954. He then started his own firm more than 50 years ago providing a broad range of services including architectural, structural and forensic engineering. Dan also holds licenses in Maryland, Massachusetts, Rhode Island, Kansas and South Carolina.

A DAPE Council member serving in the Private Consulting seat in 1995, Dan has since that time served as a member of both the Examining and Law Enforcement/Ethics Committees. In 2012, his long dedicated service to DAPE and the engineering profession was recognized with the prestigious Distinguished Service Award at a ceremony attended by many of his peers.

And, when he wasn't engineering, he shared his artistic talents in the sculptures he designed. Dan is a man of many talents and will be missed by all of us here at DAPE and I'm certain across the state of Delaware.

Dan has recently relocated to California to be closer to his family. We wish him well in his new home!



CERTIFICATES OF AUTHORIZATION RENEWALS

The renewal period for firms' Certificates of Authorization is open. All Certificates will expire on **June 30, 2017** if not renewed by that time. Renewal is simple. Log in to www.dape.org – Certificates of Authorization – license renewal to update the firm information, provide appropriate signatures and documentation.

It is unlawful to offer or provide engineering services in Delaware without the appropriate authorization. Unlicensed practice is a serious violation. Renew your firm's authority today!

2017 COUNCIL ELECTION

The 2017 election to fill the Council seat vacancies will open on June 15th – July 15th. Once again this year, those eligible members of DAPE will receive notification to vote to fill the Chemical Engineering, Government Employment, "Other" Engineering Discipline, and Civil Engineering council seats.

Candidates include:

Chemical Eng. Seat:



D. Hagan



M. Lennon

Gov't Seat:



M. Clendaniel

"Other" Eng.:



J. Kalmbacher

Civil Eng. Seat:



J. Jakubowski



D. Kolar

The credentials of all candidates will be available for review when the balloting period opens on June 15th. Your vote does count. You'll be advised electronically to log in and cast your vote.

There is 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. Council supports this increase in fees.



LAW ENFORCEMENT CORNER:

The Rule to Show Cause hearings that took place in late 2016 resulted in the following disciplinary actions:

Ford, Robert #2506: Reprimanded for unresponsiveness to request for audit. Did meet CPC requirements. License currently in good standing.

Gariano, William #3071: Suspension of license until compliance demonstrated. License revoked as CPC has not been demonstrated.

Richter, Raymond #3840: CPC activities documented; letter of concern issued for lack of response to original audit request.

Dalrymple, Robert #5070: Revocation of license as CPC has not been demonstrated.

Kilsheimer, Allyn #5157: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation to support all claimed pdh activity. Now meets all CPC requirements. License suspension lifted.

Silver, Aaron #6686: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation to support all claimed pdh activity. Now meets all CPC requirements. License suspension lifted.

Roof, Robert #6910: Revocation of license as CPC has not been demonstrated.

Eilinger, Frederick #7718: Reprimanded for unresponsiveness to request for audit. Did meet CPC requirements. License currently in good standing.

Warner, George #7783: Revocation of license as CPC has not been demonstrated.

Branger, Robert #8009: Revocation of license as CPC has not been demonstrated.

Lawler, James #8618: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation to support all claimed pdh activity. Now meets all CPC requirements. License suspension lifted.

Varghese, Sanjeev #9621: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation to support all claimed pdh activity. Now meets all CPC requirements. License suspension lifted.

Alas, Linovic #9910: Revocation of license as CPC has not been demonstrated.

Baldo, Steven #10143: Reprimanded for unresponsiveness to request for audit. Suspended for not provided documentation for any pdh activity. License has been revoked.

Doshi, Rajnikant #11053: Reprimanded for unresponsiveness to request for audit. Suspended for not having required pdh activities. Now meets all CPC requirements. License suspension lifted.

Dumack, Heath #11233: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation to support all claimed pdh activity. Now meets all CPC requirements. License suspension lifted.

Basak, Amitabha #11258: Reprimanded for unresponsiveness to request for audit. Provided documentation for sufficient pdh activity. License in good standing.

Slivka, Jennifer #13084: Reprimanded for unresponsiveness to request for audit. Suspended until CPC requirements demonstrated. License suspension lifted.

Stamper, William #14442: Reprimanded for unresponsiveness to request for audit. Provided documentation for sufficient pdh activity. License in good standing.

Gloyd, Meghan #17563: Reprimanded for unresponsiveness to request for audit. Suspended for not providing documentation for required pdh activity. Now meets all CPC requirements. License suspension lifted.

Visnic, Lawrence #15397: Reprimanded for unresponsiveness to request for audit. Suspended for not providing documentation for required pdh activity. Now meets all CPC requirements. License suspension lifted.

Sands, Nicholas #16415: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation for required pdh activity. Now meets all CPC requirements. License suspension lifted.

Dietz, Christian #18076: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation for required pdh activity. Now meets all requirements. License suspension lifted.

NEW PROFESSIONAL ENGINEERS

Giordano, Alfred #18206: Reprimanded for unresponsiveness to request for audit. Suspended for not providing sufficient documentation for required pdh activity. Now meets all requirements. License suspension lifted.

The burden of proof remains with the licensee in the Rule to Show Cause hearing process. Licensees were required to either provide the appropriate documentation or appear for the disciplinary hearing before our 3-member Hearing Panel and present their case. One of our licensees travelled from Saudi Arabia to attend his hearing because of the value he placed on his license.

These disciplinary matters have all been reported to the national enforcement database and licensees are required to report these actions to any other states in which they are licensed.



ETHICS COURSE FOR MEMBERS

Once again, DAPE has organized an ethics course for its members providing an opportunity to obtain 3 pdh's. "Complying with Professional Codes of Ethics and Standards of Professional Responsibility" is scheduled for **Thursday, June 22nd at 8:30 a.m.** at the Doubletree Hotel, 4727 Concord Pike, Wilmington, Delaware. There is no cost to attendees.

Discussions will include identifying ethical issues; analyzing and applying professional ethics & standards of professional conduct to real life case studies; examining licensing laws and regulations; and reviewing court decisions, board adjudications and ethics board opinions, which shape professional ethical standards.

If you are interested, please reserve your seat today by emailing office@dape.org. There is limited seating and once the session is full, it will be closed.



The results of the April, 2017 PE exam have just been released, and we are happy to report the following individuals successfully passed the exam and will be approved for licensure in the next few weeks.

Alestra, Michael	Laybourne, Mindy
Ali, Mashal	Lis, Meredith
Baker, Cameron	Markell, Kyle
Black, Julie	McGinley, Kevin
Brown, Jesse	McGraw, Timothy
Charles-Pierre, Joseph	Mehta, Jayesh
Chen, Tom	Moursy, Moustafa
Cocchia, Samuel	Ogbue, Anikwenze
Daviau, Cory	Okoh, Okiemute
Davis, Michelle	Ooms, Megan
Deisher, Scott	Pfeifer, Christopher
Di Girolamo, Charles	Poli, Gregory
Dickerson, Troy	Pusey, Glenn
Diener, Brendan	Reyman, Rebecca
Dissanayake, D. M. Anton	Savona, Richard
Donnelly, Lawrence	Shi, Xiaoyan
Driscoll, James	Sipps, Lisa
Falkowski, Jonathan	Slavens, Scott
Falkowski, Michael	Spadaro, Joseph
Gjakova, Fatos	St Ange, Laurie
Hoque, Simi	Stein, Elliot
Houser, Kyle	Sullivan, Zachary
Hughes, Erik	Swierczek, Kory
Jahnle, Alexandra	Takinan, Tapilang Jocel
Khawaja, Adnan	Waters, Kimberly
Laidman-Murray, Dakota	Wenger, Craig
Lattanzio, Timothy	Zacccone, Vincent

Congratulations!

DISTINGUISHED MEMBERS AWARD **RECIPIENTS**

Many DAPE members have been acknowledged for their accomplishments and exemplary service to the engineering profession.

At the Engineers' Week Banquet earlier this year, **Senator David B. McBride, P.E.** was recognized as the 2017 Engineer of the Year by the Delaware Engineering Society.



Pictured:
Sen. McBride, DAPE Representatives McAllister & Gharebaghi, & DAPE member G. Marcozzi

At this same event, DAPE is honored to present the new Professional Engineers with their framed certificates.



Pictured:
DAPE Representative Gharebaghi & L. Colubriale

2017 DISTINGUISHED SERVICE AWARD

This award is presented annually to the DAPE committee member who has exhibited exemplary service to DAPE and the engineering community. This award was established in 2007 and this year's award recipient shares company with some very impressive individuals.

Keith A. Rudy, P.E. has served on the Law Enforcement/Ethics Committee since 2004. He has participated in numerous investigations in this role. Keith's efforts were shared with many of his peers at the award's dinner on April 12, 2017.
















Keith currently works with Landmark Science & Engineering, where he serves as Director of Sciences & Water Resources.

Past recipients includes:

2007	-	Eugene B. Snell, P.E.
2008	-	Robert A. Chagnon, P.E.
2009	-	J.G.S. Billingsley, P.E.
2010	-	Ana E. Diaz, P.E.
2011	-	Robert W. McClure, P.E.
2012	-	Daniel Koffler, P.E.
2013	-	Arkan Say, P.E.
2014	-	James S. Davidson, P.E.
2015	-	(No award)
2016	-	Keith R. Kooker, P.E.

Congratulations!

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

Council Office:

92 Read's Way, Suite 208, New Castle, DE 19720
(302) 323-4588 (302) 323-4590 – FAX
e-mail: office@dape.org website: www.dape.org