



News from Delaware's Licensing Council for Professional Engineers

Summer 2014

PRESIDENT'S MESSAGE

By Hans M. Medlarz, P.E.



**The Wild East of Delaware
Utilities and the Lack of
Coordinated Design**

It seems like yesterday that I wrote about how our Association functions, what makes it special and how our members can participate. For the summer newsletter I felt compelled to pick a topic closer to my line of work. After 35 years in the arena of public works I have seen my share of utility construction. Many of you have touched on this subject from time to time in one of your designs. If this is the case you probably know that it is difficult to obtain accurate information on existing utilities. It is mainly due to the fragmented approach in the State of Delaware. Just remember how many different electric, water, sewer and gas companies we are dealing with. This is even before we start naming all the entities which rely on underground cable systems and municipal entities.

Miss Utility is a great underground utility locating clearinghouse but their members are only as good as the data sets they work with. Adding to the locating difficulties is the fact that more and more utilities have moved towards outsourcing this function losing some of the "corporate/tribal knowledge" in the process. Since it is difficult to get full and accurate information, if it is even available, a number of our design professionals use disclaimers such as "...based on best available information." This may be a cost

effective way to deal with the issue but just adds to the difficulties down the road and should be avoided in a professional design.

Let's talk professional design by looking at the various code requirements. The National Electric Code certainly speaks in detail to the underground design standards and so does the International Plumbing Code. The Delaware Department of Natural Resources and Environmental Control has plenty to add to the wastewater utility design in their regulations and so does the Department of Health and Social Services when it comes to water. In the case of water, the Fire Marshall's Office chimes in as well. They all talk about minimum bury, separation from each other, special protection measures, etc. Then we have the utilities which deal in communication, State Agency fiber optics and low pressure gas systems which require no professional seal. You can see one ingredient missing from the equation and that is cross utility coordination.

We are living in a profit-driven economy and utility coordination can be expensive and has no "home." At one point, the Delaware Department of Transportation attempted to coordinate by issuing franchise permits. This was better than nothing and avoided some potential conflicts but about 10 years ago the Department went to "master" franchises and stopped looking at individual installations altogether. This decision, in addition to the rapid expansion of cable networks and the development of trenchless installations, has resulted in countless conflicts and

numerous incidents of damage. The issue is exacerbated by the fact that the older, larger transmission systems such as water, wastewater and high pressure gas are buried deeper due to code or design requirements crisscrossed, sometimes even overlaid by a network of newer technology type installations. This makes the repair of this aging large diameter infrastructure extremely challenging and costly.

So in the long run, we will have to deal with coordinating utility installations. No one expects Delaware to end up like New York City anytime soon. The NYC Department of Transportation has a utility coordination permit requirement which serves the City well. Maybe it is time for the State of Delaware to look at a scaled down version of it. It may well be worth it in the long run.

On a different note just a quick reminder about Senate Bill 126 which deals with, among other issues, the requirements of Continued Professional Competency (CPC) to the license renewal process. Our immediate Past President Charles L. McAllister, P.E. has again risen to the challenge and arranged for the services of Mr. Chris Bauer, a nationally recognized expert in the field of ethics. Mr. Bauer is confirmed for a 3-hour course in October giving our membership an opportunity to satisfy the 3-hour obligation for the ethics portion of our CPC requirements.

EXECUTIVE DIRECTOR'S REPORT

By Peggy Abshagen

This renewal cycle has been an interesting one from an administrative perspective. The Delaware law was revised in 2013 to eliminate the 90-day grace period. All licenses expired on **June 30th**. Penalty fees began accruing on July 1st.

This is also the first renewal cycle to begin accumulating CPC credits. To those members who were surprised to hear of the CPC requirement, CPC Guidelines are available on our website. Please organize proof of your participation in CPC activities, but **do not** send to the DAPE office unless you are audited in 2016.

As a reminder, DAPE does not issue receipts. Electronic payments are acknowledged directly through our vendor, Paypal. Upon renewal of your license, you may download your current wallet card from our website at www.dape.org. To confirm the renewal of your license, you may check the PE roster on the same website.

Did you know you are required by law to report instances of out-of-state discipline to DAPE within 60 days of the final order imposing discipline? Failure to do so is grounds for discipline in Delaware.

Summary of Renewals:

	PE	C/A
<i>Renewed</i>	- 6,300	1,036
<i>Retired</i>	- 74	N/A
<i>Inactive</i>	- 54	154
<i>Delinquent</i>	- 1,068	129

COUNCIL ELECTION RESULTS

The 2014 Council election has concluded and the results are as follows:

Civil Engineering Seat: 324 votes
Theodore A. Thomson, P.E.

Industry Seat: 320 votes
John Ludman, P.E.

New Castle County Seat: 329 votes
Meghan Lester, P.E.

Incumbents Thomson and Lester, as well as new Council member Ludman, will serve four-year terms expiring on August 31, 2018.

Each year, three of the Council seats are vacated. In 2015, vacancies will be the Electrical Engineering, Private Consulting and Kent County Council seats.

Many thanks to all those that participated in our very first electronic voting process. This was a significant improvement over the paper ballot mailing and resulted in a substantial time and cost savings. Its ease of use and efficiency is priceless!

NEW PROFESSIONAL ENGINEERS

Having successfully passed the April, 2014 PE exam, the following new licensees were approved for licensure by Council at its June 11, 2014 meeting.

Pickering, Phillip E.	#15859
Janos, Joseph D.	#16523
Kim, Jaechul J.	#17107
Gebrail, Mark N.	#17468
Logrippo, Felice A.	#17678
Pavel, George I.	#17739
Treisner, Joshua D.	#17792
Andino, Zaniah	#17829
Laurito, Joseph D.	#18115
Bonck, John A.	#18134
Zhang, Wen	#18140
Moncrief, David C.	#18321
Trammell, Travis I.	#18383
Nava, Alfonso	#18435
Clendaniel, Michael A.	#18449
Dave, Apurva S.	#18502
Mutia, Samuel	#18607
Foster, Joseph T.	#18618
Venit, Christie L.	#18646
Jones, Brian P.	#18685
Antoine, Erica	#18693
Himmelheber, David W.	#18725
Scott, Addison I.	#18727
Oh, Soo Hooi	#18734
Wetzel, Eric A.	#18740
Li, Shun	#18758
Larson, Mary Clare	#18800
Schimme, Lilma R.	#18805
Modi, Jimit N.	#18831
Mehta, Jitendrakumar	#18961
Bergez, Matthieu J.	#19015
Tucker, Jason P.	#19035
Packer, Kevin J.	#19049
Ogino, Christine H.	#19061
Patel, Neal V.	#19065
Au, Carmen Ka Man	#19080
Patel, Viral M.	#19090
Martignetti, Jeanne	#19099
Fatzinger, Travis T.	#19110

NEW ENGINEER INTERNS

The first six months of computer-based testing has concluded and the following individuals are now certified as Engineer Interns in Delaware:

Addonizio, Erica	Richardson, Michael
Arrowchis, David	Schott, Rachel
Attia, Peter	Shearin, Nicholas
Baikadanova, Yevgeniya	Spagnuolo, Robert
Bates, Alexander	Strack, Matthew
Beyea, Aaron	Strein, Paul
Blankenhorn, Elizabeth	Tobergte, Louis
Blotta, Felipe	Topp, Stuart
Bobir, Botir	Viloria, Eric
Calabro, Daniel	Ward, Ryan
DiBona, Steven	Zagaja, Daniel
Esposito, Joseph	
Gordon, Bruce	
Grimes, Cassandra	
Henry, Benjamin	
Horst, Gregory	
Houston, Erik	
Hubschmitt, Justin	
Hughes, Matthew	
Jakiel, Marta	
Jerbasi, Anthony	
Kahlon, Inderjit	
Kimble, Katherine	
Lacey, Matthew	
LaGrotta, Alexander	
Landefeld, Stewart	
Langhans, Zachary	
Lee, Jonathan	
Lowell, Samuel	
Martin, Wayne	
McCormick, Mark	
Mills, Kate	
Nelson, Kailey	
Niemiec, Jessica	
O'Brien, Karly	
Olcese, Elizabeth	
Oliveira, Jillian	
Revell, Alexander	



ETHICS FOR EVERYONE

The CPC Guidelines outline that at least three of the 24 PDHs earned during the biennial renewal period shall be related to professional ethics. To assist our membership in meeting this requirement, DAPE is sponsoring an ethics course on **October 14, 2014**.

Christopher Bauer, Ph.D., of Bauer Ethics Seminars, is a licensed psychologist with over 25 years of experience in understanding how and why people make the choices they do. DAPE has arranged with Chris to present his ethics seminar during a three-hour program, with the location to be determined depending upon the response.

If you are interested in attending this session, please contact the DAPE office at office@dape.org to reserve your seat. We'll provide you a confirmation with all the details!

THE ROLE OF A COUNCIL MEMBER

The Council of DAPE consists of 15 members representing a variety of engineering disciplines, and related fields – education, government, industry, private consulting – as well as each of the three counties of Delaware. Add the three public members appointed by the Governor, and we have a well-rounded, diverse group of professionals.

Council members review applications, disciplinary matters, financial items, legislation, and countless other agenda items each month. Additionally, they serve as chairs of the numerous committees required by the bylaws. Council members serve as members of the Hearing Disciplinary Committee. They serve as representatives on the Joint Advisory Committee (JAC) with the Architects and building officials. Council members meet with other organizations like DNREC, the Fire Marshal's office, the University of Delaware, etc. to iron out those issues effecting the engineering community.

Council members represent the Delaware Board at regional and national NCEES meetings to express the Delaware perspective on many national issues.

And, they do this for 4 years, sometimes 8 years or more – all on a volunteer basis!

The next time you have the privilege of speaking with one of the DAPE Council members, thank them for their dedication and commitment to the profession. Don't be surprised if they humbly accept your appreciation. That's who they are!

THE JOINT ADVISORY COMMITTEE (JAC)

Back in 1996, legislation was brought before the legislators that caused some disagreement between the Architects and the Engineers. As a result, a Senator strongly encouraged the respective boards to work together on the resolution of common issues. The Joint Advisory Committee (JAC) was born and has been active since that time.

A Memorandum of Understanding (MOU) was developed, whose sole purpose was to provide a framework to foster a better working relationship between the participating organizations. The original MOU established the Joint Advisory Panel of 7 members. Duties consisted of providing advisory opinions to code officials on questions relating to the sealing of documents in areas of incidental practice, etc.

After 10 years of working under this MOU, the JAC reworked the agreement defining their purpose as two boards working together to propose recommendations for resolution of issues of mutual concern to Architects, Engineers and the public to best serve the interest of public health, safety and welfare.

The JAC now consists of 5 members (2 representing the Board of Architects; 2 representing DAPE; and 1 building official).

The JAC currently meets quarterly to discuss issues of mutual concern. Representatives are:

Architects: Patrick Ryan & Todd Breck
Engineers: Daniel Barbato & Soheil Gharebaghi
Bldg. Official: Andy Wright – Sussex County

This group of professionals has fostered a working relationship that has many positive results. If you have a concern about incidental practice or other issues effecting either architects or engineers that might be suitable for further discussion, please contact the DAPE office at office@dape.org.

A LABORATORY FOR LEARNING

By Soheil Gharebaghi, P.E.



In June of 2014, the Camden-Wyoming Sewer and Water Authority (CWS&WA), in partnership with the Delaware Association of Professional Engineers (DAPE), announced a two-year educational program entitled “A Laboratory for Learning” to ignite the spark of interest in young people and future engineers to study **Science, Technology, Engineering, and Math** (STEM) related subjects. The program is scheduled to begin in September of 2014 and continue for two years.

This program, although started as a study of the process of developing a public source water well, and water storage facility, has developed into a comprehensive study of multiple engineering disciplines associated with the CWS&WA Source Water and Storage Capacity Development Project. The CWS&WA project, which includes the selection, design and construction of a one-million gallon elevated water storage tank to serve a population of about 5,000 in central Delaware, is slated for completion in 2016. The project also includes the development, design and installation of an approximately 400-foot deep well drawing water from the confined Piney Point Aquifer. The geotechnical testing and drilling of a well hundreds of feet in the ground; designing a power source with a fail-safe supply of electricity; the analysis and design of a one-million gallon elevated water storage tank; the integration of a new source water supply into the CWS&WA's existing municipal water infrastructure; design and construction of a security system, and many other engineering and design elements related to CWS&WA's project served as inspiration for Mr. Couming, a member of CWS&WA Board of Directors. Mr. Couming and I were convinced that given the opportunity, students in the area would benefit greatly from observing and interacting with engineering design and construction teams working on the Authority's Capacity Development Project.

Through the unique partnership with DAPE, Professional Engineers from many fields of study will be involved in the two-year program by serving as guest speakers, mentors and the like. Participants will benefit from the knowledge and experience of guest speakers and become familiar with applications of **Science, Technology, Engineering and Math** in practical environments. Day trips, plant tours, and site visits will also be integral parts of this program.

The Caesar Rodney High School STEM faculty representative, Mr. Timothy Elmer, has identified the first group of students who will participate; however, greater participation from the area schools and colleges is encouraged and anticipated. Caesar Rodney High School students may contact Mr. Elmer and other interested schools and students may contact their STEM faculty personnel. Further information about the program, including preliminary syllabus and curriculum, is available through the Camden-Wyoming Sewer and Water Authority [Tel.: (302) 697-6372].

Professional Engineers interested in participating in this program are encouraged to contact CWS&WA Engineer, Soheil Gharebaghi, P.E. at (302) 373-3936, email: gharebaghi@comcast.net

LAW ENFORCEMENT ACTIVITY

The Law Enforcement/Ethics Committee over the past several months has been successful in getting many of its cases resolved by various means:

- ✓ **17** cases were resolved by working with firms to get them into compliance with the law. Sixteen of these firms obtained a Certificate of Authorization; 1 firm was issued a Temporary Permit; and 15 firms revised or cancelled their business license in Delaware.
- ✓ **1** case was resolved by revision of the firm's website to eliminate any reference to engineering practice in Delaware.
- ✓ **Case 14/078 – Luebbers, Robert L. (License #10686)** of Cassio Engineering applied for reinstatement of his license indicating he had provided engineering services on several projects during the period of lapsed license. A Consent Order was issued wherein Mr. Luebbers and his firm, Cassio Engineering, are to cease and desist from any further unlicensed practice of engineering.
- ✓ **David F. Johns' application for licensure (Application #17906) denial.** The Hearing Committee conducted a hearing in November, 2013 to consider evidence concerning its proposal to deny licensure to David F. Johns. This denial was based on the 2003 revocation of Johns' license for gross negligence and ethical violations; as well as the 2009 decision that Johns engaged in the unlicensed practice of engineering. The Hearing Committee unanimously found that Johns failed to meet his burden of establishing that he has overcome the deficiencies to licensure in view of the previous revocation of his license for gross negligence and ethical violations, as well as the prior finding that he engaged in the unlicensed practice of engineering subsequent to his revocation.

MEET OUR NEWEST COUNCIL MEMBER ...



John P. Ludman has been elected to fill the Industry Council seat effective September 1, 2014.

John received his degree in mechanical engineering from the University of Delaware and a Master's in mechanical engineering at Virginia Tech. He has been licensed in Delaware for about 14 years and has spent 20 years working as a Process Equipment Engineer with Dupont.

When he's not engineering, John enjoys coaching youth sports, managing the Newark National team that participated in the 2013 Little League World Series.

He resides in Newark with his wife Angela and three teenage children.

We look forward to working with John during the next four years of his term on Council.

PROCTORS FOR OCTOBER EXAM

If you are interested in proctoring the **Friday, October 24, 2014** PE exam, please contact the DAPE office at office@dape.org.

Experience not necessary. We will train. We have both morning and afternoon shifts available. This is an opportunity to network with other engineers and give back to the profession!

Come join our proctoring team!

2014-2015 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
		
S. Gharebaghi, P.E. Kent County Seat	R.E. Hayden, P.E. Mechanical Eng. Seat	K.R. Kooker, P.E. Private Cons. Seat
		
M.A. Lennon, P.E. Chemical Eng. Seat	M. Lester, P.E. New Castle Co. Seat	C.L. McAllister, P.E. Industry Seat
		
H.M. Medlarz, P.E. Gov't Emp. Seat	F.A. Newton Apptd.-Kent Co.	E.F. Retzlaff P.E. Sussex Co. Seat
		
T.A. Thomson, P.E. Civil Eng. Seat	J.E. Tracy, Esq. Apptd.-New Castle	R.C. Wheatley Apptd.-Sussex Co.

Council Executive Committee

Hans M. Medlarz, P.E., **President**
Daniel P. Barbato, P.E., **Vice President**
Theodore A. Thomson, P.E., **Secretary**
Keith R. Kooker, P.E., **Treasurer**
Charles L. McAllister, P.E., **Immed.Past President**

Council Members

Frank A. Newton -- Kent Co. -- Apptd.	4/06/13
Meghan Lester, P.E., New Castle County	8/31/14
Charles L. McAllister, P.E., Industry	8/31/14
Theodore A. Thomson, P.E., Civil Engineering	8/31/14
William D. Balascio, P.E., Electrical Engineering	8/31/15
Keith R. Kooker, P.E., Private Consulting	8/31/15
Soheil Gharebaghi, P.E., Kent County	8/31/15
Carmine C. Balascio, P.E., Education	8/31/16
Robert E. Hayden, P.E., Mechanical Engineering	8/31/16
Erik F. Retzlaff, P.E., Sussex County	8/31/16
Daniel P. Barbato, P.E., "Other" Eng.	8/31/17
Hans M. Medlarz, P.E., Government Employment	8/31/17
Michael A. Lennon, P.E., Chemical Engineering	8/31/17
John E. Tracey, Esq. -- New Castle Co. -- Apptd.	8/31/17

Council Staff:

Peggy Abshagen
Executive Director

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