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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF CRANE OPERATORS

TIME: 10:31 A.M.

Held at
PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 27, 2022

State Board of Crane Operators
July 27, 2022

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BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Andrew S. Goulet, Professional Member, Chair
Steven M. Kuncelman, Professional Member
F. Allan "Buddy" Mauger Jr., Public Member
Daniel J. Mitchell, Professional Member
Brian M. Schmoyer, Professional Member

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Senior Board Counsel
Gregory Liero, Esquire, Board Prosecution Liaison
Paul J. Jarabeck, Esquire, Board Prosecutor
Matthew A. Anderson, Esquire, Board Prosecutor
Amanda Li, Board Administrator
Miranda Murphy, Board Administrator
Jessica Harris, Board Staff, Department of State
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State
Eli Yemzow, Legal Intern, Department of State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Sara McDonald
Lori A. Behe

1 State Board of Crane Operators

2 July 27, 2022

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 10:00 a.m. the Board entered into Executive Session
6 with Dean F. Picarella, Esquire, Senior Board Counsel,
7 for the purpose of conducting quasi-judicial
8 deliberations on a number of matters that are
9 currently pending before the Board and to receive the
10 advice of counsel. The Board returned to open session
11 at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Crane Operators was held on Wednesday, July
15 27, 2022. Andrew S. Goulet, Chair, Professional
16 Member, called the meeting to order at 10:31 a.m.

17 ***

18 [Dean F. Picarella, Esquire, Senior Board Counsel,
19 noted the meeting was being recorded, and those who
20 continued to participate were giving their consent to
21 be recorded.

22 Mr. Picarella also noted the Board met in
23 Executive Session prior to the Board meeting for the
24 purpose of conducting quasi-judicial deliberations and
25 to receive the advice of counsel.]

1 ***

2 Roll Call/Introductions

3 [A roll call of Board members was taken by Ms. Li.
4 She also provided an introduction of attendees.]

5 ***

6 Approval of minutes of the May 25, 2022 meeting

7 MR. PICARELLA:

8 We will move to approval of minutes from
9 the last meeting.

10 Does anybody have any changes,
11 additions, or amendments to the minutes
12 from the meeting of May 25, 2022?

13 I believe the Board would entertain
14 a motion to approve the meeting's
15 minutes from May 25, 2022 as written.

16 Do I have such a motion?

17 MR. MITCHELL:

18 I'll make that motion to approve.

19 CHAIR GOULET:

20 I'll second that motion.

21 MR. PICARELLA:

22 We have a motion and a second. Any
23 further discussion? Ms. Li, would you
24 do a roll call?

25

1 Acting Commissioner Claggett, aye; Mr.
2 Goulet, aye; Mr. Kuncelman, aye; Mr.
3 Mauger, abstain; Mr. Mitchell, aye; Mr.
4 Schmoyer, abstain.

5 [The motion carried. F. Allan Mauger and Brian
6 Schmoyer abstained from voting on the motion.]

7 ***

8 Report of Prosecutorial Division

9 [Matthew A. Anderson, Esquire, Board Prosecutor, noted
10 prosecution had nothing new to report.]

11 ***

12 Report of Board Counsel

13 [Dean F. Picarella, Esquire, Senior Board Counsel,
14 welcomed Steven Kuncelman as a new professional Board
15 member.

16 Steven Kuncelman provided a brief summary of his
17 professional background.

18 Mr. Picarella referred to the memorandum from the
19 chairs of the House and Senate Professional Licensure
20 Committees regarding the passage of Act 41 of 2019 to
21 promulgate regulations regarding licensure by
22 endorsement for people not licensed in Pennsylvania
23 but may be licensed in other jurisdictions.

24 Mr. Picarella stated that Act 41 would streamline
25 the process and allow people to receive licensure in a

1 more efficient and quick manner to help bolster
2 workforce in Pennsylvania for all of the licensed
3 professions. He mentioned that two boards have fully
4 promulgated Act 41 licensure by endorsement.

5 Mr. Picarella noted the Board had published the
6 regulation as proposed and received comments from the
7 Independent Regulatory Review Commission (IRRC) and
8 the legislative committees. He informed Board members
9 that he has been working on drafting responses to
10 those and would bring those before the Board in the
11 future.

12 Mr. Picarella referred to the response of the
13 commissioner's office explaining the boards are in the
14 process and should have everything wrapped up in the
15 near future. He reported that many other boards have
16 had a lot of Act 41 Applications for licensure by
17 endorsement but the Board of Crane Operators has not
18 had any to date.

19 Mr. Picarella commented that their initial
20 licensure requirements are pretty much the same as
21 licensure by endorsement, but licensure by endorsement
22 requires showing two years of experience in the
23 profession and it might be easier to apply for
24 licensure directly. He noted the application under
25 this particular regulation will probably be limited to

1 somebody coming in from another country or maybe those
2 in the military.

3 Mr. Picarella notified Board members of a current
4 scam affecting boards and informed everyone that the
5 Scam Alert is available on the Board's website. He
6 read the Bureau of Professional and Occupational
7 Affairs (BPOA) Scam Alert, where the BPOA has recently
8 received reports that persons pretending to be from
9 one of the health-related boards are contacting
10 licensees by phone and mail about the status of their
11 licenses.

12 Mr. Picarella noted scammers are altering
13 information on caller ID to appear to be from the
14 Commonwealth of Pennsylvania and threatening license
15 suspension for failure to act and falsely claiming
16 involvement with federal agencies, such as the Federal
17 Bureau of Investigation (FBI) and the Drug Enforcement
18 Administration (DEA).

19 Mr. Picarella stated scammers are known to
20 threaten license suspension for failure to provide
21 personal information. He provided reminders from BPOA
22 concerning contact and personal information for
23 licensees.

24 Mr. Picarella noted licensees would never be
25 contacted by phone for payment. He reminded everyone

1 to not give personal or financial information over the
2 phone. He mentioned that those who are the subject of
3 an investigation or disciplinary action will receive
4 notice by certified mail and/or personal service and
5 are provided with a contact name and phone number.

6 Mr. Picarella informed everyone to contact their
7 local police department or the Pennsylvania State
8 Police if they have been a victim of the scam.]

9

10 Report of Acting Commissioner

11 [Arion R. Claggett, Acting Commissioner, Bureau of
12 Professional and Occupational Affairs, notified
13 everyone of in-person Board member training on October
14 24, 2022, from 8 a.m. to 4 p.m. in Harrisburg. He
15 mentioned that some of the topics include the role of
16 Board counsel, prosecution, and some other areas
17 within the Bureau of Professional and Occupational
18 Affairs. He noted the training is mandatory for
19 public members but also encouraged professional
20 members to attend.]

21

22 Report of Board Chair - No Report

23

24 Report of Board Administrator

25 [Amanda Li, Board Administrator, announced this was

1 her last Board meeting and thanked everyone.

2 Mr. Picarella thanked Ms. Li for all of her
3 assistance.

4 Chair Goulet also thanked Ms. Li for her
5 dedicated service to the Board.]

6 ***

7 Miscellaneous

8 CHAIR PICARELLA:

9 The next item on the agenda would be
10 approving the Board meeting schedule for
11 2023.

12 We need to entertain a motion to
13 approve the schedule.

14 MR. SCHMOYER:

15 I'll make a motion to approve the
16 schedule.

17 MR. KUNCELMAN:

18 Second.

19 MR. PICARELLA:

20 The motion has been moved and seconded.
21 Ms. Li, could you do a roll call,
22 please?

23
24 Acting Commissioner Claggett, aye; Mr.
25 Goulet, aye; Mr. Kuncelman, aye; Mr.

1 Mauger, abstain; Mr. Mitchell, aye; Mr.
2 Schmoyer, aye.

3 [The motion carried. F. Allan Mauger abstained from
4 voting on the motion.]

5 ***

6 Adjournment

7 CHAIR GOULET:

8 Our next Board meeting is September 28.
9 If there isn't anything else to come
10 before the Board, I entertain a motion
11 to adjourn.

12 MR. SCHMOYER:

13 I make a motion we close the meeting at
14 10:49 a.m.

15 ACTING COMMISSIONER CLAGGET:

16 Second.

17 ***

18 [There being no further business, the State Board of
19 Crane Operators Meeting adjourned at 10:49 a.m.]

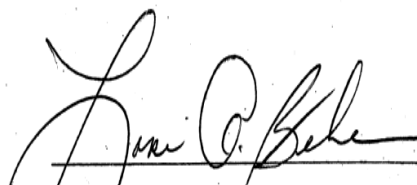
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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Crane Operators meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Crane Operators meeting.



Lori A. Behe,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CRANE OPERATORS
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TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:31	Official Call to Order
10:32	Roll Call/Introductions
10:34	Approval of Minutes
10:38	Report of Board Counsel
10:46	Report of Acting Commissioner
10:47	Report of Board Administrator
10:48	Miscellaneous
10:49	Adjournment