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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: 10:32 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**

November 30, 2022



1 State Board of Crane Operators

2 November 30, 2022

3 \*\*\*

4 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
5 at 9:30 a.m. the Board entered into Executive Session  
6 with Dean F. Picarella, Esquire, Senior Board  
7 Counsel, 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  
11 session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Crane Operators was held on Wednesday,  
15 November 30, 2022. Andrew S. Goulet, Chair,  
16 Professional Member, called the meeting to order at  
17 10:32 a.m.

18 \*\*\*

19 [Dean F. Picarella, Esquire, Senior Board Counsel,  
20 informed everyone that the meeting was being  
21 recorded, and voluntary participation constituted  
22 consent to be recorded.

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

1 counsel.]

2

\*\*\*

3 Roll Call/Introductions

4 [A roll call of Board members was taken by Ms.

5 Harris. She also provided an introduction of

6 attendees.]

7

\*\*\*

8 Approval of minutes of the September 28, 2022 meeting

9 CHAIR GOULET:

10 The next item on the agenda is approval  
11 of minutes. Has everybody had a chance  
12 to review the minutes? Any questions  
13 or changes to the minutes from last  
14 month's meeting on September 28, 2022?

15 If not, I'll ask for a motion to  
16 approve the minutes as written.

17 MR. MAUGER:

18 I make a motion we approve the minutes  
19 as written.

20 CHAIR GOULET:

21 Do we have a second?

22 MR. SCHMOYER:

23 I'll second.

24 CHAIR GOULET:

25 Ms. Harris, could you please call the

1 Board.

2

3 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
4 Mauger, aye; Mr. Mitchell, aye; Mr.  
5 Schmoyer, aye; Mr. Kuncelman, aye.

6 [The motion carried unanimously.]

7

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8 Report of Prosecutorial Division

9 [Gregory S. Liero, Esquire, Board Prosecution

10 Liaison, noted prosecution had nothing specific to  
11 report.]

12

\*\*\*

13 Report of Board Counsel

14 MR. PICARELLA:

15 The next several items were discussed  
16 in Executive Session.

17 Item 2 on the agenda is a Final  
18 Adjudication and Order in the Matter of  
19 William H. Banks, LCO, Case No. 19-71-  
20 014213.

21 We have a recusal on the next two.

22

\*\*\*

23 [Brian M. Schmoyer, Professional Member, exited the  
24 meeting at 10:37 a.m. for recusal purposes.]

25

\*\*\*

1 MR. PICARELLA:

2                   The first matter is a Final  
3                   Adjudication and Order in the Matter of  
4                   William H. Banks, LCO, Case No. 19-71-  
5                   014213.

6                   Based upon discussions in Executive  
7                   Session, it is my understanding the  
8                   Board Chair would entertain a motion to  
9                   approve the Final Adjudication and  
10                  Order in that matter.

11 MR. MAUGER:

12                   I make a motion we approve it.

13 CHAIR GOULET:

14                   Is there a second?

15 MR. KUNCELMAN:

16                   I'll second.

17 CHAIR GOULET:

18                   Ms. Harris, could you please call the  
19                   Board?

20  
21                   Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
22                   Mauger, aye; Mr. Mitchell, aye; Mr.  
23                   Kuncelman, aye.

24 [The motion carried. Brian Schmoyer recused himself  
25 from deliberations and voting on the motion.]

1 \*\*\*

2 MR. PICARELLA:

3 Agenda item 3 is the Final Adjudication  
4 and Order of Michael J. Hassler, LCO,  
5 Case No. 21-71-011489.

6 Based upon discussions in Executive  
7 Session, it is my understanding the  
8 Board Chair would entertain a motion to  
9 approve the Final Adjudication and  
10 Order in this matter.

11 MR. MAUGER:

12 I'll make a motion we approve it.

13 CHAIR GOULET:

14 Is there a second?

15 MR. KUNCELMAN:

16 I'll second.

17 CHAIR GOULET:

18 Ms. Harris, could you please call the  
19 Board?

20  
21 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
22 Mauger, aye; Mr. Mitchell, aye; Mr.  
23 Kuncelman, aye.

24 [The motion carried. Brian Schmoyer recused himself  
25 from deliberations and voting on the motion.]

1 \*\*\*

2 [Dean F. Picarella, Esquire, Senior Board Counsel,  
3 noted the sanction for William Banks was that the  
4 respondent was indefinitely suspended retroactively  
5 to August 22, 2022, and can be reinstated upon proof  
6 he is safe to practice the profession.

7 Mr. Picarella noted Michael Hassler is also  
8 indefinitely suspended retroactively to April 22,  
9 2022, and can be reinstated by providing an  
10 evaluation that states he is safe to practice the  
11 profession.]

12 \*\*\*

13 [Brian M. Schmoyer, Professional Member, reentered  
14 the meeting at 10:40 a.m.]

15 \*\*\*

16 MR. PICARELLA:

17 Item 4 is a Motion to Deem Facts  
18 Admitted and Final Adjudication in the  
19 Matter of BPOA v. Shawn Watson, LCO,  
20 Case No. 19-71-008228.

21 Based upon discussions in Executive  
22 Session, it is my understanding the  
23 Board Chair would entertain a motion to  
24 grant the Motion and Enter Default and  
25 direct Board Counsel to draft a Final



1 Adjudication and Order in accordance  
2 with discussions in Executive Session.

3 MR. MAUGER:

4 I'll make that motion.

5 CHAIR GOULET:

6 Do we have a second?

7 MR. KUNCELMAN:

8 I'll second.

9 CHAIR GOULET:

10 Ms. Harris, could you please call the  
11 Board?

12

13 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
14 Mauger, aye; Mr. Mitchell, aye; Mr.  
15 Schmoyer, aye; Mr. Kuncelman, aye.

16 [The motion carried unanimously.]

17

\*\*\*

18 Report of Acting Commissioner - No Report

19

\*\*\*

20 Report of Board Chair - Election of Board Officers

21 MR. PICARELLA:

22 The first matter we have is to elect a  
23 Board Chair. At this time, I'd like to  
24 open the floor for nominations for the  
25 position of Board Chair.

1 MR. SCHMOYER:

2 I nominate Mr. Andrew Goulet for Board  
3 Chair.

4 MR. MAUGER:

5 I'll second that.

6 MR. PICARELLA:

7 Mr. Goulet, you have been nominated to  
8 the position of Board Chair. If  
9 elected, do you agree to serve in that  
10 position?

11 CHAIR GOULET:

12 Yes, I will.

13 MR. PICARELLA:

14 At this point, I would call for a vote  
15 on the appointment of Andrew Goulet as  
16 the Board Chair for the State Board of  
17 Crane Operators.

18  
19 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
20 Mauger, aye; Mr. Mitchell, aye; Mr.  
21 Schmoyer, aye; Mr. Kuncelman, aye.

22 [The motion carried unanimously.]

23 \*\*\*

24 MR. PICARELLA:

25 In Executive Session, we discussed the

1 creation of a Vice Chair position.  
2 Although it is not in our act, we are  
3 certainly allowed to create such a  
4 position is my understanding.

5 Based upon discussions that the  
6 Board would like to create a Vice Chair  
7 position, I believe the Board Chair  
8 would entertain a motion to create such  
9 a position.

10 CHAIR GOULET:

11 Is there a motion to create this  
12 position?

13 MR. MAUGER:

14 I'll make the motion that we create  
15 that position.

16 MR. SCHMOYER:

17 I'll second that.

18 CHAIR GOULET:

19 Ms. Harris, could you please call the  
20 Board?

21

22 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
23 Mauger, aye; Mr. Mitchell, aye; Mr.  
24 Schmoyer, aye; Mr. Kuncelman, aye.

25 [The motion carried unanimously.]

1 \*\*\*

2 MR. PICARELLA:

3 Now that we have a Vice Chair, is there  
4 any nominations for that position of  
5 Vice Chair?

6 MR. SCHMOYER:

7 I make a nomination for Frank Mauger.

8 CHAIR GOULET:

9 I'll second that nomination for Frank  
10 Mauger.

11 MR. PICARELLA:

12 We have a first and second. Are there  
13 any other nominations? Hearing none.

14 Mr. Mauger, if elected, do you  
15 agree to serve in that capacity?

16 MR. MAUGER:

17 Yes, I will.

18 CHAIR GOULET:

19 Ms. Harris, could you please call the  
20 Board?

21

22 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
23 Mauger, aye; Mr. Mitchell, aye; Mr.  
24 Schmoyer, aye; Mr. Kuncelman, aye.

25 [The motion carried unanimously.]

1 \*\*\*

2 MR. PICARELLA:

3 One other matter we need to address is  
4 the Probable Cause Screening Committee.  
5 As the committee currently stands, Mr.  
6 Brian Schmoyer is the committee and Mr.  
7 Andrew Goulet is the alternate. It is  
8 my understanding that Mr. Goulet no  
9 longer wishes to serve in that  
10 capacity; therefore, we need somebody  
11 to take over that position as the  
12 alternative for the Probable Cause  
13 Screening Committee.

14 Are there any members or any  
15 nominations for that position?

16 MR. MAUGER:

17 I nominate Steve Kuncelman.

18 MR. SCHMOYER:

19 I'll second.

20 MR. PICARELLA:

21 We have a first and second. Any other  
22 nominations?

23 Mr. Kuncelman, if so elected, will  
24 you serve in that position?

25 MR. KUNCELMAN:

1 I will.

2 CHAIR GOULET:

3 Ms. Harris, could you please call the  
4 Board?

5

6 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
7 Mauger, aye; Mr. Mitchell, aye; Mr.  
8 Schmoyer, aye; Mr. Kuncelman, aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 Miscellaneous - Bureau of Finance and Operations  
12 Annual Budget Presentation

13 [Amanda Richards, Chief of Fiscal Management, Bureau  
14 of Finance and Operations, Department of State,  
15 referred to licensee population over the past seven  
16 years, noting the Board had 3,389 licensees last  
17 year. She stated the Board is currently at 3,620  
18 licensees, noting an increase of 462 licensees with  
19 another increase this morning of 8 licensees.

20 Ms. Richards referred to the last four fiscal  
21 years for the Board's review. She stated the Board  
22 renews in October of even years, so in FY20-21, they  
23 had 3,085 licensees and renewed in October of 2022,  
24 showing a substantial growth to 3,620 licensees.

25 Ms. Richards reported on the revenue for FY20-21

1 and FY21-22, noting the biennial total. She noted  
2 97.1 percent of revenue comes from renewals and  
3 applications. She stated that revenue is received  
4 from other categories but is not consistent and  
5 cannot be used as a good revenue source.

6 Ms. Richards addressed expenses, including  
7 administrative costs and legal costs. She noted  
8 expenses include direct charges, timesheet-based  
9 charges, and license population charges. She  
10 reported a total budget for FY22-23 and expenses as  
11 of November 17, 2022. She noted it to be early in  
12 the fiscal year and anticipating the amount budgeted  
13 for FY22-23 is sufficient.

14 Ms. Richards addressed revenue and expenses and  
15 referred to FY22-23, noting the Bureau of Finance and  
16 Operations' projected budget. She mentioned prior  
17 discussion concerning a fee increase but noted the  
18 Board is growing in revenue, and a fee increase is  
19 not necessary because of the substantial increase in  
20 licensees.]

21 \*\*\*

22 Report of Board Administrator  
23 [Jessica Harris, Board Administrator, informed Board  
24 members that this was the last day of the extended  
25 renewal period and 67 percent of licensees had

1 renewed. She reported additional paperwork was  
2 required and many applications have been submitted  
3 but not yet completed, mostly from the National  
4 Commission for Certification of Crane Operators  
5 (NCCCO), but are receiving regular updates from them.  
6 She mentioned the numbers may reflect a higher  
7 renewal percentage later.]

8 \*\*\*

9 Applications

10 MR. PICARELLA:

11 The application reviewed in Executive  
12 Session was for Joseph M. Gillitzer.

13 Based upon the discussions in  
14 Executive Session, it is my  
15 understanding the Board Chair would  
16 entertain a motion to approve the  
17 Application for Licensure as a Crane  
18 Operator of Joseph M. Gillitzer.

19 Do we have such a motion?

20 MR. MAUGER:

21 I make a motion we approve his  
22 application.

23 CHAIR GOULET:

24 I'll second that. The motion has been  
25 made and seconded.



1                   Ms. Harris, could you please call  
2                   the Board?

3  
4                   Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
5                   Mauger, aye; Mr. Mitchell, aye; Mr.  
6                   Schmoyer, aye; Mr. Kuncelman, aye.

7 [The motion carried unanimously.]

8   \*\*\*

9 Miscellaneous - Board Meeting Dates

10 [Andrew S. Goulet, Chair, Professional Member, noted  
11 2023 Board meeting dates.]

12   \*\*\*

13 Adjournment

14 CHAIR GOULET:

15                   Who will entertain a motion to adjourn?

16 MR. MAUGER:

17                   I'll make a motion to adjourn.

18 MR. SCHMOYER:

19                   I'll second.

20 CHAIR GOULET:

21                   That's all we need is a motion and a  
22                   second to adjourn the State Board of  
23                   Crane Operators Meeting at 10:58 a.m.

24   \*\*\*

25 [There being no further business, the State Board of

1 Crane Operators Meeting adjourned at 10:58 a.m.]

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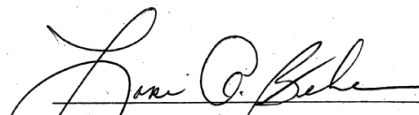
CERTIFICATE

5

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

12

13



14

15

Lori A. Behe,

16

Minute Clerk

17

Sargent's Court Reporting

18

Service, Inc.

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STATE BOARD OF CRANE OPERATORS  
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TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:33	Roll Call/Introductions
10:35	Approval of Minutes
10:36	Report of Board Counsel
10:42	Report of Board Chair
10:47	Miscellaneous
10:53	Report of Board Administrator
10:56	Applications
10:57	Miscellaneous (cont.)
10:58	Adjournment