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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
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

January 27, 2021

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State Board of Crane Operators
January 27, 2021

BOARD MEMBERS:

Daniel R. Haulman, Chair, Professional Member
K. Kalonji Johnson, Commissioner, Bureau of
Professional and Occupational Affairs
Andrew S. Goulet, Professional Member
Michael A. Becker, Professional Member
Brian M. Schmoyer, Professional Member
F. Allan Mauger, Jr., Public Member

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Senior Board Counsel
Colby B. Widdowson, Esquire, Board Prosecution Liaison
Heather J. McCarthy, Esquire, Senior Prosecutor
Amanda Li, Board Administrator
Andrew LaFratte, MPA, Policy Fellow, Department of
State
Marc Farrell, Deputy Policy Director, Department of
State
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs

ALSO PRESENT:

Graham Brent, CEO, NCCCO Foundation
Jen Smeltz, Republican Executive Director, Senate
Consumer Protection and Professional Licensure
Committee
J.J. Livingston, Democratic Executive Director, Senate
Consumer Protection and Professional Licensure
Committee

1 ***

2 State Board of Crane Operators

3 January 27, 2021

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:11 a.m. the Board entered into Executive Session
7 with Dean F. Picarella, Esquire, Senior Board Counsel,
8 for the purpose of conducting quasi-judicial
9 deliberations. The Board returned to open session at
10 10:32 a.m.]

11 ***

12 [Dean F. Picarella, Esquire, Senior Board Counsel,
13 noted the meeting was being recorded, and those who
14 remained on the call were giving their consent to be
15 recorded.]

16 ***

17 [Dean F. Picarella, Esquire, Senior Board Counsel,
18 referred to Section 301(1) of the Crane Licensure Act,
19 noting the requirement was waived during the COVID-19
20 emergency declaration from Governor Wolf on March 17,
21 2020, allowing videoconferences.]

22 ***

23 The regularly scheduled meeting of the State Board
24 of Crane Operators was held on Wednesday, January 27,
25 2021. Dan R. Haulman, Chair, Professional Member,

1 called the meeting to order at 10:32 a.m.

2 ***

3 Introductions

4 [Chair Haulman requested the introduction of the Board
5 members, staff, and audience in attendance.]

6 ***

7 Approval of Minutes of November 18, 2020 meeting.

8 CHAIR HAULMAN:

9 Is there any discussion on the minutes
10 and if not, do we have a motion to accept
11 the minutes?

12 MR. SCHMOYER:

13 Brian Schmoyer. I will make a motion to
14 accept the minutes as presented.

15 MR. BECKER:

16 I second that motion.

17 CHAIR HAULMAN:

18 All in favor the minutes being approved
19 from the November 18, meeting, please say
20 aye. Is there any opposition to that?
21 Not hearing any opposition, the Minutes
22 are approved from the last meeting of
23 November 18th.

24 [The motion carried. Mr. Mauger abstained from voting
25 on the motion.]

1 ***

2 Report of Prosecution Division
3 [Carolyn DeLaurentis, Esquire, Deputy Chief of
4 Prosecution Division, reviewed highlights of 2020.
5 She noted the Prosecution Department staff had
6 successfully handled the challenges telework and
7 virtual hearings. She noted Board prosecutors made
8 efforts to monitor restrictions, waivers, policies and
9 new procedures.

10 Ms. DeLaurentis reported that 75 cases were opened
11 in 2020 for the Crane Board and 51 cases closed. She
12 noted that as of January 1, 2021, the Crane Board had
13 97 cases open. She thanked Mr. Tim Smith for working
14 the New Year's weekend to pull the numbers.

15 Ms. DeLaurentis noted the Board's enforcement and
16 disciplinary actions. She stated there were 6 cases
17 which resulted in discipline, 28 warning letters, 2
18 cases resulting in fines, 1 case resulting in a
19 suspension and 4 cases resulting in probation.

20 Ms. DeLaurentis presented overall prosecution
21 information. She noted 44 immediate license
22 suspensions in 2020.

23 Ms. DeLaurentis presented COVID-19 complaints.
24 She noted 1,223 COVID-19 cases were opened in 2020,
25 none of which were for the Crane Operators Board. Ms.

1 DeLaurentis stated that current open cases as January
2 1 for the entire office was 12,250. Total cases
3 opened in 2020 was 13,394 with total cases closed of
4 13,274.]

5 ***

6 Appointment - Bureau of Finance and Operations
7 [Kimberly S. Adams, Chief of Fiscal Management, Bureau
8 of Finance and Operations, Department of State,
9 addressed licensee population. She noted a licensee
10 count increase from 3,228 in 2016 to 3,534 in 2018
11 with a current count of 3,097 licensees.

12 Ms. Adams noted revenue by source. She reviewed
13 categories and actual revenue, noting a biennial total
14 with 96.3 being from percent from renewals and
15 applications.

16 Ms. Adams provided a categorical breakdown of
17 expenses. She noted the current budget and expenses.

18 Ms. Adams reviewed bottom line revenues and
19 expenses for FY 2020-2021. She noted that Board
20 revenues were currently exceeding expenses.

21 Ms. Adams addressed Board member expenses, noting
22 the current budget with Board member expenses. She
23 stated any excess money not used would remain in the
24 restricted account for the Board's use.]

25 ***

1 Report of Board Counsel

2 [Dean F. Picarella, Esquire, Board Counsel, noted that
3 Andrew S. Goulet would serve as an alternate contact
4 to Brian M. Schmoyer on the probable cause screening
5 committee.

6 Mr. Picarella addressed regulations regarding
7 civil penalties under Act 48, BPOA Regulation
8 16A-7103. He presented comments made by the
9 Independent Regulatory Review Commission (IRRC).

10 He noted the IRRC's first comment asked for
11 clarification regarding the use of the civil penalty
12 section for the offense of operating a crane without a
13 license.

14 Mr. Picarella suggested adding language to the
15 regulation that would confirm that ability to file a
16 citation does not foreclose to the option of filing
17 formal action.

18 He noted IRRC's second comment involved penalties
19 for failing to maintain current certification. Mr.
20 Picarelli explained his response, noting
21 certifications can expire before licenses and some
22 operators leave the profession or retire. He noted
23 the Board does not discipline operators with expired
24 certifications unless they actually operate a crane.

25 Mr. Picarelli noted the IRRC's third comment

1 involved the use of the title "licensed crane
2 operator."

3 The Board discussed clarifying when an individual
4 is allowed to hold themselves out as being able to
5 operate a crane to protect the public. They concurred
6 that operators trying to deceive consumers should be
7 held accountable and should be fined.

8 Mr. Picarelli will make changes to the regulation
9 and bring it back to the Board for approval.]

10 ***

11 Applications

12 MR. PICARELLA:

13 Based upon the discussions in executive
14 session, I believe the Board will
15 entertain a motion to accept the
16 application of Christopher Guiliano to
17 become a licensed crane operator.

18 MR. MAUGER:

19 Frank Mauger. I'll make a motion we
20 accept.

21 MR. GOULET:

22 Andrew Goulet. I'll second that motion.

23 CHAIR HAULMAN:

24 All in favor of granting a license to Mr.
25 Giuliano? Is there any opposition? Not

1 hearing any, he is granted a license.

2 [The motion carried unanimously.]

3 ***

4 MR. PICARELLA:

5 Based upon the discussions in Executive
6 Session, I believe the Board would
7 entertain a motion to accept the
8 application of William Lattanzio to
9 become a licensed crane operator.

10 MR. GOULET:

11 Andrew Goulet. I make a motion to
12 accept.

13 MR. MAUGER:

14 Frank Mauger. I'll second his motion.

15 CHAIR HAULMAN:

16 All in favor of granting a license to Mr.
17 Lattanzio? Is there any opposition? Not
18 hearing any, he is granted a license

19 [The motion carried unanimously.]

20 ***

21 Commissioner Report

22 [K. Kalonji Johnson, Commissioner, Bureau of
23 Professional and Occupational Affairs, offered no
24 formal report but wished the Board a Happy New Year.

25 Chair Haulman inquired about the status members of

1 the Board applying for reappointment and an applicant
2 for the open position.

3 Commissioner Johnson noted he had no update, but
4 the information had been forwarded to the Governor's
5 office.]

6 ***

7 Board Administrator Report - No report

8 ***

9 CHAIR HAULMAN:

10 I believe that the Board would entertain
11 a motion to adjourn this meeting.

12 MR. SCHMOYER:

13 I make a motion we adjourn.

14 MR. GOULET:

15 Second the motion.

16 ***

17 [The State Board of Crane Operators Meeting adjourned
18 at 11:29 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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

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STATE BOARD OF CRANE OPERATORS
REFERENCE INDEX
January 27, 2021

TIME	AGENDA
10:32	Official Call to Order
10:34	Introductions
10:37	Adoption of Minutes
10:37	Report of Prosecution Division
10:47	Appointment - Bureau of Finance and Operations
10:54	Report of Board Counsel
11:26	Report of Commissioner
	Motions
11:29	Adjournment