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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: 9:05 A.M.

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

March 28, 2018

State Board of Crane Operators  
March 28, 2018

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BOARD MEMBERS:

Ian J. Harlow, Interim Chairman, Commissioner of  
Professional and Occupational Affairs  
Michael A. Becker, Professional Member  
Daniel R. Haulman, Professional Member  
F. Allan "Buddy" Mauger Jr., Public Member

BUREAU PERSONNEL:

Thomas A. Blackburn, Esquire, Board Counsel  
Paul J. Jarabeck, Esquire, Board Prosecution Liaison  
Katherine M. Delp, Esquire, Board Prosecutor  
Amanda Li, Board Administrator  
  
Kimberly Adams, Chief of Division of Fiscal  
Management, Bureau of Finance and Operations  
Julie Snader, Finance and Operations Manager, Division  
Of Fiscal Management, Bureau of Finance and  
Operations

1 \*\*\*

2 State Board of Crane Operators

3 March 28, 2018

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Crane Operators was held on Wednesday, March  
7 28, 2018.

8 \*\*\*

9 [Ian J. Harlow, Interim Chairman, Commissioner of  
10 Professional and Occupational Affairs, called the  
11 meeting to order at 9:05 a.m.]

12 \*\*\*

13 [Board members introduced themselves and provided a  
14 brief summary of their professional experience.]

15 \*\*\*

16 Approval of Minutes of the January 24, 2018 meeting

17 CHAIRMAN HARLOW:

18 I need a motion to approve the minutes  
19 from the January 24 meeting. Since all  
20 of you will have to abstain on that, I  
21 guess I will make the motion and ask for  
22 a vote. In the absence of any negative  
23 votes, the Minutes passed. They're  
24 approved.

25 [The motion carried. Michael A. Becker, Daniel R.

1 Haulman, and F. Allan Mauger abstained from voting on  
2 the motion.]

3

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4 Report of Prosecutorial Division

5 [Katherine Delp, Esquire, Board Prosecutor, provided a  
6 general overview of the initiation of cases before the  
7 Board.

8 Ms. Delp reviewed the receipt of complaints, the  
9 investigation procedures by the Bureau of Enforcement  
10 and Investigation, and the determination by the  
11 prosecutorial division on the matter. She discussed  
12 the filing of an Order to Show Cause, the Respondent's  
13 Answer to the same within 30 days, and the  
14 presentation of a Consent Agreement.

15 Mr. Blackburn explained the Prosecution  
16 Division's responsibility to coordinate investigations  
17 and prosecute matters before the Board. The Board's  
18 responsibility is to adjudicate those cases.

19 Mr. Blackburn referred Board members to the  
20 Status of Cases report for review. He further  
21 explained the process before and after entering into a  
22 Consent Agreement with the Respondent. The importance  
23 of confidentiality was stressed until the records  
24 become public documents.]

25

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1 [Katherine Delp, Esquire, Board Prosecutor, presented  
2 Consent Agreements for File No. 15-71-08707 and File  
3 No. 15-71-08643.]

4 \*\*\*

5 Report of Board Counsel

6 [Thomas A. Blackburn, Esquire, Board Counsel,  
7 explained the Case Status Report of cases currently  
8 pending before the Board. He noted the Regulatory  
9 Status Report as a report of pending regulations.

10 Mr. Blackburn referred Board members to the Crane  
11 Operators Licensure Act for further discussion of  
12 matters including the Board's authority to promulgate  
13 and revise regulations. He also reviewed the Schedule  
14 of Civil Penalties cases.

15 Chairman Harlow reviewed the role of his office  
16 as it concerns administrative licensure  
17 responsibilities. He also explained the roles of  
18 Board Counsel, the Prosecutorial Division, and the  
19 Bureau of Enforcement and Investigation.

20 Mr. Blackburn explained the process for hearings  
21 to be held by a Hearing Examiner on behalf of the  
22 Board or by the Board itself. He explained a Hearing  
23 Examiner will issue a proposed report for the Board to  
24 review and make the final decisions.

25 Mr. Blackburn addressed the recusal process and

1 the public nature of Board proceedings. He explained  
2 Executive Session as a private meeting of the Board to  
3 discuss case specific matters in order to take action  
4 in public session afterwards.

5 Mr. Blackburn referred Board members to documents  
6 for the Board's review outlining the proper conduct of  
7 open meetings in Pennsylvania.

8 Chairman Harlow further explained that any Board  
9 discussion must be on the record, and that Board-  
10 related business outside of the Boardroom should not  
11 be discussed. New members were encouraged to review  
12 all the documents and ask questions.]

13 \*\*\*

14 Budget Review Presentation

15 [Kimberly Adams, Chief of Division of Fiscal  
16 Management, Bureau of Finance and Operations,  
17 introduced herself and Julie Snader, Finance and  
18 Operations Manager, Division of Fiscal Management.

19 Ms. Adams referred Board members to the Bureau of  
20 Crane Operators Budget Report for further discussion  
21 of current licensee counts and comparisons to the  
22 prior year as well as actual and projected revenue.

23 Ms. Adams reviewed the past, current and  
24 projected expenses, which are broken down by  
25 administrative and legal costs, including direct

1 charges, timesheet charges and licensee-based charges.  
2 She noted the growth and financial stability going  
3 forward. Board expenses were noted as well within the  
4 budget.]

5

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6 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,  
7 welcomed the new members. He and Ms. Delp offered to  
8 answer questions of the Board with regard to the  
9 prosecution of cases.

10 Mr. Jarabeck further explained the process of a  
11 Hearing Examiner to draft a proposed report for the  
12 Board's review in matters brought before him for  
13 adjudication.]

14

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15 Report of Commissioner

16 [Ian J. Harlow, Interim Chairman, Commissioner of  
17 Professional and Occupational Affairs, informed the  
18 Board that he will soon relinquish chairmanship to one  
19 of the members.

20

21 Commissioner Harlow discussed his  
22 responsibilities as Commissioner of Professional and  
23 Occupational Affairs. He reviewed upgrades to the IT  
24 infrastructure as well as the goals of the new  
25 Pennsylvania Licensing System (PALS), including  
initial applications and license renewal.

1 Commissioner Harlow indicated that the project was 86  
2 percent and anticipated to be completed by June 30,  
3 2018, with a period of stabilization.

4 Commissioner Harlow noted after completion of the  
5 PALS project, subject matters including video  
6 conferencing of meetings and streaming to create a  
7 library would be addressed. Commissioner Harlow  
8 answered questions by Board members with regard to the  
9 electronic renewal process.]

10 \*\*\*

11 Election of Board Chairman

12 [Mr. Blackburn indicated that by statute the Board is  
13 required to select a Chair to conduct the Board  
14 meetings and asked for nominees or volunteers.]

15 MR. BECKER:

16 I'd like to nominate Buddy.

17 MR. HAULMAN:

18 I second that nomination.

19 MR. BLACKBURN:

20 Are there any others? Hearing no other,  
21 I assume we should put that to a vote.

22 All in favor of Mr. Mauger being the  
23 Board's Chair for the balance of the  
24 year, say aye. Any opposed?

25 Congratulations, Mr. Mauger, you are the



1 Board's new Chair.

2 [The motion carried unanimously.]

3 \*\*\*

4 Report of Board Chairman - No Report

5 \*\*\*

6 Discussion

7 [Thomas A. Blackburn, Esquire, Board Counsel, noted  
8 the necessity for a Probable Cause Screening  
9 Committee. Mr. Blackburn explained the process that  
10 occurs between the Prosecution Division and the  
11 Board's Probable Cause Screening Committee. He  
12 suggested a committee comprised of one person at this  
13 time since this Board only has four members.

14 Mr. Blackburn asked for a volunteer for the  
15 Probable Cause Screening Committee. Board members  
16 were referred to Chapter 7 Section 703(a)(2) for  
17 discussion of a provision regarding individuals who  
18 may be unable to operate a crane due to mental or  
19 physical illness or a physiological or psychological  
20 condition dependence upon drugs.

21 There was discussion regarding the role of a  
22 member sitting on the Probable Cause Screening  
23 Committee, including the review of a petition,  
24 attendance at an examination, and discussion of  
25 limitations or restrictions. It was noted that as a

1 member of the committee, that Board member would then  
2 be deferred from any further action taken by the  
3 Board.

4 Mr. Becker was congratulated as the sole member  
5 of the Board's Probable Cause Screening Committee.]

6 \*\*\*

7 Report of Board Administrator - No Report

8 \*\*\*

9 Miscellaneous - No Comment

10 \*\*\*

11 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
12 9:54 a.m. the Board entered into Executive Session  
13 with Thomas A. Blackburn, Esquire, Board Counsel, for  
14 the purpose of conducting quasi-judicial deliberations  
15 in a number of matters that are currently pending  
16 before the Board and to receive the advice of Counsel.  
17 The Board returned to open session at 10:24 a.m.]

18 \*\*\*

19 MOTIONS

20 MR. BLACKBURN:

21 Based upon the discussions in Executive  
22 Session, I recommend a motion to accept  
23 the Consent Agreement presented in the  
24 matter of the Commonwealth of  
25 Pennsylvania, Bureau of Professional and

1                   Occupational Affairs vs. Edward B.  
2                   Schiebel, L.C.O., at File No.  
3                   15-71-08707, Docket No. 0219-71-18.

4 CHAIRMAN HARLOW:

5                   Is there a motion?

6 MR. HAULMAN:

7                   I make a motion to accept.

8 CHAIRMAN HARLOW:

9                   Second?

10 MR. MAUGER:

11                   I'll second that motion.

12 CHAIRMAN HARLOW:

13                   All those in favor, signify by saying  
14                   aye. Any opposed, same sign?

15 [The motion carried unanimously.]

16   \*\*\*

17 MR. BLACKBURN:

18                   Based upon the discussions in Executive  
19                   Session, I recommend a motion to accept  
20                   the Consent Agreement presented in the  
21                   matter of the Commonwealth of  
22                   Pennsylvania, Bureau of Professional and  
23                   Occupational Affairs vs. Glenn  
24                   Schoentag, L.C.O., at File No.  
25                   15-71-08643, Docket No. 0218-71-18.

1 CHAIRMAN HARLOW:

2 Can I get a motion?

3 MR. MAUGER:

4 I make a motion we accept the Consent  
5 Agreement.

6 CHAIRMAN HARLOW:

7 Second?

8 MR. HAULMAN:

9 I'll second that motion.

10 CHAIRMAN HARLOW:

11 All those in favor, signify by saying  
12 aye. Opposed, same sign?

13 [The motion carried unanimously.]

14 \*\*\*

15 Adjournment

16 CHAIRMAN HARLOW:

17 That concludes our business for today's  
18 meeting. Welcome, again, gentlemen. It  
19 is a pleasure to meet you and have you  
20 on board. I will relinquish this Chair  
21 to you, sir.

22 I need a motion for adjournment at  
23 this point.

24 MR. MAUGER:

25 I make a motion that the meeting be

1 adjourned at 10:26.

2 CHAIRMAN HARLOW:

3 Is there a second?

4 MR. HAULMAN:

5 I second.

6 CHAIRMAN HARLOW:

7 Meeting adjourned. Thank you.

8 [The motion carried unanimously.]

9 \*\*\*

10 [There being no further business, the State Board of  
11 Crane Operators Meeting adjourned at 10:26 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.



Amy L. Warehime,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF CRANE OPERATORS  
REFERENCE INDEX  
March 28, 2018

TIME	AGENDA
9:05	Official Call to Order
9:06	Roll Call
9:08	Approval of Minutes
9:08	Report of Prosecutorial Division
9:14	Report of Board Counsel
9:24	Appointment - Budget Review Presentation
9:34	Report of Commissioner
9:39	Election of Board Chairman
9:45	Discussion
9:54	Executive Session
10:24	Open Session
10:24	Motions
10:26	Adjournment