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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.

PENNSYLVANIA DEPARTMENT OF STATE

May 24, 2021

State Board of Crane Operators  
May 24, 2021

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BOARD MEMBERS:

Daniel R. Haulman, Chair, Professional Member  
K. Kalonji Johnson, Commissioner, Bureau of  
Professional and Occupational Affairs  
Andrew S. Goulet, 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  
David N. Smith, Esquire, Board Prosecution Liaison  
Colby B. Widdowson, Esquire, Board Prosecutor  
Paul J. Jarabeck, Esquire, Board Prosecutor  
Amanda Li, Board Administrator  
Theodore Stauffer, Executive Secretary, Bureau of  
Professional and Occupational Affairs  
Andrew LaFratte, MPA, Executive Policy Specialist,  
Department of State

1 State Board of Crane Operators

2 May 24, 2021

3 \*\*\*

4 [Theodore Stauffer, Executive Secretary, Bureau of  
5 Professional and Occupational Affairs, noted the  
6 meeting was being recorded, and those who remained on  
7 the line were giving their consent to be recorded.]

8 \*\*\*

9 The regularly scheduled meeting of the State  
10 Board of Crane Operators was held on Monday, May 24,  
11 2021. Daniel R. Haulman, Chair, Professional Member,  
12 called the meeting to order at 10:32 a.m.]

13 \*\*\*

14 [The requirement that that Board meet in Harrisburg  
15 under Section 301(1) and requires physical attendance  
16 at meetings under Section 301(g) of the Crane  
17 Operators Licensing Act had been waived during the  
18 COVID-19 pandemic pursuant to Governor Wolf's original  
19 emergency declaration on March 17, 2020, which was  
20 extended for another 21 days on May 20, 2021, and  
21 these waivers allow the meeting to be held by a  
22 videoconference.]

23 \*\*\*

24 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
25 9:00 a.m. the Board entered into Executive Session

1 with Dean F. Picarella, Esquire, Senior Board Counsel,  
2 for the purpose of conducting quasi-judicial  
3 deliberations on a number of matters that are  
4 currently pending before the Board and to receive the  
5 advice of counsel. The Board returned to open session  
6 at 10:30 a.m.]

7 \*\*\*

8 Roll Call/Introductions

9 [Mr. Stauffer provide an introduction of public  
10 members.]

11 \*\*\*

12 [Mr. Picarella provide an introduction of Board  
13 members.]

14 \*\*\*

15 Approval of minutes of the March 24, 2021 meeting

16 CHAIR HAULMAN:

17 At this time, I would like to get an  
18 approval of the minutes for our last  
19 meeting from March 24. I will open it  
20 up to the Board.

21 Is there anybody that has any  
22 corrections that need to be made, and if  
23 not, could I have a motion to approve  
24 those minutes?

25 MR. GOULET:

1 I'd like to make a motion to approve the  
2 minutes as posted.

3 MR. MAUGER:

4 I will second the motion.

5 CHAIR HAULMAN:

6 All in favor, please say aye. Any  
7 opposed? The minutes have been  
8 approved.

9 [The motion carried. Brian Schmoyer and Daniel  
10 Mitchell recused themselves from voting on the  
11 motion.]

12 \*\*\*

13 [Dean F. Picarella, Esquire, Senior Board Counsel,  
14 welcomed Daniel Mitchell as a new member of the Board.

15 Mr. Mitchell provided a brief history of his  
16 professional background.]

17 \*\*\*

18 Report of Prosecutorial Division

19 [Colby B. Widdowson, Esquire, Board Prosecutor,  
20 presented the Consent Agreements for Case No. 19-71-  
21 009916, Case No. 19-71-009133, and Case No. 20-71-  
22 003976.]

23 \*\*\*

24 MR. PICARELLA:

25 During Executive Session, the Board

1 discussed agenda items 2, 3, and 4 on  
2 the agenda, the consent agreements that  
3 were just presented by the commonwealth.

4 Based upon the presentation by the  
5 commonwealth, do the Board members have  
6 any reason to go back into Executive  
7 Session to further discuss these  
8 matters?

9 Based upon the discussions in  
10 Executive Session, I believe the Board  
11 would entertain a motion to approve the  
12 Consent Agreement and Order at Case No.  
13 19-71-009916, item 2 on the Board's  
14 agenda.

15 Do I have such a motion?

16 MR. MAUGER:

17 I will make a motion we approve that  
18 Consent Agreement as written.

19 COMMISSIONER JOHNSON:

20 Second.

21 MR. PICARELLA:

22 We have a motion and a second. Any  
23 discussion on that matter? Hearing  
24 none. I would ask all in favor to say  
25 aye. Any opposed?

1 [The motion carried unanimously. The Respondent's  
2 name is A.W. Farrell & Son, Inc.]

3 \*\*\*

4 MR. PICARELLA:

5 Item 3 of the agenda at Case No. 19-71-  
6 009133.

7 Based upon discussions in Executive  
8 Session, I believe the Board would  
9 entertain a motion to approve the  
10 Consent Agreement and Order at Case No.  
11 19-71-009133.

12 MR. MAUGER:

13 I make a motion we approve as drafted.

14 MR. SCHMOYER:

15 I'll second that motion.

16 MR. PICARELLA:

17 We have a motion and a second. Any  
18 discussion on that matter? Hearing  
19 none. Would all those in favor say?  
20 Any opposed? Any abstentions?

21 [The motion carried unanimously. The Respondent's  
22 name is Donovan Hiltz, L.C.O.]

23 \*\*\*

24 MR. PICARELLA:

25 Item 4 of the agenda. Based on

1 discussions in Executive Session, I  
2 believe the Board would entertain a  
3 motion to deny as too lenient the  
4 Consent Agreement and Order at Case No.  
5 20-71-003976.

6 MR. MAUGER:

7 I make a motion we deny that case.

8 COMMISSIONER JOHNSON:

9 Second.

10 MR. PICARELLA:

11 We have a motion and a second. Any  
12 further discussion? Hearing none. I  
13 would ask all those in favor of the  
14 motion to deny as too lenient to say  
15 aye? An opposed? Any abstentions?

16 [The motion carried unanimously.]

17 \*\*\*

18 Report of Board Counsel - Regulations

19 [Dean F. Picarella, Esquire, Senior Board Counsel,  
20 referred to 16A-7103 regarding the schedule of civil  
21 penalties for citation authority. He noted the  
22 regulation had been submitted for final rulemaking,  
23 and presented to the Independent Regulatory Review  
24 Commission (IRRC) at the June 17, 2021 meeting. He  
25 was hopeful IRRC would approve that in order to start



1 using the citation authority for violations outlined  
2 in that authority.

3 Mr. Picarella addressed 16A-7104 regarding Act 41  
4 licensure by endorsement. He noted having discussions  
5 with regulatory counsel, where modifications and edits  
6 were identified. He mentioned the next step was  
7 moving that out as proposed rulemaking for comment  
8 after he finishes the modifications.

9 Mr. Picarella informed the Board of reports of  
10 scam artists using commonwealth phone numbers and  
11 calling licensees to extort money using their license.  
12 He noted the alert was posted on the Board of Crane  
13 Operators website. He read the notice to the Board.

14 Mr. Picarella noted health-related boards have  
15 been the target and several people have been  
16 victimized. He commented that his own phone number  
17 had been used and informed everyone that it is not  
18 only limited to the health-related boards.

19 Mr. Picarella addressed recusal guidelines and  
20 provided a copy for the Board's review. He discussed  
21 mandatory, strongly suggested, discretionary, and  
22 uncertain recusals. He encouraged everyone to contact  
23 him for advice if anyone had questions on whether to  
24 recuse themselves.

25 Mr. Picarella also addressed the Sunshine Act and

1 provided a copy for the Board's review. He noted the  
2 purpose of the Sunshine Act is to allow the public to  
3 have faith in the function of public government and  
4 lift the veil of secrecy. He noted all meetings or  
5 official action taken must be advertised and open to  
6 the public. He mentioned Board meeting links are  
7 provided for people to attend virtually and noted an  
8 increase in public input. He commented that  
9 discussion was held during Executive Session and all  
10 votes occur in open session.

11 Mr. Picarella addressed exceptions to the  
12 Sunshine Act, which are conferences or meetings where  
13 no Board action is taken and do not require  
14 advertisement and being open to the public. He noted  
15 Executive Session was another exception, where the  
16 Board meets to discuss personal matters and consults  
17 with Board counsel.]

18

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19 Report of Commissioner - No Report

20 [K. Kalonji Johnson, Commissioner, Bureau of  
21 Professional and Occupational Affairs, formally  
22 welcomed Mr. Mitchell to the Board.

23 Commissioner Johnson recognized departing member  
24 Michael Becker and read a proclamation, on behalf of  
25 the Department of State, Bureau of Professional and

1 Occupational Affairs, which will also be sent to his  
2 residence.

3 Mr. Picarella also recognized Mr. Becker, stating  
4 his service was exemplary to the Board because he  
5 always acted in a professional and ethical manner as a  
6 member of the Board and past chair.

7 Chair Haulman wished him well in all of his  
8 future endeavors.]

9 \*\*\*

10 Report of Board Chair - No Report

11 \*\*\*

12 Report of Board Administrator

13 [Amanda Li, Board Administrator, noted 2022 Board  
14 meeting dates for the Board's review. She requested  
15 Board members contact her with any issues regarding  
16 the dates.

17 Ms. Li will provide information regarding whether  
18 the Wednesday before Thanksgiving meeting date for  
19 2021 will stand.]

20 \*\*\*

21 Adjournment

22 CHAIR HAULMAN:

23 I'd like to get a motion to adjourn?

24 MR. SCHMOYER:

25 I'll make a motion to adjourn this

1 meeting.

2 MR. GOULET:

3 Second.

4 CHAIR HAULMAN:

5 We have a motion to adjourn. Everybody  
6 in favor of that? We will adjourn this  
7 meeting of the PA State Board of Crane  
8 Operators.

9 [The motion carried unanimously.]

10 \*\*\*

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

STATE BOARD OF CRANE OPERATORS  
REFERENCE INDEX

May 24, 2021

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:33	Roll Call/Introductions
10:37	Approval of Minutes
10:39	Report of Prosecutorial Division
10:47	Report of Board Counsel
11:08	Report of Board Administrator
11:10	Adjournment

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