

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

March 27, 2024

State Board of Crane Operators
March 27, 2024

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

BOARD MEMBERS:

Elizabeth Bailey, Esquire, Public Member
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Andrew S. Goulet, Professional Member - Absent
Steven M. Kuncelman, Chair, Professional Member
Daniel J. Mitchell, Vice Chair, Professional Member
Brian M. Schmoyer, Professional Member

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Board Counsel
Paul J. Jarabeck, Esquire, Senior Board Prosecutor
Gregory Liero, Esquire, Board Prosecution Liaison
Jessica Harris, Board Administrator
Marc Farrell, Esquire, Regulatory Counsel,
Office of Chief Counsel, Department of State
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State
Brian Poeschl, Legal Extern, Department of State
Benjamin McFadden, Legal Extern, Department of State

ALSO PRESENT:

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

1 ***

2 State Board of Crane Operators

3 March 27, 2024

4 ***

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

13 ***

14 The regularly scheduled meeting of the State
15 Board of Crane Operators was held on Wednesday, March
16 27, 2024. Steven M. Kuncelman, Chair, Professional
17 Member, called the meeting to order at 10:30 a.m.

18 ***

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

23 Mr. Picarella also noted the Board entered into
24 executive session for the purpose of conducting
25 quasi-judicial deliberations on a number of matters

1 currently pending before the Board and to receive the
2 advice of counsel.]

3 ***

4 Roll Call/Introductions

5 [A roll call of Board members was taken by Ms.
6 Harris. A quorum was present. She also provided an
7 introduction of attendees.]

8 ***

9 Approval of minutes of the January 31, 2024 meeting

10 MR. PICARELLA:

11 The first item on the agenda is the
12 approval of the January 31, 2024
13 meeting. Does anybody have any
14 additions or corrections to the minutes
15 from that meeting? No.

16 Based upon that, I believe the
17 Board Chair would entertain a motion to
18 approve the minutes of the January 31,
19 2024 meeting as presented.

20 CHAIR KUNCELMAN:

21 Can I get a motion for the minutes?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MR. MITCHELL:

25 I'll second.

1 CHAIR KUNCELMAN:

2 Roll call.

3

4 Elizabeth Bailey, yea; Arion Claggett,
5 aye; Steven Kuncelman, aye; Daniel
6 Mitchell, aye; Brian Schmoyer, abstain.

7 [The motion carried. Brian Schmoyer abstained from
8 voting on the motion.]

9

10 Report of Prosecutorial Division

11 [Gregory S. Liero, Esquire, Board Prosecutor, had
12 nothing specific to report.]

13

14 Report of Board Counsel

15 MR. PICARELLA:

16 I have two items on the agenda. They
17 were both discussed in executive
18 session. Mr. Schmoyer will need to
19 recuse.

20

21 [Brian M. Schmoyer, Professional Member, exited the
22 meeting for recusal purposes at 10:34 a.m.]

23

24 MR. PICARELLA:

25 The first matter is the Final A&O in

1 the Matter of Clifford J. Pierce, LCO,
2 Case No. 21-71-009384.

3 Based upon discussions in executive
4 session, I believe the Board Chair
5 would entertain a motion to approve the
6 Adjudication and Order in the Matter of
7 Clifford J. Pierce, LCO, Case No. 21-
8 71-009384, and have it issued as the
9 Board's Final Order in this matter.

10 CHAIR KUNCELMAN:

11 That's correct. Can I get a motion as
12 read?

13 ACTING COMMISSIONER CLAGGETT:

14 So moved.

15 MR. MITCHELL:

16 I'll second.

17 MS. HARRIS:

18 Elizabeth Bailey, aye; Arion Claggett,
19 aye; Steven Kuncelman, aye; Daniel
20 Mitchell, aye; Brian Schmoyer, recuse.

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

23 ***

24 MR. PICARELLA:

25 The other matter is the Matter of

1 Derrick C.R. Chatman, LCO, Case No. 21-
2 71-005773. Mr. Schmoyer is recused
3 from this as well.

4 Based upon discussions in executive
5 session, I believe the Board Chair
6 would entertain a motion to approve the
7 Adjudication and Order in the Matter of
8 Derrick C.R. Chatman, LCO, Case No. 21-
9 71-005773 and have it issued as the
10 Board's Final Order in this matter.

11 CHAIR KUNCELMAN:

12 That's correct. Can I get a motion on
13 that as read also?

14 ACTING COMMISSIONER CLAGGETT:

15 So moved.

16 MR. MITCHELL:

17 I'll second.

18 MS. HARRIS:

19 Elizabeth Bailey, aye; Arion Claggett,
20 aye; Steven Kuncelman, aye; Daniel
21 Mitchell, aye; Brian Schmoyer, recuse.

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

24 ***

25 [Brian M. Schmoyer, Professional Member, reentered

1 the meeting at 10:36 a.m.]

2 ***

3 Regulatory Counsel Report

4 [Marc Farrell, Esquire, Regulatory Counsel, Office of
5 Chief Counsel, Department of State, informed Board
6 members that they continue to have one regulation in
7 the pipeline regarding the licensure by endorsement
8 under Act 41 regulation package.

9 Mr. Farrell noted it received all necessary
10 internal departmental approvals but has one more
11 Governor's Office approval. It will then be
12 delivered to the Independent Regulatory Review
13 Commission and placed on their agenda for final
14 approval on May 16 or June 20, 2024.]

15 ***

16 Report of Acting Commissioner - No Report

17 ***

18 Report of Board Chair - No Report

19 ***

20 Report of Board Administrator - No Report

21 ***

22 Adjournment

23 CHAIR KUNCELMAN:

24 Do I have a motion for adjournment?

25 MR. SCHMOYER:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

So moved.

CHAIR KUNCELMAN:

We are done. Thank you everybody.

We'll see you next time.

[There being no further business, the State Board of Crane Operators Meeting adjourned at 10:39 a.m.]

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

March 27, 2024

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	10:00	Executive Session
9	10:30	Return to Open Session
10		
11	10:30	Official Call to Order
12		
13	10:30	Roll Call/Introductions
14		
15	10:33	Approval of Minutes
16		
17	10:33	Report of Prosecutorial Division
18		
19	10:33	Report of Board Counsel
20		
21	10:36	Report of Regulatory Counsel
22		
23	10:39	Adjournment
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		