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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: 10:37 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 29, 2023

State Board of Crane Operators  
November 29, 2023

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BOARD MEMBERS:

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

BUREAU PERSONNEL:

Carole Clarke Smith, Esquire, Senior Board Counsel  
Dean F. Picarella, Esquire, Senior Board Counsel  
Gregory Liero, Esquire, Board Prosecution Liaison  
Jessica Harris, Board Administrator  
Andrew LaFratte, MPA, Deputy Policy Director, Department of State

ALSO PRESENT:

Matthew Shaw, Program Coordinator, National Commission for the Certification of Crane Operators  
Sophia Mahoney

1 \*\*\*

2 State Board of Crane Operators

3 November 29, 2023

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, Senior 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 [Dean F. Picarella, Esquire, Senior Board Counsel,  
15 informed everyone that the meeting was being  
16 recorded, and voluntary participation constituted  
17 consent to be recorded.

18 Mr. Picarella also noted the Board entered into  
19 Executive Session for the purpose of conducting  
20 quasi-judicial deliberations on a number of matters  
21 currently pending before the Board and to receive  
22 advice of counsel.]

23 \*\*\*

24 The regularly scheduled meeting of the State  
25 Board of Crane Operators was held on Wednesday,

1 November 29, 2023. Andrew S. Goulet, Chair,  
2 Professional Member, called the meeting to order at  
3 10:37 a.m.

4 \*\*\*

5 Roll Call/Introductions

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

9 \*\*\*

10 Approval of minutes of the July 26, 2023 meeting

11 CHAIR GOULET:

12 The next item on our agenda is approval  
13 of minutes of the July 26, 2023  
14 meeting.

15 Is there a motion to approve the  
16 minutes as written?

17 MR. MITCHELL:

18 I'll make the motion.

19 CHAIR GOULET:

20 Do we have a second? I'll second that  
21 motion.

22 Ms. Harris, could you please call  
23 the Board?

24

25 Mr. Claggett, abstain; Mr. Goulet, aye;

1 Mr. Mitchell, aye; Mr. Kuncelman,  
2 abstain; Ms. Bailey, abstain.

3 [The motion carried. Arion Claggett, Steven  
4 Kuncelman, and Elizabeth Bailey abstained from voting  
5 on the motion.]

6 \*\*\*

7 Report of Prosecutorial Division

8 [Gregory S. Liero, Esquire, Board Prosecution  
9 Liaison, had nothing to report from the prosecutorial  
10 division.]

11 \*\*\*

12 Report of Board Counsel

13 [Dean F. Picarella, Esquire, Senior Board Counsel,  
14 noted this is the first meeting for new Board member,  
15 Elizabeth Bailey, and welcomed her to the State Board  
16 of Crane Operators.

17 Ms. Bailey provided a brief summary of her  
18 professional background.

19 Mr. Picarella commented that her background  
20 should provide invaluable experience and help to the  
21 Board.]

22 \*\*\*

23 Report of Board Counsel - Proposed Adjudication and  
24 Order

25 MR. PICARELLA:

1                   Agenda item 2 is a Proposed Final A&O  
2                   in the Matter of BPOA v. Matthew  
3                   Graham, Case No. 21-71-000578. This is  
4                   one of the matters we discussed in our  
5                   Executive Session.

6                   I believe, based upon the  
7                   discussions in Executive Session, the  
8                   Board Chair would entertain a motion to  
9                   adopt the preliminary Adjudication and  
10                  Order as the Final Order of the Board  
11                  in this matter.

12 CHAIR GOULET:

13                   Is there a motion to approve the  
14                   Adjudication?

15 MR. KUNCELMAN:

16                   I'll make the motion.

17 CHAIR GOULET:

18                   Is there a second?

19 MR. MITCHELL:

20                   Second.

21 CHAIR GOULET:

22                   Ms. Harris, could you call the Board,  
23                   please?

24

25                   Mr. Claggett, aye; Mr. Goulet, aye; Mr.

1 Mitchell, aye; Mr. Kuncelman, aye; Ms.  
2 Bailey, aye.

3 [The motion carried unanimously.]

4 \*\*\*

5 Applications

6 MR. PICARELLA:

7 Item 4 on the agenda is the Application  
8 of Taylor Penwell. This is another  
9 matter we discussed in Executive  
10 Session.

11 Based upon our discussions in  
12 Executive Session, I believe the Board  
13 Chair would entertain a motion to  
14 approve the Application of Taylor  
15 Penwell.

16 CHAIR GOULET:

17 Is there such a motion?

18 MR. KUNCELMAN:

19 I'll make the motion.

20 CHAIR GOULET:

21 Is there a second?

22 MR. MITCHELL:

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 Mitchell, aye; Mr. Kuncelman, aye; Ms.  
5 Bailey, aye.

6 [The motion carried unanimously.]

7

\*\*\*

8 Report of Acting Commissioner

9 [Arion R. Claggett, Acting Commissioner, Bureau of  
10 Professional and Occupational Affairs, informed Board  
11 members that the request for proposal (RFP) for the  
12 Pennsylvania Licensing System (PALS) replacement was  
13 issued on September 28, 2023. He noted the  
14 department is currently accepting bids until November  
15 30, 2023, and he would provide an additional update  
16 at the next meeting.

17 Mr. Picarella requested an update regarding the  
18 Board moving to the new facility for Board meetings.

19 Acting Commissioner Claggett noted the next Board  
20 meeting would be held in a hybrid platform at 2525  
21 North 7th Street.]

22

\*\*\*

23 Report of Board Chair - Nominations and Election of  
24 Board Officers

25 MR. PICARELLA:



1                   The first nomination would be for the  
2                   Board Chair. Do I have an open floor  
3                   to any nominations for Board Chair at  
4                   this time?

5 MR. MITCHELL:

6                   I'd like to nominate Mr. Kuncelman.

7 MR. KUNCELMAN:

8                   I'll accept that nomination.

9 MR. PICARELLA:

10                   Any other nominations? Hearing none.  
11                   I close the nominations. At this  
12                   point, I need to ask if the Board would  
13                   vote to elect Steven Kuncelman as the  
14                   Board Chair beginning at our next  
15                   meeting?

16                                 At that point, we need a motion to  
17                   approve that.

18 MR. MITCHELL:

19                   I'll make the motion to approve.

20 ACTING COMMISSIONER CLAGGETT:

21                   Second.

22 MR. PICARELLA:

23                   We have a motion to approve and a  
24                   second. Any discussion? Can we have a  
25                   vote on that, please, Jessica?

1

2

Mr. Claggett, aye; Mr. Goulet, aye; Mr.

3

Mitchell, aye; Mr. Kuncelman, aye; Ms.

4

Bailey, aye.

5

[The motion carried unanimously.]

6

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7

MR. PICARELLA:

8

The next position would be Vice Chair.

9

At this point, I would open the floor

10

to nominations for Vice Chair.

11

MR. KUNCELMAN:

12

I'll nominate Dan Mitchell for Vice

13

Chair.

14

MR. MITCHELL:

15

I accept.

16

MR. PICARELLA:

17

Any other nominations? No. With that,

18

the nominations will close. At this

19

point, we would have a vote to have Mr.

20

Daniel Mitchell as our next Board Vice

21

Chair.

22

Do we have such a motion?

23

MR. KUNCELMAN:

24

I'll make the motion.

25

ACTING COMMISSIONER CLAGGETT:

1 Second.

2 MR. PICARELLA:

3 We have a first and a second. Any  
4 further discussion? Ms. Harris, would  
5 you kindly do the roll call vote?

6

7 Mr. Claggett, aye; Mr. Goulet, aye; Mr.  
8 Mitchell, aye; Mr. Kuncelman, aye; Ms.  
9 Bailey, aye.

10 [The motion carried unanimously.]

11

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12 Miscellaneous

13 [Jessica Harris, Board Administrator, noted 2024  
14 Board meeting dates for the Board's review.]

15

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16 Report of Board Administrator - No Report

17

\*\*\*

18 Adjournment

19 CHAIR GOULET:

20 I'd like to adjourn the meeting of the  
21 State Board of Crane Operators at  
22 10:51 a.m.

23 MR. MITCHELL:

24 I'll make the motion.

25 MR. KUNCELMAN:

1 I'll second.

2 MR. PICARELLA:

3 We are officially adjourned. Thank you  
4 everyone.

5 \*\*\*

6 [There being no further business, the State Board of  
7 Crane Operators Meeting adjourned at 10:51 a.m.]

8 \*\*\*

9

10 CERTIFICATE

11

12 I hereby certify that the foregoing summary  
13 minutes of the State Board of Crane Operators  
14 meeting, was reduced to writing by me or under my  
15 supervision, and that the minutes accurately  
16 summarize the substance of the State Board of Crane  
17 Operators meeting.

18

19

20



21

Sophia Mahoney,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

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STATE BOARD OF CRANE OPERATORS  
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TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:37	Official Call to Order
10:38	Roll Call/Introductions
10:38	Approval of Minutes
10:40	Report of Board Counsel
10:43	Applications
10:44	Report of Acting Commissioner
10:45	Report of Board Chair
10:49	Miscellaneous
10:51	Adjournment