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

September 30, 2026

State Board of Crane Operators
July 29, 2026

BOARD MEMBERS:

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

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Board Counsel
Paul Jarabeck, Esquire, Senior-Prosecutor-In-Charge
Gregory S. Liero, Esquire, Board Prosecution Liaison
Marc Farrell, Esquire, Regulatory Counsel
Kristel Hennessy Hemler, Board Administrator
Thomas Leech II, Esquire, Business Licensing Division Chief

ALSO PRESENT:

Jacob Hill, Sargent's Court Reporting Service, Inc.

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State Board of Crane Operators

September 30, 2026

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

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[Dean F. Picarella, Esquire, Board Counsel, noted the meeting was being recorded and continued participation constituted consent to be recorded.

He also noted the Board entered into Executive Session for the purpose of conducting quasi-judicial deliberations on a number of matters that were currently pending before the Board and to receive advice of counsel.]

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The regularly scheduled meeting of the State Board of Crane Operators was held on Wednesday, September 30, 2026. Steven Kuncelman, Professional

Member, Chair called the meeting to order at 10:30 a.m.

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Roll Call/Introductions

[A roll call of Board members and introduction of attendees was taken by Board Administrator, Ms. Hennessy-Hemler. A quorum of Board members was present.]

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Approval of Minutes

MR. PICARELLA:

Do any Board Members have any changes to make to the minutes of July 29, 2026?

Seeing none, I believe the Board Chair would entertain a motion to approve the minutes of the July 29, 2026 meeting of the State Board of Crane Operators as written.

CHAIR KUNCELMAN:

Can I get a motion to approve the previous month's minutes?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. PICARELLA:

Do we have a second?

MR. MITCHELL:

I'll second.

Acting Commissioner Claggett, aye; Chair Kuncelman, abstain; Mr. Mitchell, aye; Mr. Goulet, abstain.

[The motion carried. Chair Kuncelman and Mr. Goulet abstained from voting on the motion.]

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Report of Prosecutorial Division

[Gregory S. Liero, Esquire, Board Prosecution Liaison, presented the Consent Agreement for Agenda Item No. 2, Case No. 25-71-014900.]

MR. PICARELLA:

Based upon discussions in Executive Session, I believe the Board Chair would entertain a motion to approve the Consent Agreement and Order at Item No. 2 on the Agenda, Case No. 25-71-014900.

CHAIR KUNCELMAN:

That is correct. Can I get a motion to approve as just discussed?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, second.

Acting Commissioner Claggett, aye; Chair Kuncelman, aye; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried unanimously. The Respondent at Agenda Item No. 2, Case No. 25-71-014900, is Steven Booth, L.C.O.]

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Report of Board Counsel - Final Adjudication and Order

MR. PICARELLA:

Next, on to my report, I have several Final Adjudications to present. The first is Item No. 3 on the Agenda, Case No. 24-71-017498, Michael Brandt.

Based upon discussions in Executive Session, I believe the Board Chair would entertain a motion to direct Board Counsel to issue the Adjudication and Order in the matter as the Final Order of the Board.

CHAIR KUNCELMAN:

That is correct. Can I get a motion to

approve as just discussed?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, second.

Acting Commissioner Claggett, aye; Chair Kuncelman, aye; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried unanimously.]

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MR. PICARELLA:

Next case is Item No. 4 on the Agenda, Eric Fletcher, Case No. 24-71-008206.

Based upon discussions in Executive Session, I believe the Board Chair would entertain a motion to direct Board Counsel to issue the Adjudication and Order in the matter as the Final Order of the Board.

CHAIR KUNCELMAN:

That is correct. Can I get a motion to approve as discussed?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, second.

Acting Commissioner Claggett, aye; Chair Kuncelman, aye; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried unanimously.]

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VICE CHAIR MITCHELL ASSUMED THE CHAIR.

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MR. PICARELLA:

Next matter, No. 5. I believe the Board Chair Steven Kuncelman will be recusing himself from this one.

Okay. this is Item No. 5, Jeffery Lawson, Case No. 24-71-012655.

Based upon discussions in Executive Session, I believe the Vice Chair of the Board would entertain a motion to direct Board Counsel to issue the Adjudication and Order in this matter as the Final Order of the Board.

VICE CHAIR MITCHELL:

That is correct. Would anybody care to make a motion as framed by Board

Counsel Mr. Picarella?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, I second.

Acting Commissioner Claggett, aye; Chair Kuncelman, recuse; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried. Chair Kuncelman was recused from deliberations and voting on the motion.]

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CHAIR KUNCELMAN RESUMED THE CHAIR.

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Regulatory Updates

[Marc Farrell, Esquire, Regulatory Counsel, provided a background for Regulation 16A-7105, Fees. The Annex before the Board sets out the fee schedule with various proposed increases as recommended by the Bureau of Finance and Procurement (BFP). If approved by the Board, the Annex would go out to stakeholders and interested third parties as an Exposure Draft.

The Annex was shown to the Board and Mr. Farrell explained what the Board was looking at. He noted the effective date was left blank as Regulatory

Counsel was unable to definitively state when the final regulation would be completed and published. He added, due to the length of the regulatory process, the date would likely be in 2028.

Chair Kuncelman asked why the initial application fee was much less than the renewal fee. Mr. Farrell explained the initial application fee is based on how much time it takes to review an application while the renewal fee captures the revenue needed to fund the Board. Mr. Picarella pointed out the numbers came from BFP. Mr. Jarabeck commented another factor to consider is someone just completing their training has less expendable cash compared to someone who has been working in the profession for some time.]

MR. PICARELLA:

Based upon discussion in open session, I believe the Board Chair would entertain a motion to adopt and approve the proposed Annex for Regulation No. 16A-7105 relating to Fees and to release the exposure draft of the Annex to interested parties and stakeholders for comments.

CHAIR KUNCELMAN:

That is correct. Can I get a motion to

approve as just discussed?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, second.

Acting Commissioner Claggett, aye; Chair Kuncelman, aye; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried unanimously.]

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[Mr. Picarella noted the Board had discussion regarding citations listed on the schedule of civil penalties. He asked how much the burden would be if the Board decided to modify one of the civil penalties.

Mr. Farrell explained the change would have to go through the regulatory process. As a simple change, the process would take at least a year. He also noted several boards were currently working on changes to their civil penalties.

Chair Kuncelman asked if, while going through the regulation process for the fee change, would it be beneficial to piggyback onto the fee changes. Mr. Farrell replied the packages could possibly go

together; however, Regulatory Counsel tends to prefer to let fees stand alone in case they cause controversy. By having the Fees package and Schedule of Civil Penalties run on parallel tracks, while separate, ensures the greatest likelihood that each one will succeed on its own schedule. It was noted the Fees package would stay as is, and the Schedule of Civil Penalties would be considered later.]

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Report of the BPOA Commissioner - No Report

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Report of the Board Chair - No Report

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Report of Board Administrator

[Kristel Hennessy Hemler, Board Administrator, stated the 2029 proposed meeting dates were January 31, March 28, May 23, July 25, September 26, and December 5.]

MR. PICARELLA:

Based upon review of the proposed 2029 Crane Operators Board Meeting dates, I believe the Chair would entertain a motion to adopt the dates as proposed by the Board Administrator.

CHAIR KUNCELMAN:

Correct. Can I get a motion to approve the dates as discussed?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

MR. GOULET:

Andrew Goulet, second.

Acting Commissioner Claggett, aye; Chair Kuncelman, aye; Mr. Mitchell, aye; Mr. Goulet, aye.

[The motion carried unanimously.]

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[Ms. Hennessy Hemler provided updates on the crane operator license renewals. She reviewed examples of the renewal process and instructions available on the Board's website. She also provided a comparison with where renewals currently were versus 2024.

Chair Kuncelman asked if there had been any issues with medical examiner's certificates not being updated. Ms. Hennessy Hemler replied more often there were issues with the national certifications, because licensees either answer incorrectly when asked if they have been physically seen by a doctor and deemed physically capable of operating a crane or they put in an exam date instead of an expiration

date.

Mr. Mitchell asked if the renewal instructions included information on how to use their CCO (National Commission for the Certification of Crane Operators) ID number instead of certification number. Ms. Hennessey Hemler stated either number could be used as she can put in either number with CCO.]

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Miscellaneous - Discussion Regarding Citations

[Dean F. Picarella, Esquire, Board Counsel, explained Prosecution had requested guidance moving forward with how the Board wanted to handle citations for failure to report a recertification or failure to report a lapse of certification. He noted, in the past, there had been many appeals as the provision was not well known amongst the licensee population. He noted, because the Board had been very understanding and lenient, either removing the fine entirely or reducing the fine to $250. He further explained Prosecution had asked if the Board planned to continue to be lenient or if they would be sticking with the fines levied by the citations.

Mr. Jarabeck summarized the citations from the perspective of Prosecution. He noted the situation was similar to previous struggles the Board had

related to issues of criminal offenses where the Board indicated a preference to see cases go to an examination to have a level of clarity when issuing the Final Adjudication. He welcomed input from the Board so Prosecution could understand what to prepare for with the current renewal cycle closing soon.

Chair Kuncelman stated the Board had a discussion where it acknowledged lowering the monetary penalties. While he stated any cases left from the previous renewal cycle should be handled the same way as in the past, moving forward with new cases, the Board intended to impose the full thousand dollar fine. He added the Board had done its due diligence in ensuring everyone knew the expectations.

Mr. Jarabeck pointed out Prosecution understood there had been some difficulty with explaining the issues to licensees. He emphasized Prosecution was happy to hear what the Board had to say and would work accordingly.

Mr. Picarella noted the application had been changed to inform people that, if they are coming up, they need to inform the Board.

Ms. Hennessey Hemler stated Mr. Picarella was correct. She added Board staff conducted a specialty cleanup in the files for licensees. Staff was being

proactive in notifying licensees if their national certification was expired or expiring soon. She added, after the renewal cycle ends on November 1, 2026, staff will get a list of all active or active on probation licensees whose specialties were expiring that month to proactively send out notification emails. Licensees will have 30 days to respond.

Mr. Jarabeck commented the actions taken by the Board was incredible and was a testament to what staff had done for licensees as boards generally do not owe licensees that kind of response.

Mr. Liero asked for staff to make sure licensees understood, as long as their license is active, then their certification also had to be active. He explained more than one operator informed him they did not renew certifications because they had not been operating a crane. He also noted a fair number of operators receiving the citations tending to be primarily operating in another state where the licensing differs from Pennsylvania.

Ms. Hennessey Hemler commented she would be working with Mr. Picarella on the language for the emails being sent out to ensure everyone was okay with it.]

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Applications for Review - None

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Appointments - None

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Public Comments - None

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Adjournment

CHAIR KUNCELMAN:

All right. Can I get a motion to end the meeting?

ACTING COMMISSIONER CLAGGETT:

Claggett, so moved.

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[There being no further business, the State Board of Crane Operators Meeting adjourned at 11:14 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.



Jacob Hill,
Minute Clerk
Sargent's Court Reporting Service, Inc.

STATE BOARD OF CRANE OPERATORS
REFERENCE INDEX

September 30, 2026

TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:31	Roll Call/Introductions
10:32	Approval of Minutes
10:33	Report of Prosecutorial Division
10:35	Report of Board Counsel
10:39	Regulatory Updates
10:53	Report of Board Administrator
11:01	Miscellaneous
11:14	Adjournment