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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: 10:30 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

January 28, 2026

State Board of Crane Operators
January 28, 2026

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BOARD MEMBERS:

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

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Board Counsel
Paul J. Jarabeck, Esquire, Senior Prosecutor in
Charge
Marc Farrell, Esquire, Regulatory Counsel
Jessica Harris, Board Administrator
Danie Bendesky, Special Assistant for Strategic
Initiatives, Department of State
Shana M. Walter, Esquire, Deputy Chief Counsel,
Prosecution Division
Gregory S. Liero, Esquire, Board Prosecution Liaison
Deena Parmelee, Legal Office Administrator,
Department of State

ALSO PRESENT:

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

1 ***

2 State Board of Crane Operators

3 January 28, 2026

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 session
12 at 10:30 a.m.]

13 ***

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

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

22 ***

23 The regularly scheduled meeting of the State
24 Board of Crane Operators was held on Wednesday,
25 January 28, 2026. Chair, Steven Kuncelman, called the

1 meeting to order at 10:36 a.m.

2 ***

3 Roll Call/Introductions

4 [A roll call of Board members and introduction of
5 attendees was taken by Ms. Harris. A quorum of Board
6 members was present.]

7 ***

8 Approval of Minutes of the November 26, 2025

9 MR. PICARELLA:

10 Do any Board members have any changes
11 or additions to the November 26, 2005
12 Agenda?

13 Seeing none, I believe the Board
14 Chair would entertain a motion to
15 approve the minutes of the November 26,
16 2025 meeting of the State Board of
17 Crane Operators as written.

18 CHAIR KUNCELMAN:

19 Can I get a motion to approve the
20 minutes?

21 MR. GOULET:

22 I make a motion to approve the minutes.

23 MS. BAILEY:

24 Elizabeth Bailey, second.

25

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

4 [The motion carried. Mr. Kuncelman and Mr. Claggett
5 abstained from voting on the motion.]

6 ***

7 Report of Prosecutorial Division - No Report

8 ***

9 Report of Board Counsel

10 MR. PICARELLA:

11 First item on the Agenda for my report
12 is Item No. 2 on the Agenda, Thomas
13 Isabel, Case No. 25-71-018150.

14 Based upon discussions in
15 Executive Session, I believe the Board
16 Chair would entertain a motion to have
17 this matter placed on the next
18 available Agenda for a hearing before
19 the Board. This is an application
20 hearing.

21 CHAIR KUNCELMAN:

22 Can I get a motion?

23 MR. GOULET:

24 So moved.

25 MS. BAILEY:

1 Elizabeth Bailey, second.

2

3 Ms. Bailey, aye; Mr. Claggett, aye; Mr.
4 Goulet, aye; Mr. Kuncelman, aye; Mr.
5 Mitchell, aye.

6 [The motion carried unanimously.]

7

8 MR. PICARELLA:

9 The next item is Item No. 3, a Final
10 Adjudication and Order in the matter of
11 Joseph T. Murtagh III, Case No. 24-71-
12 016293.

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

19 CHAIR KUNCELMAN:

20 Can I get a motion?

21 MR. GOULET:

22 So moved.

23 MS. BAILEY:

24 Elizabeth Bailey, second.

25

1 Ms. Bailey, aye; Mr. Claggett, aye; Mr.
2 Goulet, aye; Mr. Kuncelman, aye; Mr.
3 Mitchell, aye.

4 [The motion carried unanimously.]

5 ***

6 MR. PICARELLA:

7 Next item is Item No. 4 in the Agenda,
8 Ryan Dwain Church, Case No. 24-71-
9 018829.

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

16 CHAIR KUNCELMAN:

17 Can I get a motion?

18 MR. GOULET:

19 So moved.

20 MS. BAILEY:

21 Elizabeth Bailey, second.

22
23 Ms. Bailey, aye; Mr. Claggett, aye; Mr.
24 Goulet, aye; Mr. Kuncelman, aye; Mr.
25 Mitchell, aye.

1 [The motion carried unanimously.]

2

3 Report of Board Counsel - Sunshine Act/Recusal

4 [Dean Picarella, Esquire, Board Counsel, presented on
5 the Sunshine Act and Recusal process. He stated,
6 under the Sunshine Act, the public has the right to
7 be present at all meetings of agencies in order to
8 witness deliberations, policy formulation, and
9 decision making. This process is vital to the
10 enhancement and proper functioning of the democratic
11 process. He noted a push over the last several years
12 to make sure that all government agencies are acting
13 in the interest of the public.

14 Mr. Picarella stated an agency includes the Board
15 and all committees of the Board which have been
16 authorized by the Board to take official action. Any
17 agency meetings in which deliberations are made must
18 be open to the public. Official action, including but
19 not limited to, recommendations made pursuant to a
20 statute, ordinance or executive order, must be open
21 to the public.

22 Mr. Picarella noted agencies must give public
23 notice of each meeting not less than three days in
24 advance of the meeting as well as public notice of
25 the schedule of all meetings. If an agency has a

1 special meeting, public notice of the special meeting
2 or rescheduled meeting must be given at least 24
3 hours in advance. If there is an emergency meeting,
4 public notice is required as well.

5 Public notice originally meant the publication of
6 the place, date and time of a meeting in a newspaper
7 of general circulation in the political subdivision
8 of the meeting location; prominent posting of a
9 notice with the same information at the principal
10 offices of the agency; and notice to interested
11 parties. Act 65 of 2021 added that the agenda must
12 be publicly accessible by website no later than 24
13 hours in advance of the meetings as well as posting
14 the agenda at the agency office and meeting location.

15 Agendas must include a listing of each matter of
16 agency business that may or will be a subject of
17 deliberations or official action at the meeting. He
18 noted it was easier to put items on the agenda and
19 then table them during the meeting rather than to
20 discuss that matter after the agenda is published.
21 He added the agenda requirement applies to all
22 regular and special meetings, but does not apply to
23 work sessions, conferences and executive sessions.
24 If a matter is not on the agenda, the Board cannot
25 vote on it or discuss it.

1 Mr. Picarella stated the vote of each member must
2 be publicly cast and recorded, both for in-person
3 members or virtual member attendees at a meeting.
4 One must be seen as well as heard. No secret ballots
5 are permitted. He noted the hybrid meeting
6 announcement given at the beginning of each meeting
7 to supersede the Practice Act of the Board that notes
8 Board members being physically present.

9 Mr. Picarella discussed minutes being recorded
10 and kept of all open meetings including date, time
11 and place of the meeting, the names of all members
12 and non-members present, the substance of all
13 official actions and a record by each individual
14 member of a roll call vote.

15 Mr. Picarella noted the only exceptions to the
16 requirements of an open meeting are conferences and
17 executive sessions. He then explained what is
18 permitted during executive sessions. He noted
19 Executive Sessions may be held before, during or
20 after an open meeting or may be announced for a
21 future time. The reason for the Executive Session
22 must be disclosed at an open meeting when it occurs
23 immediately prior to or subsequent to the executive
24 session. He stressed that executive sessions may not
25 be used as a subterfuge to defeat the purposes of the

1 Sunshine Act, because the public has the right to see
2 the Board's deliberations.

3 Mr. Picarella stated the takeaways from the
4 presentation are that Board business should always be
5 conducted in open meetings, and Board members should
6 not discuss agency business, especially executive
7 session matters, outside of the official Board
8 meeting, whether in person, by phone or by email.

9 He noted, if a board has delegated to a committee
10 a role in formulating policy or regulations, those
11 deliberations should take place during an open
12 meeting. If a committee is performing administrative
13 functions, such as reviewing applications, or
14 prosecutorial functions, the meeting is not subject
15 to open meeting requirements.

16 Mr. Picarella then addressed the legal challenges
17 inherent when an alleged violation of the Sunshine
18 Act has taken place at an open meeting. Any
19 violation of the Act requires a legal filing no more
20 than 30 days from the open meeting in which it
21 allegedly occurred or within 30 days of the discovery
22 of such an act. There are penalties for a violation.
23 They include, but are not limited to fines, the cost
24 of prosecution or potentially invalidating the entire
25 meeting in which the violation happened.

1 Recusal is mandatory when a board member has
2 had a prosecutorial role in the matter or if the
3 board member has a direct personal financial interest
4 in the outcome of the matter. Recusal is strongly
5 suggested if a board member has a personal affection
6 for someone directly involved in the subject at issue
7 or if a board member has knowledge from outside of a
8 pending case that renders them uncertain as to
9 whether they can make a fair and unbiased
10 determination on the matter. Discretionary recusal
11 can occur if the board member cannot hear and dispose
12 of the case or participate in a decision fairly and
13 without prejudice. Mr. Picarella added, if a board
14 member is unsure whether they should recuse themself
15 from a case, the board member should talk to Board
16 Counsel.

17 Mr. Picarella explained the difference between
18 recusal and abstaining from a vote. He noted
19 abstaining is withholding a vote and does not affect
20 quorum. Recusing is an inability to vote and affect
21 decorum and therefore affects the quorum.

22 Mr. Picarella was unaware if Pennsylvania had a
23 statewide organization for Crane Operators. Regarding
24 conflicts of interest, Mr. Picarella stated no member
25 of a professional or licensing board is permitted to

1 be an officer or agent of a statewide association or
2 organization that represents the profession or
3 occupations subject to the board's actions. A member
4 of the board shall not be related to or part of an
5 immediate family member of any member of the
6 profession or occupation to be incensed or regulated
7 by the particular board or commission. Any person
8 not meeting the standards set forth shall be
9 ineligible for membership on the board or
10 commission.]

11 ***

12 Report of Regulatory Counsel - No Report

13 ***

14 Appointment - Shana Walter, Esquire, Deputy Chief
15 Counsel, Prosecution Division

16 [Shana Walter, Esquire, Deputy Chief Counsel,
17 Prosecution Division, presented on the Annual
18 Prosecution Report to the Board. Ms. Walter stated
19 the prosecution, in a very general nutshell, receives
20 complaints. The staff then determines if the BPOA
21 has jurisdiction over the matter. If an
22 investigation commences, the materials go through
23 various levels of review. If the respondent is
24 charged, they can elect to go through the hearing
25 process or avail themselves of the consent agreement

1 process.

2 She noted the Bureau of Enforcement and
3 Investigations (BEI) conducts interviews, inspections
4 and obtain evidence. After the investigation, the
5 prosecuting attorney reviews the BEI findings and
6 determines whether the alleged violation has merit.
7 The BEI is limited to what it can do; it cannot
8 create or sign search warrants or enter a private
9 property without consent.

10 Ms. Walter informed the Board, should a violation
11 occur, there are several remedies that can be
12 exercised, including but not limited to, revocation
13 suspension, probation, and civil penalties. The
14 respondent to the violation will get due process.

15 Ms. Walter stated the actions of the prosecution
16 are subject to the confidentiality statute.
17 Information can be shared on the Board's website
18 after a public or final action has been determined by
19 the Board.

20 Ms. Walter stated the Board had 63 cases opened
21 in 2025. The Board closed 58 cases, which took
22 approximately 379 days for the cases to close. Seven
23 of the cases where discipline was imposed were
24 monetary and/or an order that affected the ability to
25 practice, like suspension or probation. 19 warning

1 letters were sent out by the prosecutors. Currently,
2 there are 3,010 active licenses for the Board and 88
3 cases open.]

4 ***

5 Report of the Commissioner - No Report

6 ***

7 Report of Board Chair - Election of Officers

8 MR. PICARELLA:

9 I hereby open the floor for nominations
10 of the Board Chair.

11 MR. GOULET:

12 I will make a motion to appoint Steve
13 Kuncelman to Chairman.

14 MS. BAILEY:

15 Second.

16 MR. PICARELLA:

17 Are there any other nominations?

18 With that, the nominations will
19 close.

20 Mr. Kuncelman, if you are duly
21 elected, do you agree to continue to
22 serve your term as the Board Chair?

23 CHAIR KUNCELMAN:

24 I do.

25 MR. PICARELLA:

1 Roll call vote to confirm.

2

3 Ms. Bailey, aye; Mr. Claggett, aye; Mr.
4 Goulet, aye; Mr. Kuncelman, aye; Mr.
5 Mitchell, aye.

6 [The motion carried unanimously.]

7

8 MR. PICARELLA:

9 Do we have any nominations for Vice
10 Chair?

11 MR. GOULET:

12 I'd like to nominate Mr. Daniel
13 Mitchell for the position of Vice
14 Chair.

15 MS. BAILEY:

16 Second.

17 MR. PICARELLA:

18 Are there any other nominations?

19 With that, the nominations will
20 close.

21 Mr. Mitchell, should you be duly
22 elected, do you agree to serve your
23 term as the Vice Chair?

24 MR. MITCHELL:

25 I do agree to do so.

1 MR. PICARELLA:

2 Can we please have a roll call vote.

3

4 Ms. Bailey, aye; Mr. Claggett, aye; Mr.
5 Goulet, aye; Mr. Kuncelman, aye; Mr.
6 Mitchell, aye.

7 [The motion carried unanimously.]

8

9 Report of Board Administrator - Calendar Dates

10 [Jessica Harris, Board Administrator, noted the Board
11 meetings scheduled in November generally conflicted
12 with the Thanksgiving holiday. After discussion
13 amongst the Board, it was decided that Friday,
14 November 6, 2026 would be the next viable meeting
15 date for that month.]

16 MR. PICARELLA:

17 Based upon discussions in open session,
18 I believe the Board Chair would
19 entertain a motion to move the
20 regularly scheduled meeting on November
21 25th to Friday, November 6th, 2026.

22 CHAIR KUNCELMAN:

23 That is correct. Can I get a motion to
24 move the meeting from the 25th to the
25 6th?

1 MR. GOULET:

2 So moved.

3 MS. BAILEY:

4 Second.

5 MR. PICARELLA:

6 Roll call please.

7

8 Ms. Bailey, aye; Mr. Claggett, aye; Mr.

9 Goulet, aye; Mr. Kuncelman, aye; Mr.

10 Mitchell, aye.

11 [The motion carried unanimously.]

12 ***

13 Applications - None

14 ***

15 Miscellaneous - No Report

16 ***

17 Public Comments - None

18 ***

19 MR. PICARELLA:

20 I believe our Board Chair can call for

21 adjournment.

22 CHAIR KUNCELMAN:

23 Yes. That being said, taking a motion

24 to adjourn a meeting.

25 MR. MITCHELL:

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I'll make a motion to adjourn a meeting.

[There being no further business, the State Board of Crane Operators Meeting adjourned at 11:22 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.



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

STATE BOARD OF CRANE OPERATORS
REFERENCE INDEX

January 28, 2026

TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:36	Official Call to Order
10:37	Roll Call/Introductions
10:38	Approval of Minutes
10:39	Report of Board Counsel
11:03	Appointment - Shana Walter, Esq.
11:10	Report of Board Chair
11:13	Report of Board Administrator
11:21	Miscellaneous / Discussion
11:22	Adjournment