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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 VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS**

TIME: 9:49 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

January 8, 2019

1 State Board of Vehicle Manufacturers,
2 Dealers and Salespersons
3 January 8, 2019
4
5

6 BOARD MEMBERS:
7

8 Dan G. Murphy III, Chairman
9 Kirk A. Davis, Secretary
10 Ian J. Harlow, Commissioner of Professional and
11 Occupational Affairs - Absent
12 Steve T. Fretz, Professional Member
13 Neal L. Hufford Jr., Professional Member
14 David Tully, Attorney General Representative
15 Robert M. Shaffer, Department of Transportation
16 Representative
17 George F. Mermon, Professional Member
18 William M. Mohler, Professional Member - Absent
19 Donald J. Stoy, Public Member
20
21

22 BUREAU PERSONNEL:
23

24 Juan A. Ruiz, Esquire, Board Counsel
25 Shana M. Walter, Esquire, Board Counsel
26 Amanda N. Wojciechowski, Board Prosecution Liaison
27 Glenn P. Masser, Esquire, Board Prosecutor
28 Monty J. Batson, Esquire, Board Prosecutor
29 Colby B. Widdowson, Esquire, Board Prosecutor
30 Janice Cline, Board Administrator
31
32

33 ALSO PRESENT:
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35 Robert G. Gulack, Respondent
36 John C. Capek, Esquire, on behalf of Respondent
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1 ***

2 State Board of Vehicle Manufacturers,
3 Dealers, and Salespersons

4 January 8, 2019

5 ***

6 The regularly scheduled meeting of the State
7 Board of Vehicle Manufacturers, Dealers, and
8 Salespersons was held on Tuesday, January 8, 2019.
9 Dan G. Murphy III, Chairman, called the meeting to
10 order at 9:49 a.m.

11 The Pledge of Allegiance was recited. Roll call
12 was taken.

13 ***

14 Approval of Minutes of the December 4, 2018 meeting

15 CHAIRMAN MURPHY:

16 Approval of the minutes?

17 MR. DAVIS:

18 So moved.

19 MR. MERMON:

20 Second.

21 CHAIRMAN MURPHY:

22 So moved and seconded.

23

24 Roll call.

25

1 David Tully, aye; George Mermon, aye;
2 Kirk Davis, aye; Neal Hufford Jr., aye;
3 Steve Fretz, abstain; Donald Stoy, aye;
4 Robert Shaffer, aye; and Dan Murphy,
5 aye.

6 [The motion carried. Steve Fretz abstained from
7 voting on the motion.]

8 ***

9 Report of Prosecutorial Division

10 [Monty J. Batson, Esquire, Board Prosecutor, presented
11 the Consent Agreements for File No. 15-60-06141 and
12 File No. 15-60-01373.]

13 ***

14 [Glenn P. Masser, Esquire, Board Prosecutor, presented
15 the following Consent Agreements: File No. 16-60-
16 03016, File No. 18-60-04216, and File No. 16-60-
17 08988.]

18 ***

19 [Colby B. Widdowson, Esquire, Board Prosecutor,
20 presented the Consent Agreement for Case No. 16-60-
21 11825.]

22 ***

23 Report of Board Counsel

24 [Juan A. Ruiz, Esquire, Board Counsel, noted a
25 scheduled hearing, a Final Adjudication and Order,

1 three Proposed Adjudications and Orders, a case to
2 deliberate on from a prior hearing, and two Motions to
3 Deem Facts Admitted for discussion in Executive
4 Session.]

5

6 [A Formal Hearing was held from 10:08 a.m. until
7 10:56 a.m. in the case of the Commonwealth of
8 Pennsylvania Bureau of Professional and Occupational
9 Affairs vs. Robert Craig Gulack, Case No. 17-60-
10 05557.]

11

12 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
13 10:56 a.m. the Board entered into Executive Session
14 with Juan A. Ruiz, Esquire, Board Counsel, and Shana
15 M. Walter, Esquire, Board Counsel, for the purpose of
16 conducting quasi-judicial deliberations and to receive
17 advice of Counsel. The Board returned to open session
18 at 11:43 a.m.]

19

20 MOTIONS

21 MR. RUIZ:

22

23

24

25

The Board was just in Executive Session
conducting quasi-judicial deliberations
on a number of matters currently pending
before the Board.

1 Is there a motion to approve the
2 Consent Agreements of the following File
3 Nos.: File No. 15-60-06141, File No.
4 15-60-01373, File No. 16-60-03016, File
5 No. 18-60-04216, File No. 16-60-08988,
6 and File No. 16-60-11825?

7 MR. STOY:

8 So moved.

9 MR. MERMON:

10 Second.

11 CHAIRMAN MURPHY:

12 So moved and seconded.

13

14 Roll call.

15

16 David Tully, aye; George Mermon, aye;
17 Kirk Davis, aye; Neal Hufford Jr., aye;
18 Steve Fretz, aye; Donald Stoy, aye;
19 Robert Shaffer, aye; and Dan Murphy,
20 aye.

21 [The motion carried unanimously. The Respondent's
22 name for File No. 15-60-06141 is Michael C. Kurnik.
23 The Respondent's name for File No. 15-60-01373 is Gary
24 J. Celovsky. The Respondent's name for File No. 16-
25 60-03016 is Harry's Used Cars. The Respondent's name

1 for File No. 18-60-04216 is J C Motor Company. The
2 Respondent's name for File No. 16-60-08988 is Michael
3 D. Haney. The Respondent's name for File No. 16-60-
4 11825 is John A. Crane.]

5

6 MR. RUIZ:

7

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10

Is there a motion to approve the final
Adjudication and Order in the case of
Jesus Delgado Marcano at File No. 18-60-
00164?

11 MR. STOY:

12

So moved.

13 MR. DAVIS:

14

Second.

15 CHAIRMAN MURPHY:

16

So moved and seconded.

17

18

Roll call.

19

20

David Tully, aye; George Mermon, aye;

21

Kirk Davis, aye; Neal Hufford Jr., aye;

22

Steve Fretz, aye; Donald Stoy, aye;

23

Robert Shaffer, aye; and Dan Murphy,

24

aye.

25 [The motion carried unanimously.]

1 ***

2 MR. RUIZ:

3 Is there a motion to approve the
4 following proposed Adjudications and
5 Orders and adopt as the Board's final
6 orders in the cases of Fadil Ahmetovic
7 at File No. 14-60-01555, John A. Rogers
8 at File No. 17-60-06414, and Kristen L.
9 Rose at File No. 16-60-13301?

10 MR. MERMON:

11 So moved.

12 MR. STOY:

13 Second.

14 CHAIRMAN MURPHY:

15 So moved and seconded.

16
17 Roll call.

18
19 David Tully, aye; George Mermon, aye;
20 Kirk Davis, aye; Neal Hufford Jr., aye;
21 Steve Fretz, aye; Donald Stoy, aye;
22 Robert Shaffer, aye; and Dan Murphy,
23 aye.

24 [The motion carried unanimously.]

25 ***

1 MR. RUIZ:

2 Is there a motion to grant the Motions
3 to Deem Facts Admitted in the cases of
4 Troy E. Grissinger Jr. at File No. 17-
5 60-07593 and Robert S. Rothermel at File
6 No. 15-60-09074?

7 MR. DAVIS:

8 So moved.

9 MR. STOY:

10 Second.

11 CHAIRMAN MURPHY:

12 So moved and seconded.

13

14 Roll call.

15

16 David Tully, aye; George Mermon, aye;
17 Kirk Davis, aye; Neal Hufford Jr., aye;
18 Steve Fretz, aye; Donald Stoy, aye;
19 Robert Shaffer, aye; and Dan Murphy,
20 aye.

21 [The motion carried unanimously.]

22

23 MS. WALTER:

24 Is there a motion to approve the Vehicle
25 Salesperson Application of Mohammed

1 Kowsar Ali who appeared for an informal
2 conference before the Board on December
3 4, 2018?

4 MR. DAVIS:

5 So moved.

6 MR. MERMON:

7 Second.

8 CHAIRMAN MURPHY:

9 So moved and seconded.

10

11 Roll call.

12

13 David Tully, aye; George Mermon, aye;
14 Kirk Davis, aye; Neal Hufford Jr., aye;
15 Steve Fretz, aye; Donald Stoy, aye;
16 Robert Shaffer, aye; and Dan Murphy,
17 aye.

18 [The motion carried unanimously.]

19

20 Application Review - Informal Conferences

21 [The Applicant Review Committee made the following
22 recommendations regarding the following Criminal
23 Conviction Applications: Mark J. Spiegel & Valori
24 Motors, denied; Raymond Roman & Ray's Lane Automotive
25 Group LLC, approved; Justin J. Fisher, approved;

1 Matthew Conner Hill, approved; Jesus Rodriguez-Rivera,
2 approved with probation to run concurrent with his
3 criminal probation; Alina S. King, approved; Kenrick
4 David Patterson, rescheduled; Harry Victor Nelson III,
5 rescheduled; Renard H. Weimer, approved with two-year
6 probation; Salim King, approved with six-year
7 probation; Ari Ethan Horne, approved with two-year
8 probation; Michael McKenith, approved; Aaron
9 Christopher Brown, approved; Carray Leepier, approved;
10 Chaz Thomas Clutter, no show.]

11 ***

12 MR. RUIZ:

13 Is there a motion to accept those
14 recommendations on all of the informal
15 conferences?

16 MR. SHAFFER:

17 So moved.

18 MR. TULLY:

19 Second.

20 CHAIRMAN MURPHY:

21 So moved and seconded.

22

23 Roll call.

24

25 David Tully, aye; George Mermon, aye;

1 Kirk Davis, aye; Neal Hufford Jr., aye;
2 Steve Fretz, aye; Donald Stoy, aye;
3 Robert Shaffer, aye; and Dan Murphy,
4 aye.

5 [The motion carried unanimously.]

6 ***

7 Adjournment

8 CHAIRMAN MURPHY:

9 Motion to adjourn.

10 MR. MERMON:

11 So moved.

12 MR. DAVIS:

13 Second.

14 CHAIRMAN MURPHY:

15 We are adjourned. Thank you.

16 [The motion carried unanimously.]

17 ***

18 [The State Board of Vehicle Manufacturers, Dealers,
19 and Salespersons Meeting adjourned at 11:50 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Vehicle Manufacturers, Dealers and Salespersons meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Vehicle Manufacturers, Dealers and Salespersons meeting.



Amber Garbinski,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS
REFERENCE INDEX

January 8, 2019

	TIME	AGENDA
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7		
8		
9		
10	9:49	Official Call to Order
11		
12	9:50	Pledge of Allegiance
13		
14	9:50	Roll Call
15		
16	9:50	Approval of Minutes
17		
18	9:51	Report of Prosecutorial Division
19		
20	9:59	Report of Board Counsel
21		
22	10:08	Formal Hearing - Robert Craig Gulack
23	10:56	
24		
25	10:56	Executive Session
26	11:43	Return to Open Session
27		
28	11:43	Motions
29		
30	11:50	Adjournment
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