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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: 9:54 A.M.

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

February 18, 2020

1                   State Board of Vehicle Manufacturers,  
2                   Dealers and Salespersons  
3                   February 18, 2020  
4  
5

6 BOARD MEMBERS:  
7

8 Dan G. Murphy III, Chairman  
9 Kirk A. Davis, Secretary  
10 Theodore Stauffer, Executive Assistant, Pennsylvania  
11 Department of State, on behalf of K. Kalonji  
12 Johnson, Acting Commissioner, Bureau of Professional  
13 and Occupational Affairs  
14 Randall Derr, Professional Member  
15 Kyla R. Djannie, Deputy Attorney General, Consumer  
16 Protection Representative, Office of Attorney  
17 General  
18 Steve T. Fretz, Professional Member  
19 Neal L. Hufford Jr., Professional Member  
20 Robert M. Shaffer, Department of Transportation  
21 Representative  
22 George F. Mermon, Professional Member  
23 William M. Mohler, Professional Member  
24 Donald J. Stoy, Public Member  
25 Dale J. Yingst, Professional Member  
26  
27

28 BUREAU PERSONNEL:  
29

30 C. William Fritz II, Esquire, Board Counsel  
31 Amanda N. Wojciechowski, Esquire, Board Prosecution  
32 Liaison  
33 Colby B. Widdowson, Esquire, Board Prosecutor  
34 Glenn P. Masser, Esquire, Board Prosecutor  
35 Carolyn A. DeLaurentis, Esquire, Deputy Chief Counsel,  
36 Prosecution Division  
37 Janice Cline, Board Administrator  
38  
39

40 ALSO PRESENT:  
41

42 Wesley J. Rish, Esquire, Rish Law Office, LLC  
43 Bill Schnyder  
44 Jason Waite  
45  
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1 \*\*\*

2 State Board of Vehicle Manufacturers,  
3 Dealers, and Salespersons  
4 February 18, 2020

5 \*\*\*

6 The regularly scheduled meeting of the State  
7 Board of Vehicle Manufacturers, Dealers, and  
8 Salespersons was held on Tuesday, February 18, 2020.  
9 Dan G. Murphy III, Chairman, called the meeting to  
10 order at 9:54 a.m.

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

13 \*\*\*

14 Approval of minutes of the January 7, 2020 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 Kyla Djannie, aye; George Mermon, aye;  
2 Kirk Davis, aye; Randall Derr, aye; Neal  
3 Hufford, abstain; Dale Yingst, aye;  
4 Steve Fretz, aye; William Mohler, aye;  
5 Donald Stoy, aye; Robert Shaffer,  
6 abstain; Theodore Stauffer, abstain, Dan  
7 Murphy, aye.

8 [The motion carried. Mr. Hufford, Mr. Shaffer, and  
9 Mr. Stauffer abstained from voting on the motion.]

10 \*\*\*

11 Report of Prosecutorial Division

12 [Colby B. Widdowson, Esquire, Board Prosecutor,  
13 presented the Consent Agreement for File No. 19-60-  
14 015330.]

15 \*\*\*

16 [Amanda N. Wojciechowski, Esquire, Board Prosecution  
17 Liaison, presented the Consent Agreement for File No.  
18 17-60-14017.]

19 Ms. Wojciechowski announced that this would be  
20 her last Board meeting. She also informed the Board  
21 that Mr. Widdowson would be taking over the role of  
22 Prosecution Liaison for the Board.]

23 \*\*\*

24 [Carolyn A. DeLaurentis, Esquire, Deputy Chief  
25 Counsel, Prosecution Division, on behalf of Heather J.

1 McCarthy, Esquire, Board Prosecutor, presented the  
2 Consent Agreement for Case No. 19-60-011115.]

3 \*\*\*

4 [Glenn P. Masser, Esquire, Board Prosecutor, presented  
5 the Consent Agreement for File No. 17-60-13891.]

6 \*\*\*

7 Report of Board Counsel

8 [C. William Fritz II, Esquire, Board Counsel, noted  
9 one hearing scheduled for later in the meeting. He  
10 also noted a hearing that had been continued due to  
11 the unavailability of the attorney. The matter was  
12 delegated to a hearing examiner, and the Board will  
13 receive a proposed adjudication to review from the  
14 hearing examiner.

15 Mr. Fritz referred to the Status of Cases Report  
16 for the Board's review and discussion after the  
17 hearing. He noted one possible delegation to a  
18 hearing examiner, several Adjudications and Orders,  
19 and several Motions to Deem Facts Admitted for  
20 discussion during Executive Session.

21 Mr. Fritz referred to 16A-6011 regarding out-of-  
22 state RV dealers that the Board discussed in the past  
23 and agreed to a \$65 fee. He noted the need for a vote  
24 later in the meeting.]

25 \*\*\*

1 [A Formal Hearing was held from 10:05 a.m. until  
2 10:52 a.m. in the case of the Commonwealth of  
3 Pennsylvania Bureau of Professional and Occupational  
4 Affairs v. Elwood Auto Sales, Inc., File No. 16-60-  
5 00290.]

6 \*\*\*  
7 [George F. Mermon, Professional Member, exited the  
8 meeting at 10:37 a.m. and reentered the meeting at  
9 10:38 a.m.]

10 \*\*\*  
11 [The Board recessed from 10:53 a.m. until 10:58 a.m.]

12 \*\*\*  
13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
14 10:58 a.m. the Board entered into Executive Session  
15 with C. William Fritz II, Esquire, Board Counsel, for  
16 the purpose of conducting quasi-judicial deliberations  
17 and to receive advice of Counsel. The Board returned  
18 to open session at 11:24 a.m.]

19 \*\*\*

20 MOTIONS

21 MR. FRITZ:

22 The Board met in Executive Session and  
23 conducted quasi-judicial deliberations  
24 in the following matter:

25 The Board would entertain a motion

1 approving the Consent Agreement at Case  
2 No. 19-60-015330.

3 MR. DAVIS:

4 So moved.

5 MR. MOHLER:

6 Second.

7 CHAIRMAN MURPHY:

8 So moved and seconded.

9

10 Roll call.

11

12 Kyla Djannie, aye; George Mermon, aye;  
13 Kirk Davis, aye; Randall Derr, aye; Neal  
14 Hufford, aye; Dale Yingst, aye; Steve  
15 Fretz, aye; William Mohler, aye; Donald  
16 Stoy, aye; Robert Shaffer, aye; Theodore  
17 Stauffer, aye, Dan Murphy, aye.

18 [The motion carried unanimously. The Respondent's  
19 name is Juan M. Bodden.]

20

\*\*\*

21 MR. FRITZ:

22 The Board would entertain a motion  
23 approving the Consent Agreement at Case  
24 No. 17-60-14017.

25 MR. MERMON:

1 So moved.

2 MR. MOHLER:

3 Second.

4 CHAIRMAN MURPHY:

5 So moved and seconded.

6

7 Roll call.

8

9 Kyla Djannie, aye; George Mermon, aye;  
10 Kirk Davis, aye; Randall Derr, aye; Neal  
11 Hufford, aye; Dale Yingst, aye; Steve  
12 Fretz, aye; William Mohler, aye; Donald  
13 Stoy, aye; Robert Shaffer, aye; Theodore  
14 Stauffer, aye, Dan Murphy, aye.

15 [The motion carried unanimously. The Respondent's  
16 name is Brian Santo Bruni.]

17 \*\*\*

18 MR. FRITZ:

19 The Board would entertain a motion  
20 approving the Consent Agreement at Case  
21 No. 19-60-011115.

22 MR. MERMON:

23 So moved.

24 MR. MOHLER:

25 Second.



1 CHAIRMAN MURPHY:

2                   So moved and seconded.

3

4                   Roll call.

5

6                   Kyla Djannie, aye; George Mermon, aye;  
7                   Kirk Davis, aye; Randall Derr, aye; Neal  
8                   Hufford, aye; Dale Yingst, aye; Steve  
9                   Fretz, aye; William Mohler, aye; Donald  
10                  Stoy, aye; Robert Shaffer, aye; Theodore  
11                  Stauffer, aye, Dan Murphy, aye.

12 [The motion carried unanimously. The Respondent's  
13 name is Galen A. Benedict.]

14

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15 MR. FRITZ:

16                   The Board would entertain a motion  
17                   approving the Consent Agreement at Case  
18                   No. 17-60-13891.

19 MR. MERMON:

20                   So moved.

21 MR. DAVIS:

22                   Second.

23 CHAIRMAN MURPHY:

24                   So moved and seconded.

25

1 Roll call.

2

3 Kyla Djannie, aye; George Mermon, no;  
4 Kirk Davis, aye; Randall Derr, aye; Neal  
5 Hufford, aye; Dale Yingst, aye; Steve  
6 Fretz, aye; William Mohler, no; Donald  
7 Stoy, aye; Robert Shaffer, aye; Theodore  
8 Stauffer, aye, Dan Murphy, aye.

9 [The motion carried. Mr. Mermon and Mr. Mohler  
10 opposed the motion. The Respondent's name is A to Z  
11 Motors.]

12

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13 MR. FRITZ:

14 The Board would entertain a motion  
15 directing Board counsel to draft an  
16 Adjudication and Order in the matter of  
17 the Commonwealth v. Elmwood Auto Sales,  
18 Inc., Case No. 16-60-000290.

19 MR. FRETZ:

20 So moved.

21 MR. MOHLER:

22 Second.

23 CHAIRMAN MURPHY:

24 So moved and seconded.

25

1 Roll call.

2

3 Kyla Djannie, aye; George Mermon, aye;  
4 Kirk Davis, aye; Randall Derr, aye; Neal  
5 Hufford, aye; Dale Yingst, aye; Steve  
6 Fretz, aye; William Mohler, aye; Donald  
7 Stoy, aye; Robert Shaffer, aye; Theodore  
8 Stauffer, aye, Dan Murphy, aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 MR. FRITZ:

12 The Board would entertain a motion  
13 delegating the following matter to the  
14 office of Hearing Examiners for  
15 conducting a hearing and drafting a  
16 proposed Adjudication and Order for the  
17 Commonwealth v. Charles Strait, Case No.  
18 17-60-02372.

19 MR. MOHLER:

20 So moved.

21 MR. STOY:

22 Second.

23 CHAIRMAN MURPHY:

24 So moved and seconded.

25

1 Roll call.

2

3 Kyla Djannie, aye; George Mermon, aye;  
4 Kirk Davis, aye; Randall Derr, aye; Neal  
5 Hufford, aye; Dale Yingst, aye; Steve  
6 Fretz, aye; William Mohler, aye; Donald  
7 Stoy, aye; Robert Shaffer, aye; Theodore  
8 Stauffer, aye, Dan Murphy, aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 MR. FRITZ:

12 The Board would entertain a motion  
13 approving the following Adjudications  
14 and Orders: Commonwealth v. Craig A.  
15 Davis, Case No. 16-60-088881;  
16 Commonwealth v. Robert Crain Gulack,  
17 Case No. 17-60-05557; Commonwealth v.  
18 Ryan Vergotz, Case No. 17-60-02756;  
19 Commonwealth v. Nicholas Martin Bufano,  
20 Case No. 19-60-008762; Commonwealth v.  
21 Adam Brayton Coover, Case No. 17-60-  
22 02755; Commonwealth v. Hensels Auto  
23 Sales, Case No. 17-60-02872;  
24 Commonwealth v. Hunting Park Motors,  
25 Case No. 17-60-12189; Commonwealth v.

1                   Michael J. Miller, Case No. 19-60-  
2                   008293; Commonwealth v. Jennifer K.  
3                   Morrison, Case No. 18-60-00347;  
4                   Commonwealth v. Michael Pegher, Case No.  
5                   18-60-006499; Commonwealth v. Bradley J.  
6                   Russell, Case No. 19-60-004519;  
7                   Commonwealth v. Alex Jones, Case No. 19-  
8                   60-009172; Commonwealth v. Kirsten  
9                   Javonne Gaskins, Case No. 19-60-007849;  
10                   Davin L. Kane, Case No. 19-60-006813.

11 CHAIRMAN MURPHY:

12                   Motion?

13 MR. MERMON:

14                   So moved.

15 MR. MOHLER:

16                   Second.

17 CHAIRMAN MURPHY:

18                   So moved and seconded.

19

20                   Roll call.

21

22                   Kyla Djannie, aye; George Mermon, aye;  
23                   Kirk Davis, aye; Randall Derr, aye; Neal  
24                   Hufford, aye; Dale Yingst, aye; Steve  
25                   Fretz, aye; William Mohler, aye; Donald



1 CHAIRMAN MURPHY:

2 So moved and seconded.

3

4 Roll call.

5

6 Kyla Djannie, aye; George Mermon, aye;  
7 Kirk Davis, aye; Randall Derr, aye; Neal  
8 Hufford, aye; Dale Yingst, aye; Steve  
9 Fretz, aye; William Mohler, aye; Donald  
10 Stoy, aye; Robert Shaffer, aye; Theodore  
11 Stauffer, aye, Dan Murphy, aye.

12 [The motion carried unanimously.]

13

\*\*\*

14 MR. FRITZ:

15 I note for the record that Commonwealth  
16 v. Jason Waite, Case No. 16-60-00288  
17 will be tabled for discussion at the  
18 next Board meeting.

19

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20 [C. William Fritz II, Esquire, Board Counsel,  
21 addressed status of cases and asked the Board to let  
22 him know if anyone needs to recuse on any items not  
23 already indicated.

24 Mr. Fritz noted he is working on yellow areas,  
25 and areas not highlighted are hearings scheduled

1 before the hearing examiner's office.

2 Mr. Fritz mentioned that Mr. Murphy volunteered  
3 to attend the active protest hearing scheduled for  
4 March 16 and 17. He stated all other protests are  
5 awaiting results of mediation.]

6

\*\*\*

7 Application Review - Informal Conferences

8 MR. FRITZ:

9 The Board would entertain a motion  
10 approving the applicants for licensure  
11 of the following individuals: Adam  
12 Quick, Sean Abbott, Kevin Ryan,  
13 Christopher Mitchell, Robert Evermon,  
14 David Zimmerman, Matthew Arnold, and Lev  
15 Kozorovsky.

16 MR. MERMON:

17 So moved.

18 MR. DAVIS:

19 Second.

20 CHAIRMAN MURPHY:

21 So moved and seconded.

22

23 Roll call.

24

25 Kyla Djannie, aye; George Mermon, aye;



1 Kirk Davis, aye; Randall Derr, aye; Neal  
2 Hufford, aye; Dale Yingst, aye; Steve  
3 Fretz, aye; William Mohler, aye; Donald  
4 Stoy, aye; Robert Shaffer, aye; Theodore  
5 Stauffer, aye, Dan Murphy, aye.

6 [The motion carried unanimously.]

7 \*\*\*

8 Report of Board Counsel (Continued)

9 [C. William Fritz II, Esquire, Board Counsel, referred  
10 to 16A-6011 regarding charging a \$65 registration fee  
11 for out-of-state RV dealers. He stated the majority  
12 of those dealers were going to shows in Hershey and  
13 Erie. He commented that BFO felt \$65 to be a  
14 reasonable registration fee for the amount of work  
15 done by the Board. He questioned whether the Board  
16 would like to pursue the matter.

17 Mr. Fretz questioned whether the salespeople were  
18 required to pay a fee.

19 Ms. Cline stated the dealer provides a list of  
20 salespeople, which is kept with the registration  
21 approval.

22 Mr. Fritz explained that individuals employed by  
23 the registered dealer do not have to be licensed  
24 because the registration is only good for the time  
25 period given during the show.



1 Roll call.

2

3 Kyla Djannie, aye; George Mermon, aye;  
4 Kirk Davis, aye; Randall Derr, aye; Neal  
5 Hufford, aye; Dale Yingst, aye; Steve  
6 Fretz, aye; William Mohler, aye; Donald  
7 Stoy, aye; Robert Shaffer, aye; Theodore  
8 Stauffer, aye, Dan Murphy, aye.

9 [The motion carried unanimously.]

10

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11 CHAIRMAN MURPHY:

12 Approval of the Schedule for 2021.  
13 January 12; February 23; March 30;  
14 April, no meeting; May 11; June 22;  
15 August 3; September 14; October 26,  
16 November 30; December, no meeting.

17 Motion to approve?

18 MR. MOHLER:

19 So moved.

20 CHAIRMAN MURPHY:

21 Second?

22 MR. STOY:

23 Second.

24 CHAIRMAN MURPHY:

25 So moved and seconded.

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Roll call.

Kyla Djannie, aye; George Mermon, aye;  
Kirk Davis, aye; Randall Derr, aye; Neal  
Hufford, aye; Dale Yingst, aye; Steve  
Fretz, aye; William Mohler, no; Donald  
Stoy, abstain; Robert Shaffer, aye;  
Theodore Stauffer, aye, Dan Murphy, aye.

[The motion carried. Mr. Stoy abstained from voting  
on the motion. Mr. Mohler opposed the motion.]

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Report of Board Chairman - No Report

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Report of Board Administrator - No Report

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Report of Acting Commissioner - No Report

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Adjournment

CHAIRMAN MURPHY:

Motion to adjourn?

MR. FRETZ:

So moved.

MR. STOY:

Second.

1 CHAIRMAN MURPHY:

2 We are adjourned.

3 [The motion carried unanimously.]

4 \*\*\*

5 [The State Board of Vehicle Manufacturers, Dealers,  
6 and Salespersons Meeting adjourned at 11:42 a.m.]

7 \*\*\*

8

9 CERTIFICATE

10

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

18

19

20



21

Sarah LaMaster,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

STATE BOARD OF VEHICLE MANUFACTURERS,  
DEALERS AND SALESPERSONS  
REFERENCE INDEX

February 18, 2020

	TIME	AGENDA
1		
2		
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7		
8		
9		
10	9:54	Official Call to Order
11		
12	9:56	Pledge of Allegiance
13		
14	9:56	Roll Call
15		
16	9:57	Approval of Minutes
17		
18	9:58	Report of Prosecutorial Division
19		
20	10:05	Report of Board Counsel
21		
22	10:05	Formal Hearing - Elwood Auto Sales, Inc.
23	10:52	
24		
25	10:53	Recess
26	10:58	Return to Open Session
27		
28	10:58	Executive Session
29	11:24	Return to Open Session
30		
31	11:25	Motions
32		
33	11:33	Report of Board Counsel (Continued)
34		
35	11:42	Adjournment
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