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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

December 4, 2018

1 State Board of Vehicle Manufacturers,
2 Dealers and Salespersons
3 December 4, 2018
4
5

6 BOARD MEMBERS:
7

8 Dan G. Murphy III, Chairman
9 Kirk A. Davis, Vice Chairman
10 Ian J. Harlow, Commissioner of Professional and
11 Occupational Affairs - Absent
12 Steve T. Fretz, Professional Member - Absent
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 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 Janice Cline, Board Administrator
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32 ALSO PRESENT:
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34 Peter K. Bauer, Esquire, Peter Bauer Dealer Law
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1 ***

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

4 December 4, 2018

5 ***

6 The regularly scheduled meeting of the State
7 Board of Vehicle Manufacturers, Dealers, and
8 Salespersons was held on Tuesday, December 4, 2018.
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 October 23, 2018 meeting

15 CHAIRMAN MURPHY:

16 Motion to approve the minutes?

17 MR. TULLY:

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 Donald Stoy, aye; Robert Shaffer, aye;
4 and Dan Murphy, aye.

5 [The motion carried unanimously.]

6 ***

7 Report of Prosecutorial Division

8 [Monty J. Batson, Esquire, Board Prosecutor, presented
9 the Consent Agreement for File No. 15-60-03245 and
10 File No. 15-60-00616.]

11 ***

12 [Amanda N. Wojciechowski, Esquire, Board Prosecution
13 Liaison, on behalf of Erin K. Fure, Esquire, Board
14 Prosecutor, presented the Consent Agreement for File
15 No. 16-60-06552.]

16 ***

17 [Ms. Wojciechowski next presented the Consent
18 Agreement for File No. 16-60-12068.]

19 ***

20 [Glenn P. Masser, Esquire, Board Prosecutor, presented
21 the following Consent Agreements: File No. 16-60-
22 07066, File No. 16-60-06890, File No. 16-60-07893,
23 File No. 17-60-07326, File No. 16-60-07892, File No.
24 16-60-12896 & File No. 16-60-08440, and File No. 17-
25 60-07144.]

1 ***

2 [A Formal Hearing was held from 10:08 a.m. until
3 10:29 a.m. in the matter of the Commonwealth of
4 Pennsylvania Bureau of Professional and Occupational
5 Affairs vs. Helsel's Auto Sales, Case No. 17-60-
6 02872.]

7 ***

8 Report of Board Counsel

9 [Juan Ruiz, Esquire, Board Counsel, noted two
10 hearings, three Final Adjudications and Orders, two
11 Proposed Adjudications and Orders, a case for
12 deliberation, and a Motion to Deem Facts Admitted for
13 discussion in Executive Session.]

14 ***

15 Miscellaneous

16 [Juan Ruiz, Esquire, Board Counsel, stated Senate Bill
17 764 passed legislature and was signed into law on
18 October 24, 2018. He explained the Bill is now known
19 as Act 134 of 2018, noting the renumbering of the
20 sections.

21 Mr. Ruiz noted 16A-6015, the Fee Preamble and
22 Annex for the Board's approval.]

23 MR. RUIZ:

24 Is there a motion to approve the

25 Preamble and Annex to move forward as

1 proposed?

2 MR. STOY:

3 So moved.

4 MR. DAVIS:

5 Second.

6 CHAIRMAN MURPHY:

7 So moved and seconded.

8

9 Roll call.

10

11 David Tully, aye; George Mermon, aye;
12 Kirk Davis, aye; Neal Hufford Jr., aye;
13 Donald Stoy, aye; Robert Shaffer, aye;
14 and Dan Murphy, aye.

15 [The motion carried unanimously.]

16

17 Application Review - Informal Conferences

18 [The Applicant Review Committee made the following
19 recommendations regarding the following Criminal
20 Conviction Applications: Mohammed Kowsar Ali, denied;
21 Joshua Lynn Kone, approved; Sandeep Singh Bedi, for
22 discussion in Executive Session; Latisha Davis,
23 approved; John Martin Costa Jr., approved; Derek M.
24 Stewart, approved on probation concurrent with
25 criminal probation 05/05/21; David John Felder,

1 approved; Daquan R. Hall, approved with two-year
2 probation; Alfred Collymore, approved on probation
3 concurrent with criminal probation 01/18/20; Nicklaus
4 Genuardi, approved with no restrictions; Brian L.
5 Swords, approved with no restrictions; Christopher R.
6 Rucier, approved on probation concurrent with criminal
7 probation; Chaz Thomas Clutter, no show; David W.
8 Long, approved with no restrictions; and Michael
9 Longcoy, approved with no restrictions.]

10 ***

11 MR. RUIZ:

12 Is there a motion to approve those
13 recommendations that were just read on
14 the informal conferences with the
15 exception of Sandeep Singh Bedi?

16 MR. MERMON:

17 So moved.

18 MR. SHAFFER:

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 Donald Stoy, aye; Robert Shaffer, aye;
3 and Dan Murphy, aye.

4 [The motion carried unanimously.]

5 ***

6 Report of Board Chairman - No Report

7 ***

8 Report of Commissioner - No Report

9 ***

10 Report of Board Administrator - No Report

11 ***

12 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
13 10:39 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 11:03 p.m.]

19 ***

20 [George F. Mermon, Professional Member, and Neal L.
21 Hufford Jr., Professional Member, exited the meeting
22 at 11:03 a.m. for recusal purposes]

23 ***

24 [A Formal Hearing was held from 11:06 a.m. until
25 12:05 p.m. in the matter of the Application for

1 License as a Vehicle Salesperson of Daren M. Vazquez,
2 Case No. 18-60-009856 and in the matter of the
3 Application for License as a Vehicle Dealership of
4 RoseLux Motors LLC, Case No. 18-60-009860.]

5 ***
6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
7 12:05 p.m. the Board entered into Executive Session
8 with Juan A. Ruiz, Esquire, Board Counsel, and Shana
9 M. Walter, Esquire, Board Counsel, for the purpose of
10 conducting quasi-judicial deliberations and to receive
11 advice of Counsel. The Board returned to open session
12 at 12:14 p.m.]

13 ***
14 [George F. Mermon, Professional Member, and Neal L.
15 Hufford Jr., Professional Member, reentered the
16 meeting at 12:14 p.m.]

17 ***

18 MOTIONS

19 MR. RUIZ:

20 The Board was just in Executive Session
21 conducting deliberations on the two
22 hearings that were held today.

23 At this time, is there a motion to
24 approve the application of Sandeep Singh
25 Bedi?

1 MR. STOY:

2 So moved.

3 MR. SHAFFER:

4 Second.

5 CHAIRMAN MURPHY:

6 So moved and seconded.

7

8 Roll call.

9

10 David Tully, aye; George Mermon, aye;
11 Kirk Davis, aye; Neal Hufford Jr., aye;
12 Donald Stoy, aye; Robert Shaffer, aye;
13 and Dan Murphy, aye.

14 [The motion carried unanimously.]

15

16 MR. RUIZ:

17 Is there a motion to approve the Consent
18 Agreements at File No. 15-60-03245, File
19 No. 15-60-00616, File No. 16-60-06552,
20 File No. 16-60-07066, File No. 16-60-
21 06890, File No. 16-60-07893, File No.
22 17-60-07326, File No. 16-60-07892, File
23 No. 16-60-12896 & File No. 16-60-08440,
24 File No. 17-60-07144, and File No. 16-
25 60-12068?

1 MR. DAVIS:

2 So moved.

3 MR. MERMON:

4 Second.

5 CHAIRMAN MURPHY:

6 So moved and seconded.

7

8 Roll call.

9

10 David Tully, aye; George Mermon, aye;
11 Kirk Davis, aye; Neal Hufford Jr., aye;
12 Donald Stoy, aye; Robert Shaffer, aye;
13 and Dan Murphy, aye.

14 [The motion carried unanimously. The Respondent's
15 name for File No. 15-60-03245 is Joyce M. Leech aka
16 Joyce E. Murphy. The Respondent's name for File No.
17 15-60-00616 is Dion B. Wilt. The Respondent's name
18 for File No. 16-60-06552 is Kimberly L. Grzech. The
19 Respondent's name for File No. 16-60-07066 is Telly's
20 Auto Sales. The Respondent's name for File No. 16-
21 60-06890 is Harry J. Keyser. The Respondent's name
22 for File No. 16-60-07893 is Dean A. Rhone. The
23 Respondent's name for File No. 17-60-07326 is Jeff D.
24 Wann. The Respondent's name for File No. 16-60-07892
25 is Marshall Machinery, Inc. The Respondent's name for

1 File Nos. 16-60-12896 & File No. 16-60-08440 is
2 Richard L. Maney t/d/b/a R L Maney. The Respondent's
3 name for File No. 17-60-07144 is Three Rivers Auto
4 Sales. The Respondent's name for File No. 16-60-
5 12068 is Matthew D. Schlosshauer.]

6 ***

7 MR. RUIZ:

8 Is there a motion to approve the
9 Applications for Licensure for Daren M.
10 Vazquez and RoseLux Motors LLC, noting
11 for the record that Board members Mermon
12 and Hufford are recused?

13 MR. TULLY:

14 So moved.

15 MR. STOY:

16 Second.

17 CHAIRMAN MURPHY:

18 So moved and seconded.

19

20 Roll call.

21

22 David Tully, aye; Kirk Davis, aye;
23 Donald Stoy, aye; Robert Shaffer, aye;
24 and Dan Murphy, aye.

25 [The motion carried. George Mermon and Neal Hufford

1 recused themselves from deliberations and voting on
2 the motion.]

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4 MR. RUIZ:

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Is there a motion to approve the final
Adjudications and Orders in the cases of
the Commonwealth of Pennsylvania Bureau
of Professional and Occupational Affairs
vs. Wilfred Bermudez at File No. 16-60-
10829; Jonathan Taylor, 17-60-06835; and
Craig A. Hatfield at File No. 15-60-
06528?

MR. STOY:

So moved.

MR. DAVIS:

Second.

CHAIRMAN MURPHY:

So moved and seconded.

Roll call.

David Tully, aye; George Mermon, aye;
Kirk Davis, aye; Neal Hufford Jr., aye;
Donald Stoy, aye; Robert Shaffer, aye;
and Dan Murphy, aye.

1 [The motion carried unanimously.]

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3 MR. RUIZ:

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13 MR. MERMON:

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15 MR. TULLY:

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Is there a motion to approve the proposed Adjudications and Orders to adopt as the Board's final order in the cases of the Commonwealth of Pennsylvania Bureau of Professional and Occupational Affairs vs. Sandra Menaker aka Sandra Pavoni at File No. 15-60-11832 and Parkview Auto & Trailer Sales, Inc., File No. 17-60-01213?

So moved.

Second.

CHAIRMAN MURPHY:

So moved and seconded.

Roll call.

David Tully, aye; George Mermon, aye;
Kirk Davis, aye; Neal Hufford Jr., aye;
Donald Stoy, aye; Robert Shaffer, aye;
and Dan Murphy, aye.

1 [The motion carried unanimously.]

2 ***

3 MR. RUIZ:

4 Is there a motion to direct Board
5 Counsel to draft an Adjudication and
6 Order in the case of the Commonwealth of
7 Pennsylvania Bureau of Professional and
8 Occupational Affairs vs. Donald R. Reed
9 at File No. 14-60-05609, consistent with
10 discussions in Executive Session?

11 MR. STOY:

12 So moved.

13 MR. TULLY:

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 Donald Stoy, aye; Robert Shaffer, aye;
23 and Dan Murphy, aye.

24 [The motion carried unanimously.]

25 ***

1 MR. RUIZ:

2 Is there a motion to grant the Motion to
3 Deem Facts Admitted in the case of Lamar
4 S. West at File No. 16-60-13699?

5 MR. MERMON:

6 So moved.

7 MR. DAVIS:

8 Second.

9 CHAIRMAN MURPHY:

10 So moved and seconded.

11

12 Roll call.

13

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

18 [The motion carried unanimously.]

19

20 Adjournment

21 CHAIRMAN MURPHY:

22 Motion to adjourn.

23 MR. TULLY:

24 So moved.

25 MR. MERMON:

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Second.

CHAIRMAN MURPHY:

So moved and seconded.

[The motion carried unanimously.]

[The State Board of Vehicle Manufacturers, Dealers,
and Salespersons Meeting adjourned at 12:20 p.m.]

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

December 4, 2018

	TIME	AGENDA
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10	9:54	Official Call to Order
11		
12	9:55	Pledge of Allegiance
13		
14	9:55	Roll Call
15		
16	9:55	Approval of Minutes
17		
18	9:56	Report of Prosecutorial Division
19		
20	10:08	Formal Hearing - Helsel's Auto Sales
21	10:29	
22		
23	10:31	Report of Board Counsel
24		
25	10:32	Miscellaneous
26		
27	10:35	Application Review
28		
29	10:39	Executive Session
30	11:03	Return to Open Session
31		
32	11:06	Formal Hearing - Daren M. Vazquez
33	12:05	& RoseLux Motors LLC
34		
35	12:05	Executive Session
36	12:14	Return to Open Session
37		
38	12:16	Motions
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40	12:20	Adjournment
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