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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: 10:32 A.M.

Held at the  
**PENNSYLVANIA DEPARTMENT OF STATE**  
2601 North Third Street  
One Penn Center, Board Room C  
Harrisburg, Pennsylvania 17110

As well as  
**VIA MICROSOFT TEAMS**

May 17, 2022

1                                    State Board of Vehicle Manufacturers,  
2                                    Dealers, and Salespersons  
3                                    May 17, 2022  
4  
5

6 BOARD MEMBERS:  
7

8 Kirk A. Davis, Chairman  
9 Randall Derr, Secretary, Professional Member  
10 Arion R. Claggett, Acting Commissioner, Bureau of  
11 Professional and Occupational Affairs  
12 Mark Wolfe, Attorney General Representative  
13 Steve T. Fretz, Professional Member  
14 Angel Layton, Department of Transportation  
15 Representative  
16 Dale J. Yingst, Professional Member - Absent  
17 Mark Baer, Professional Member  
18 Irving Stein, Professional Member  
19 Joseph Bizzarro, Professional Member  
20  
21

22 BUREAU PERSONNEL:  
23

24 C. William Fritz II, Esquire, Board Counsel  
25 Dean F. Picarella, Esquire, Senior Board Counsel  
26 Peter D. Kovach, Esquire, Board Prosecution Liaison  
27 Janice Cline, Board Administrator  
28 Andrew LaFratte, MPA, Executive Policy Specialist,  
29 Department of State  
30  
31

32 ALSO PRESENT:  
33

34 Charles Hartwell, Esquire, Dethlefs Pykosh & Murphy  
35 Richard Morrissett  
36  
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1 \*\*\*

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

4 May 17, 2022

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
7 9:00 a.m. the Board entered into Executive Session  
8 with C. William Fritz II, Esquire, Board Counsel, for  
9 the purpose of conducting quasi-judicial  
10 deliberations. The Board returned to open session at  
11 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Vehicle Manufacturers, Dealers, and  
15 Salespersons was held on Tuesday, May 17, 2022. Kirk  
16 A. Davis, Chairman, Professional Member, called the  
17 meeting to order at 10:32 a.m.

18 \*\*\*

19 Roll Call

20 [Chairman Davis requested a roll call of Board  
21 members.]

22 \*\*\*

23 Approval of minutes of the April 12, 2022 meeting  
24 CHAIRMAN DAVIS:

25 Can we get a motion to approve the April

1 12 meeting minutes?

2 MR. STEIN:

3 So moved.

4 MR. DERR:

5 Second.

6 CHAIRMAN DAVIS:

7 Roll call.

8

9 Stein, aye; Derr, aye; Layton, aye;  
10 Bizzarro, aye; Fretz, aye; Claggett,  
11 aye; Baer, aye; Davis, aye; Wolfe, aye.

12 [The motion carried unanimously.]

13 \*\*\*

14 Report of Prosecutorial Division

15 [C. William Fritz II, Esquire, Board Counsel, asked  
16 whether the Board wished to waive the presentation of  
17 the consent agreements and Board members agreed.]

18 \*\*\*

19 Report of Prosecutorial Division - Consent Agreements

20 MR. FRITZ:

21 The Board would entertain a motion to  
22 approve the Consent Agreement at Case  
23 No. 20-60-004322.

24 MR. STEIN:

25 So moved.

1 MR. DERR:

2 Second.

3 CHAIRMAN DAVIS:

4 Roll call.

5

6 Wolfe, aye; Stein, aye; Derr, aye;

7 Layton, aye; Bizzarro, aye; Fretz, aye;

8 Baer, aye; Claggett, aye; Davis, aye.

9 [The motion carried unanimously. The Respondent's  
10 name is Adam Ryan Caiazza.]

11 \*\*\*

12 MR. FRITZ:

13 The Board would entertain a motion to  
14 approve the Consent Agreement at Case  
15 No. 22-60-000818.

16 MR. STEIN:

17 So moved.

18 MR. DERR:

19 Second.

20 CHAIRMAN DAVIS:

21 Roll call.

22

23 Wolfe, aye; Stein, aye; Derr, aye;

24 Layton, aye; Bizzarro, aye; Fretz, aye;

25 Baer, aye; Claggett, aye; Davis, aye.

1 [The motion carried unanimously. The Respondent's  
2 name is Auto Express Kia.]

3 \*\*\*

4 [C. William Fritz II, Esquire, Board Counsel, noted  
5 the Board met in Executive Session prior to open  
6 session and conducted quasi-judicial deliberations.

7 Mr. Fritz also noted the meeting was being  
8 recorded, and voluntary participation in the meeting  
9 constituted consent to be recorded.]

10 \*\*\*

11 MR. FRITZ:

12 The Board would entertain a motion to  
13 approve the Consent Agreement at Case  
14 No. 19-60-006891.

15 MR. STEIN:

16 Motion.

17 MR. DERR:

18 Second.

19 CHAIRMAN DAVIS:

20 Roll call.

21

22 Wolfe, aye; Stein, aye; Derr, aye;

23 Layton, aye; Bizzarro, aye; Fretz, aye;

24 Baer, aye; Claggett, aye; Davis, aye.

25 [The motion carried unanimously. The Respondent's

1 name is Daniel Devitt.]

2 \*\*\*

3 MR. FRITZ:

4 The Board would entertain a motion to  
5 approve the Consent Agreement at Case  
6 No. 19-60-010832.

7 MR. STEIN:

8 I make a motion to approve.

9 MR. DERR:

10 Second.

11 CHAIRMAN DAVIS:

12 Roll call.

13

14 Wolfe, aye; Stein, aye; Derr, aye;

15 Layton, aye; Bizzarro, aye; Fretz, aye;

16 Baer, aye; Claggett, aye; Davis, aye.

17 [The motion carried unanimously. The Respondent's  
18 name is Dustin F. Opitz.]

19 \*\*\*

20 MR. FRITZ:

21 The Board would entertain a motion to  
22 approve the Consent Agreement at Case  
23 No. 20-60-013130.

24 MR. STEIN:

25 Motion to approve.

1 MR. DERR:

2 Second.

3 CHAIRMAN DAVIS:

4 Roll call.

5

6 Wolfe, aye; Stein, aye; Derr, aye;

7 Layton, aye; Bizzarro, aye; Fretz, aye;

8 Baer, aye; Claggett, aye; Davis, aye.

9 [The motion carried unanimously. The Respondent's  
10 name is Ernest H. Gross.]

11

\*\*\*

12 MR. FRITZ:

13 The Board would entertain a motion to  
14 approve the Consent Agreement at Case  
15 No. 19-60-007456.

16 MR. STEIN:

17 Motion to approve.

18 MR. DERR:

19 Second.

20 CHAIRMAN DAVIS:

21 Roll call.

22

23 Wolfe, aye; Stein, aye; Derr, aye;

24 Layton, aye; Bizzarro, aye; Fretz, aye;

25 Baer, aye; Claggett, aye; Davis, aye.



1 [The motion carried unanimously. The Respondent's  
2 name is Donald J. Reagle.]

3 \*\*\*

4 MR. FRITZ:

5 The Board would entertain a motion to  
6 approve the Consent Agreement at Case  
7 No. 20-60-002680.

8 MR. STEIN:

9 Motion to approve.

10 MR. DERR:

11 Second.

12 CHAIRMAN DAVIS:

13 Roll call.

14

15 Wolfe, aye; Stein, aye; Derr, aye;

16 Layton, aye; Bizzarro, aye; Fretz, aye;

17 Baer, aye; Claggett, aye; Davis, aye.

18 [The motion carried unanimously. The Respondent's  
19 name is Dylan P. Crilly.]

20 \*\*\*

21 MR. FRITZ:

22 The Board would entertain a motion to  
23 approve the Consent Agreement at Case  
24 No. 19-60-003817.

25 MR. STEIN:

1 I make the motion.

2 MR. DERR:

3 Second.

4 CHAIRMAN DAVIS:

5 Roll call.

6

7 Wolfe, aye; Stein, aye; Derr, aye;

8 Layton, aye; Bizzarro, aye; Fretz, aye;

9 Baer, aye; Claggett, aye; Davis, aye.

10 [The motion carried unanimously. The Respondent's  
11 name is Colonial Motor Mart.]

12 \*\*\*

13 MR. FRITZ:

14 The Board would entertain a motion to  
15 approve the Consent Agreement at Case  
16 No. 19-60-001933.

17 MR. STEIN:

18 Motion to approve.

19 MR. DERR:

20 Second.

21 CHAIRMAN DAVIS:

22 Roll call.

23

24 Wolfe, aye; Stein, aye; Derr, aye;

25 Layton, aye; Bizzarro, aye; Fretz, aye;

1 Baer, aye; Claggett, aye; Davis, aye.  
2 [The motion carried unanimously. The Respondent's  
3 name is Kelly C. Schweikart.]

4 \*\*\*

5 MR. FRITZ:

6 The Board would entertain a motion to  
7 approve the Consent Agreement at Case  
8 No. 19-60-001939.

9 MR. STEIN:

10 Motion to approve.

11 MR. DERR:

12 Second.

13 CHAIRMAN DAVIS:

14 Roll call.

15  
16 Wolfe, aye; Stein, aye; Derr, aye;  
17 Layton, aye; Bizzarro, aye; Fretz, aye;  
18 Baer, aye; Claggett, aye; Davis, aye.

19 [The motion carried unanimously. The Respondent's  
20 name is Autobarn, LLC.]

21 \*\*\*

22 MR. FRITZ:

23 The Board would entertain a motion to  
24 approve the Consent Agreement at Case  
25 No. 19-60-018737.

1 MR. STEIN:

2 Motion to approve.

3 MR. DERR:

4 Second.

5 CHAIRMAN DAVIS:

6 Roll call.

7

8 Wolfe, aye; Stein, aye; Derr, aye;

9 Layton, aye; Bizzarro, aye; Fretz, aye;

10 Baer, aye; Claggett, aye; Davis, aye.

11 [The motion carried unanimously. The Respondent's

12 name is William J. Burnette.]

13

\*\*\*

14 MR. FRITZ:

15 The Board would entertain a motion to

16 approve the Consent Agreement at Case

17 No. 21-60-001184.

18 MR. STEIN:

19 Motion to approve.

20 MR. DERR:

21 Second.

22 CHAIRMAN DAVIS:

23 Roll call.

24

25 Wolfe, aye; Stein, aye; Derr, aye;

1 Layton, aye; Bizzarro, aye; Fretz, aye;  
2 Baer, aye; Claggett, aye; Davis, aye.

3 [The motion carried unanimously. The Respondent's  
4 name is Jerome Martin.]

5 \*\*\*

6 Report of Board Counsel - Status of Cases

7 [C. William Fritz II, Esquire, Board Counsel, noted a  
8 hearing at 11 a.m. He provided a Status of Cases  
9 Report for the Board's review and asked Board members  
10 to notify him of any recusals from any matters before  
11 the Board.

12 Mr. Fritz stated the prosecution was very busy  
13 with 69 current cases and going strong. He noted one  
14 new protest was filed since the case list was  
15 submitted. He informed Board members that Transteck  
16 Inc., dba Freightliner Western Star of Harrisburg v.  
17 Daimler Trucks of North America, LLC was closed and  
18 another one will hopefully be closing in the next  
19 week, leaving five open protests in the mediation  
20 phase.

21 Mr. Fritz noted sending a few inquiries to  
22 several of the protests requesting the current status.  
23 He mentioned prosecution sometimes orders them to  
24 mediation, and they will settle but forget to inform  
25 the Board.]

\*\*\*

1  
2 Report of Board Counsel - Adjudications and Orders for  
3 Approval

4 MR. FRITZ:

5 The Board would entertain a motion to  
6 approve the following Adjudications and  
7 Orders: Commonwealth v. Auto Buyers'  
8 Consultants, Case No. 21-60-000052;  
9 Commonwealth v. Anthony Frattaroli, Case  
10 No. 19-60-012207; Commonwealth v. Cush  
11 Johnson, Case No. 20-60-002114;  
12 Commonwealth v. JV Motors, LLC, Case No.  
13 19-60-015297; Commonwealth v. Brian  
14 Keffer, Case No. 20-60-011075; and  
15 Commonwealth v. Glenn Reimer, Case No.  
16 18-60-001863.

17 MR. STEIN:

18 Motion to approve all of the above  
19 cases.

20 MR. DERR:

21 Second.

22 CHAIRMAN DAVIS:

23 Roll call.

24

25 Wolfe, aye; Stein, aye; Derr, aye;

1 Layton, aye; Bizzarro, aye; Fretz, aye;  
2 Baer, aye; Claggett, aye; Davis, aye.

3 [The motion carried unanimously.]

4 \*\*\*

5 Report of Board Counsel - Motions to Deem Facts

6 Admitted

7 MR. FRITZ:

8 The Board would entertain a motion to  
9 grant the following Motions to Deep  
10 Facts Admitted and direct Board counsel  
11 to draft an Adjudication and Order in  
12 the matters of the Commonwealth v.  
13 Tristan Artz, Case No. 19-60-006254;  
14 Commonwealth v. Joshua Dowell Miller,  
15 Case No. 19-60-017231; Commonwealth v.  
16 Dominic Fratangeli, Case No. 21-60-  
17 004721; Commonwealth v. Carter McCue,  
18 Case No. 21-60-011166; Commonwealth v.  
19 Robert McKnight, Case No. 19-60-004873;  
20 and Commonwealth v. Joshua Pagliei, Case  
21 No. 19-60-010103.

22 [The Board discussed the motion.]

23 MR. FRITZ:

24 We are withdrawing Carter McCue;  
25 otherwise, the entertaining of the

1 motion stands as what I previously  
2 stated.

3 MR. STEIN:

4 Motion to approve as amended.

5 MR. DERR:

6 Second.

7 CHAIRMAN DAVIS:

8 Roll call.

9

10 Wolfe, aye; Stein, aye; Derr, aye;

11 Layton, aye; Bizzarro, aye; Fretz, aye;

12 Baer, aye; Claggett, aye; Davis, aye.

13 [The motion carried unanimously.]

14 \*\*\*

15 MR. FRITZ:

16 Chad Dale was tabled till the next Board  
17 meeting.

18 \*\*\*

19 Report of Board Chairman - No Report

20 \*\*\*

21 Report of Acting Commissioner - No Report

22 \*\*\*

23 Report of Board Administrator

24 [Kirk A. Davis, Chairman, Professional Member, noted

25 2022 Board meeting dates and recommended Board members



1 contact Ms. Cline as soon as possible with any  
2 conflicts to the 2023 Board meeting dates.]

3 \*\*\*

4 [Peter D. Kovach, Esquire, Senior Prosecutor in  
5 Charge, informed the Board that several prosecutors  
6 will be doing training for the Pennsylvania State  
7 Police Vehicle Fraud Investigators.]

8 \*\*\*

9 [The Board recessed from 10:52 a.m. until 11:00 a.m.]

10 \*\*\*

11 [A Formal Hearing was held from 11:00 a.m. until  
12 12:48 p.m. in the Matter of the Application for  
13 License as a Vehicle Salesperson of Joshua Antonio  
14 DeJesus, Case No. 22-60-003130.]

15 \*\*\*

16 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
17 12:49 p.m. the Board entered into Executive Session  
18 with C. William Fritz II, Esquire, Board Counsel, for  
19 the purpose of conducting quasi-judicial  
20 deliberations. The Board returned to open session at  
21 1:08 p.m.]

22 \*\*\*

23 MR. FRITZ:

24 The Board met in Executive Session and  
25 conducted quasi-judicial deliberations.

1 The Board would entertain a motion  
2 directing Board counsel to draft a Final  
3 Order granting the Application for a  
4 Vehicle Salesperson License filed by  
5 Joshua Antonio DeJesus, Case No. 22-60-  
6 003130, subject to a period of probation  
7 of 12 months.

8 MR. STEIN:

9 I make the motion to approve as  
10 presented.

11 MR. DERR:

12 Second.

13 CHAIRMAN DAVIS:

14 Roll call.

15  
16 Wolfe, aye; Stein, aye; Derr, aye;  
17 Layton, aye; Bizzarro, recuse; Fretz,  
18 recuse; Baer, aye; Claggett, nay; Davis,  
19 aye.

20 [The motion carried. Joseph Bizzarro and Steve Fretz  
21 recused themselves from deliberations and voting on  
22 the motion. Arion Claggett opposed the motion.]

23 \*\*\*

24 Application Review - Criminal Conviction

25 Applicants - Informal Hearings

1 MR. FRITZ:

2 Based on the Informal Conferences, the  
3 Board would entertain a motion to  
4 approve the Application filed by William  
5 Moriarty.

6 MR. STEIN:

7 I make a motion to approve.

8 MR. DERR:

9 Second.

10 CHAIRMAN DAVIS:

11 Roll call.

12  
13 Wolfe, aye; Stein, aye; Derr, aye;  
14 Layton, aye; Fretz, aye; Baer, aye;  
15 Claggett, aye; Bizzarro, aye; Davis,  
16 aye.

17 [The motion carried unanimously.]

18 \*\*\*

19 MR. FRITZ:

20 The Board would entertain a motion to  
21 approve the Application filed by  
22 Christopher Ray Robertson subject to a  
23 period of probation of 12 months.

24 MR. STEIN:

25 I make a motion to approve as presented.

1 MR. DERR:

2 Second.

3 CHAIRMAN DAVIS:

4 Roll call.

5

6 Wolfe, aye; Stein, aye; Derr, aye;

7 Layton, aye; Bizzarro, aye; Fretz, aye;

8 Baer, aye; Claggett, aye; Davis, aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 Adjournment

12 CHAIRMAN DAVIS:

13 Do we have a motion to adjourn?

14 MR. STEIN:

15 Motion to adjourn.

16 MR. DERR:

17 Second.

18 CHAIRMAN DAVIS:

19 We are adjourned.

20

\*\*\*

21 [The State Board of Vehicle Manufacturers, Dealers,  
22 and Salespersons Meeting adjourned at 1:08 p.m.]

23

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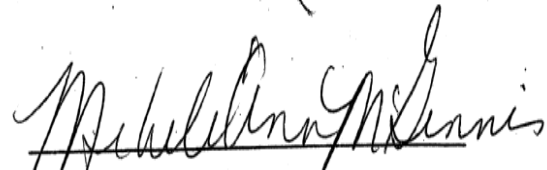
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CERTIFICATE

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.



Michele Ann McGinnis,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF VEHICLE MANUFACTURERS,  
DEALERS, AND SALESPERSONS  
REFERENCE INDEX

May 17, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:32	Official Call to Order
14		
15	10:33	Roll Call
16		
17	10:33	Approval of Minutes
18		
19	10:34	Report of Prosecutorial Division
20		
21	10:43	Report of Board Counsel
22		
23	10:49	Report of Board Administrator
24		
25	10:52	Recess
26	11:00	Return to Open Session
27		
28	11:00	Formal Hearing - Joshua Antonio DeJesus
29	12:48	
30		
31	12:49	Executive Session
32	1:08	Return to Open Session
33		
34	1:08	Motion
35		
36	1:08	Application Review
37		
38	1:08	Adjournment
39		
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