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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: 10:31 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 12, 2022

1 State Board of Vehicle Manufacturers,
2 Dealers, and Salespersons
3 July 12, 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 - Absent
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
17 Mark Baer, Professional Member
18 Irving Stein, Professional Member
19 Joseph Bizzarro, Professional Member
20
21

22 BUREAU PERSONNEL:
23

24 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
25 Division
26 C. William Fritz II, Esquire, Board Counsel
27 Dean F. Picarella, Esquire, Senior Board Counsel
28 Paul J. Jarabeck, Esquire, Senior Board Prosecutor
29 Peter D. Kovach, Esquire, Board Prosecution Liaison
30 Matthew A. Anderson, Esquire, Board Prosecutor
31 Timothy J. Henderson, Esquire, Board Prosecutor
32 Kayla R. Bolan, Esquire, Board Prosecutor
33 Janice Cline, Board Administrator
34 Andrew LaFratte, MPA, Executive Policy Specialist,
35 Department of State
36 Danie Bendesky, Director of Intergovernmental Affairs,
37 Department of State
38 Eli Yemzow, Legal Intern, Department of State
39 Sarah McDonald, Department of State
40
41

42 ALSO PRESENT:
43

44 Jennifer Smeltz, Republican Executive Director, Senate
45 Consumer Protection & Professional Licensure
46
47
48
49
50

1 ***

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

4 July 12, 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 [C. William Fritz II, Esquire, Board Counsel, noted
14 the Board met in Executive Session prior to open
15 session and conducted quasi-judicial deliberations.

16 Mr. Fritz also noted the meeting was being
17 recorded, and voluntary participation in the meeting
18 constituted consent to be recorded.]

19 ***

20 The regularly scheduled meeting of the State
21 Board of Vehicle Manufacturers, Dealers, and
22 Salespersons was held on Tuesday, July 12, 2022. Kirk
23 A. Davis, Chairman, Professional Member, called the
24 meeting to order at 10:31 a.m.

25 ***

1 Roll Call

2 [Chairman Davis requested a roll call of Board
3 members.]

4 ***

5 Approval of minutes of the May 17, 2022 meeting

6 CHAIRMAN DAVIS:

7 The first agenda item is approval of the
8 minutes. Can we get a motion?

9 MR. STEIN:

10 I make the motion.

11 MR. DERR:

12 Second.

13 CHAIRMAN DAVIS:

14 Roll call.

15

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

19 [The motion carried unanimously.]

20 ***

21 Report of Prosecutorial Division

22 [C. William Fritz II, Esquire, Board Counsel, asked
23 whether Board members had any questions regarding the
24 consent agreements.]

25 ***

1 Report of Prosecutorial Division - Consent Agreements

2 MR. FRITZ:

3 The Board would entertain a motion to
4 approve the Consent Agreement at Case
5 No. 21-60-000106.

6 MR. STEIN:

7 So moved.

8 MR. DERR:

9 Second.

10 CHAIRMAN DAVIS:

11 Roll call.

12

13 Wolfe, aye; Stein, aye; Derr, aye; Baer,
14 aye; Bizzarro, aye; Fretz, aye; Davis,
15 aye.

16 [The motion carried unanimously. The Respondent's
17 name is RV Liquidators.]

18

19 MR. FRITZ:

20 The Board would entertain a motion to
21 approve the Consent Agreement at Case
22 No. 21-60-008530.

23 MR. STEIN:

24 I make the motion.

25 MR. DERR:

1 Second.

2 CHAIRMAN DAVIS:

3 Roll call.

4

5 Wolfe, aye; Stein, aye; Derr, aye;

6 Yingst, aye; Fretz, aye; Baer, aye;

7 Bizzarro, aye; Davis, aye.

8 [The motion carried unanimously. The Respondent's
9 name is Michelle L. Vandemark.]

10 ***

11 MR. FRITZ:

12 The Board would entertain a motion to
13 approve the Consent Agreement at Case
14 No. 19-60-011502.

15 MR. STEIN:

16 I make the motion.

17 MR. DERR:

18 Second.

19 CHAIRMAN DAVIS:

20 Roll call.

21

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

23 Yingst, aye; Fretz, aye; Layton, aye;

24 Baer, aye; Bizzarro, aye; Davis, aye.

25 [The motion carried unanimously. The Respondent's

1 name is Angelo Anthony Cavallero.]

2 ***

3 MR. FRITZ:

4 The Board would entertain a motion to
5 approve the Consent Agreement at Case
6 No. 22-60-002016.

7 MR. STEIN:

8 I make the motion.

9 MR. DERR:

10 Second.

11 CHAIRMAN DAVIS:

12 Roll call.

13

14 Wolfe, nay, against; Stein, aye; Derr,
15 aye; Yingst, aye; Layton, aye; Fretz,
16 aye; Baer, aye; Bizzarro, aye; Davis,
17 aye.

18 [The motion carried. Mark Wolfe opposed the motion.

19 The Respondent's name is Justin T. Christ.]

20 ***

21 MR. FRITZ:

22 The Board would entertain a motion to
23 approve the Consent Agreement at Case
24 No. 22-60-000384.

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 Yingst, aye; Fretz, aye; Layton, aye;

9 Baer, aye; Bizzarro, aye; Davis, aye.

10 [The motion carried unanimously. The Respondent's
11 name is Jaison N. Kelly.]

12 ***

13 Report of Board Counsel - Formal Hearings/Arguments
14 [C. William Fritz II, Esquire, Board Counsel, noted
15 the scheduled hearing scheduled had been continued
16 until the next Board meeting in August and informed
17 the Board of three upcoming hearings.]

18 ***

19 Report of Board Counsel - Status of Cases

20 [C. William Fritz II, Esquire, Board Counsel, provided
21 a Status of Cases Report for the Board's review. He
22 reminded Board members to inform him of any cases
23 where they would need to recuse. He noted 65 open
24 cases with 5 active protest cases and will update the
25 Board on any continued activity.]

1 Mr. Fritz informed Board members that he was
2 working on the fee increase regulation and hoped to
3 have that ready to go within the next few months. He
4 would bring anything requiring a vote or review to the
5 Board's attention.]

6

7 Report of Board Counsel - Adjudications and Orders for
8 Approval

9 MR. FRITZ:

10 The Board would entertain a motion to
11 approve the following Adjudications and
12 Orders: Commonwealth v. Tristan Artz,
13 Case No. 19-60-006254; Commonwealth v.
14 Car Farm Auto Group LLC, Case No. 19-60-
15 000547; Commonwealth v. Justin Cutler,
16 Case No. 21-60-013818; Commonwealth v.
17 Dominic Fratangeli, Case No. 21-60-
18 004721; Commonwealth v. Ruth Gonzalez,
19 Case No. 20-60-002011; Commonwealth v.
20 Robert McKnight, Case No. 19-60-004873;
21 Commonwealth v. Joshua Pagliei, Case No.
22 19-60-010103.

23 MR. STEIN:

24 I make the motion.

25 MR. DERR:

1 Second.

2 CHAIRMAN DAVIS:

3 Roll call.

4

5 Wolfe, aye; Stein, aye; Derr, aye;

6 Yingst, aye; Fretz, aye; Baer, aye;

7 Bizzarro, aye; Davis, aye.

8 [The motion carried unanimously.]

9

10 Report of Board Counsel - Motions to Deem Facts

11 Admitted

12 MR. FRITZ:

13 The Board would entertain a motion to
14 approve the following Motions to Deem
15 Facts Admitted and direct Board counsel
16 to draft Adjudications and Orders in the
17 Matters of the Commonwealth v. Chad
18 Dale, Case No. 19-60-015905;
19 Commonwealth v. Francis Geiger, Case No.
20 19-60-004934; Commonwealth v. Charles
21 Gorman, Case No. 19-60-015486;
22 Commonwealth v. Melissa Kovalewski, Case
23 No. 20-60-001880; Commonwealth v. James
24 Morris, Case No. 21-60-000108;
25 Commonwealth v. Julia Whittaker, Case

1 No. 19-60-015909; Commonwealth v.
2 Antoine Wright, Case No. 19-60-008951.

3 MR. STEIN:

4 I make the motion.

5 MR. DERR:

6 Second.

7 CHAIRMAN DAVIS:

8 Roll call.

9

10 Wolfe, aye; Stein, aye; Derr, aye;
11 Yingst, aye; Fretz, aye; Layton, aye;
12 Baer, aye; Bizzarro, aye; Davis, aye.

13 [The motion carried unanimously.]

14

15 Report of Board Counsel - Motion to Vacate and
16 Substitute

17 MR. FRITZ:

18 The Board would entertain a motion to
19 grant the Motion to Vacate and
20 Substitute the Corrected Agreement and
21 Order in the Matter of the Commonwealth
22 v. Khaled Malik, Case No. 19-60-018072.

23 MR. STEIN:

24 I make the motion.

25 MR. DERR:

1 Second.

2 CHAIRMAN DAVIS:

3 Roll call.

4

5 Wolfe, aye; Stein, aye; Derr, aye;

6 Yingst, aye; Fretz, aye; Layton, aye;

7 Baer, aye; Bizzarro, aye; Davis, aye.

8 [The motion carried unanimously.]

9

10 Application Review - Criminal Conviction

11 Applicants - Informal Hearings

12 MR. FRITZ:

13 We are going to try to reschedule Jalen
14 Jones for the next Board meeting.

15

16 MR. FRITZ:

17 The Board would entertain a motion to
18 grant the Application for Licensure
19 filed by Michael Pisano subject to a
20 three-year period of probation.

21 MR. STEIN:

22 I make the motion.

23 MR. DERR:

24 Second.

25 CHAIRMAN DAVIS:

1 Roll call.

2

3 Wolfe, aye; Stein, aye; Derr, aye;
4 Yingst, aye; Layton, aye; Baer, aye;
5 Bizzarro, aye; Davis, aye.

6 [The motion carried unanimously.]

7

8 MR. FRITZ:

9 The Board would entertain a motion to
10 grant the following Applications for
11 Licensure subject to no conditions for
12 the Application filed by Laporsha Bella
13 Rose and Kyle McGarry.

14 MR. STEIN:

15 I make the motion.

16 MR. DERR:

17 Second.

18 CHAIRMAN DAVIS:

19 Roll call.

20

21 Wolfe, aye; Stein, aye; Derr, aye;
22 Yingst, aye; Fretz, aye; Layton, aye;
23 Baer, aye; Bizzarro, aye; Davis, aye.

24 [The motion carried unanimously.]

25

1 Report of Board Counsel - Miscellaneous

2 [C. William Fritz II, Esquire, Board Counsel, notified
3 Board members of a current scam concerning licensees.
4 He noted the scam alert is posted on the Board's
5 website but reiterated that persons pretending to be
6 from one of the health-related licensing boards were
7 contacting licensees regarding the status of their
8 license.

9 Mr. Fritz noted scammers are threatening license
10 suspension for failure to act and falsely claiming
11 involvement with the Federal Bureau of Investigation
12 (FBI) and the Drug Enforcement Administration (DEA).

13 Mr. Fritz provided reminders from the Bureau of
14 Professional and Occupational Affairs (BPOA)
15 concerning contact and personal information for
16 licensees.

17 Mr. Fritz mentioned that those who are the
18 subject of an investigation or disciplinary action
19 will receive notice by certified mail and/or personal
20 service and are provided with a contact name and phone
21 number. He informed everyone to contact their local
22 police department or the Pennsylvania State Police if
23 they have been a victim of the scam.]

24 ***

25 Report of Board Chairman

1 [Kirk A. Davis, Chairman, Professional Member,
2 informed Board members that the Federal Trade
3 Commission is changing regulations for advertising,
4 particularly the Department of Finance. He noted
5 there would be a period of open discussion for dealers
6 who want to make suggestions and encouraged everyone
7 to reach out to their local representatives for more
8 information. He commented that the Board does not run
9 into issues regarding false advertising but changing
10 the regulations may make things difficult.]

11 ***

12 Report of Acting Commissioner - No Report

13 ***

14 Report of Board Administrator - No Report

15 [Kirk A. Davis, Chairman, Professional Member, noted
16 the next meeting date is August 23 and recommended
17 Board members notify Ms. Cline of any conflicts with
18 any of the meeting dates as soon as possible.

19 Chairman Davis also reminded Board members to
20 keep an eye on their terms.]

21 ***

22 Adjournment

23 CHAIRMAN DAVIS:

24 Do we have a motion to adjourn?

25 MR. STEIN:

1 Motion.

2 MR. DERR:

3 Second.

4 CHAIRMAN DAVIS:

5 Thank you everybody.

6 ***

7 [The State Board of Vehicle Manufacturers, Dealers,
8 and Salespersons Meeting adjourned at 10:50 a.m.]

9 ***

10

11

CERTIFICATE

12

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

20

21



22

Erica Correia,

23

Minute Clerk

24

Sargent's Court Reporting

25

Service, Inc.

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

July 12, 2022

	TIME	AGENDA
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8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:31	Official Call to Order
14		
15	10:31	Roll Call
16		
17	10:32	Approval of Minutes
18		
19	10:33	Report of Prosecutorial Division
20		
21	10:36	Report of Board Counsel
22		
23	10:41	Application Review
24		
25	10:43	Report of Board Counsel - Miscellaneous
26		
27	10:50	Adjournment
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