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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  
VIA VIDEOCONFERENCE**

TIME: 10:31 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

December 7, 2021

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State Board of Vehicle Manufacturers,  
Dealers, and Salespersons  
December 7, 2021

BOARD MEMBERS:

- Kirk A. Davis, Chairman
- Randall Derr, Secretary, Professional Member
- K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs
- Mark Wolfe, Office of Attorney General, Consumer Protection Representative
- Steve T. Fretz, Professional Member
- Angel Layton, Department of Transportation Representative
- Dale J. Yingst, Professional Member - Absent
- Mark Baer, Professional Member - Absent
- Irving Stein, Professional Member
- Joseph Bizzarro, Professional Member

BUREAU PERSONNEL:

- C. William Fritz II, Esquire, Board Counsel
- Peter D. Kovach, Esquire, Board Prosecution Liaison
- Janice Cline, Board Administrator

1 \*\*\*

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

4 December 7, 2021

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 those who continued to participate were  
18 giving their 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, December 7, 2021.  
23 Kirk K. Davis, Chairman, Professional Member, called  
24 the 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 November 15, 2021 meeting

6 CHAIRMAN DAVIS:

7 Do we have a motion for approval of last  
8 month's meeting minute?

9 MR. DERR:

10 So moved.

11 MR. STEIN:

12 Second.

13 CHAIRMAN DAVIS:

14 Roll call.

15

16 Wolfe, aye; Stein, aye; Derr, aye;

17 Fretz, aye; Johnson, aye; Layton, aye;

18 Bizzaro, aye; Davis, aye.

19 [The motion carried unanimously.]

20 \*\*\*

21 Report of Prosecutorial Division

22 [Peter D. Kovach, Esquire, Board Prosecution Liaison,  
23 had nothing to report from the prosecutorial  
24 division.]

25 \*\*\*

1 Report of Board Counsel

2 [C. William Fritz II, Esquire, Board Counsel, informed  
3 the Board that two formal hearings scheduled for this  
4 meeting had been continued.

5 Mr. Fritz provided a Status of Cases Report as of  
6 November 19, 2021, for the Board's review. He noted  
7 66 open files with 7 of those being protests.

8 Mr. Fritz noted working on the fee increase  
9 regulation. He informed the Board that he would soon  
10 be meeting with the Independent Regulatory Review  
11 Commission (IRRC) regarding the regulation charging  
12 out of state recreational vehicle dealers a fee to  
13 come into Pennsylvania for shows and exhibitions,  
14 noting there was not much left to do before that  
15 becomes final.]

16 \*\*\*

17 Report of Board Counsel - Adjudications and Orders for  
18 Approval

19 MR. FRITZ:

20 The Board would entertain a motion to  
21 approve the following Adjudication and  
22 Orders: Commonwealth v. Joseph  
23 Pellegrino, Case No. 19-60-005203;  
24 Commonwealth v. Kelly Rogers, Case No.  
25 19-60-002767; Commonwealth v. Brandon

1                    Weekley, Case No. 20-60-008333.

2 MR. DERR:

3                    So moved.

4 MR. FRETZ:

5                    Second.

6 CHAIRMAN DAVIS:

7                    Roll call.

8

9                    Wolfe, aye; Stein, aye; Derr, aye;

10                   Fretz, aye; Layton, aye Johnson, aye;

11                   Davis, aye; Bizzaro, aye.

12 [The motion carried unanimously.]

13

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14 Report of Board Counsel - Motions to Deem Facts

15        Admitted

16 MR. FRITZ:

17                    The Board would entertain a motion to

18                    grant the following motions to Deem

19                    Facts Admitted and directing Board

20                    counsel to draft a Final Adjudication

21                    and Order for Commonwealth v. Kyle

22                    Christian Burkey, Case No. 21-60-000696;

23                    Commonwealth v. Alexandr Chervinchik,

24                    Case No. 20-60-011274; Commonwealth v.

25                    Dylan Thomas McRoberts, Case No. 20-60-

1                   011604; and finally, Commonwealth v.  
2                   Scott Wilson, Case No. 18-60-005111.

3 MR. WOLFE:

4                   So moved.

5 MR. FRETZ:

6                   Second.

7 CHAIRMAN DAVIS:

8                   Roll call.

9

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

13 [The motion carried unanimously.]

14

\*\*\*

15 MR. FRITZ:

16                   The Board would entertain a motion to  
17                   grant the Commonwealth's motion for a  
18                   more definite answer in the matter of  
19                   the Commonwealth v. Angelo Anthony  
20                   Cavallero, Case No. 19-60-011502.

21 MR. STEIN:

22                   I make a motion.

23 MR. DERR:

24                   Second.

25 CHAIRMAN DAVIS:

1 Roll call.

2

3 Wolfe, aye; Stein, aye; Derr, aye;

4 Fretz, aye; Bizzarro, aye; Layton, aye;

5 Johnson, aye; Davis, aye.

6 [The motion carried unanimously.]

7

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8 Application Review

9 MR. FRITZ:

10 Regarding the first application on our  
11 list, we are going to table that first  
12 application and try to get ahold of that  
13 applicant again. We were not able to  
14 get ahold of him.

15

\*\*\*

16 MR. FRITZ:

17 The Board would entertain a motion to  
18 grant the following Applications subject  
19 to a period of probation for Darrell  
20 Sherman Gooding, Nicholas David Hoffer,  
21 and Brian Ramos.

22 MR. DERR:

23 So moved.

24 MR. FRETZ:

25 Second.



1 CHAIRMAN DAVIS:

2 Roll call.

3

4 Wolfe, aye; Stein, aye; Derr, aye;

5 Fretz, aye; Bizzarro, aye; Layton, aye;

6 Johnson, aye; Davis, aye.

7 [The motion carried unanimously.]

8

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9 MR. FRITZ:

10 The Board would entertain a motion to

11 approve the Application of IPM Auto

12 Sales & Joel Castillo Reyes, Sole

13 Officer & Sales, applicant.

14 MR. WOLFE:

15 So moved.

16 MR. STEIN:

17 Second.

18 CHAIRMAN DAVIS:

19 Roll call.

20

21 Wolfe, aye; Stein, aye; Derr, aye;

22 Fretz, aye; Layton, aye; Bizzarro, aye;

23 Johnson, aye; Davis, aye.

24 [The motion carried unanimously.]

25

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1 MR. FRITZ:

2           The Board would entertain a motion to  
3           provisionally deny the Application filed  
4           by Ride On Auto Sales LLC & Brian Herr,  
5           Sole Officer & Sales, applicant due to  
6           the fact that on two separate occasions  
7           we rescheduled this for an informal  
8           conference and neither time were we able  
9           to get ahold of the applicant.

10 MR. STEIN:

11           So moved.

12 MR. DERR:

13           Second.

14 CHAIRMAN DAVIS:

15           Roll call.

16

17           Wolfe, aye; Stein, aye; Derr, aye;

18           Fretz, aye; Layton, aye; Bizzarro, aye;

19           Johnson, aye; Davis, aye.

20 [The motion carried unanimously.]

21

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22 Report of Board Chair - No Report

23

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24 Report of Commissioner

25 [K. Kalonji Johnson, Commissioner, Bureau of

1 Professional and Occupational Affairs, reminded  
2 everyone that the virtual format would continue  
3 through March 2022 with the return of in-person  
4 meetings April 1, 2022. He informed the Board of  
5 legislation actively being considered in the House,  
6 which would provide for the use of streaming  
7 technology to create a hybrid environment. He noted  
8 the virtual meetings would also give the flexibility  
9 to satisfy quorum requirements.

10 Commissioner Johnson noted the department was  
11 internally making the necessary modifications to  
12 technology in order to accommodate that platform and  
13 would keep the Board apprised.

14 Commissioner Johnson informed the Board of a new  
15 process for regional and national travel requests  
16 through the Commonwealth Out-of-State Travel  
17 Application (COSTA) portal. He mentioned everyone  
18 would need their commonwealth user name and password  
19 to start the administrative process for approval. He  
20 noted in-state travel process remains the same.

21 Commissioner Johnson encouraged everyone to  
22 provide adequate notice for out-of-state travel  
23 requests to Ms. Cline or Mr. Fritz, so it could be  
24 placed on the agenda to be properly Sunshined.]

25

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1 Report of Board Administrator

2 [Kirk A. Davis, Chairman, Professional Member, noted  
3 2022 meeting dates for the Board's review. He  
4 requested Board members review the 2022 meeting dates  
5 and report any conflicts in advance. He mentioned  
6 November 22 date and asked Board members to report any  
7 issues around Thanksgiving.

8 Chairman Davis addressed Board member terms,  
9 noting this was Mr. Fretz' last meeting that he could  
10 attend.

11 Mr. Fretz provided the requested information but  
12 had not heard back. Mr. Fritz received information  
13 concerning Mr. Fretz' reappointment, and it was moving  
14 through the process.

15 Chairman Davis asked Board members to bring  
16 forward anyone who may be interested in filling the  
17 public member vacancies.

18 Mr. Fritz also noted a motorcycle dealer seat,  
19 mobility dealer seat, and another used car dealer seat  
20 currently vacant.]

21 \*\*\*

22 Adjournment

23 CHAIRMAN DAVIS:

24 Do we have a motion for adjournment?

25 MR. FRETZ:

1 I'll make that motion.

2 MR. DERR:

3 Second.

4 CHAIRMAN DAVIS:

5 We are adjourned.

6 [The motion carried unanimously.]

7 \*\*\*

8 [The State Board of Vehicle Manufacturers, Dealers,  
9 and Salespersons Meeting adjourned at 10:47 a.m.]

10 \*\*\*

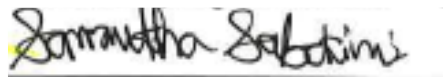
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12 CERTIFICATE

13

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

21



22

Samantha Sabatini,

23

Minute Clerk

24

Sargent's Court Reporting

25

Service, Inc.

26

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

December 7, 2021

	TIME	AGENDA
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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 Board Counsel
20		
21	10:38	Application Review
22		
23	10:40	Report of Commissioner
24		
25	10:44	Report of Board Administrator
26		
27	10:47	Adjournment
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