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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: 9:26 A.M.

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

August 7, 2018

1 ***

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

4 August 7, 2018

5 ***

6 The regularly scheduled meeting of the State
7 Board of Vehicle Manufacturers, Dealers, and
8 Salespersons was held on Tuesday, August 7, 2018. Dan
9 Murphy III, Chairman, called the meeting to order at
10 9:26 a.m.

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

13 ***

14 Approval of Minutes of the June 5, 2018 meeting

15 CHAIRMAN MURPHY:

16 Approval of the minutes?

17 MR. STOY:

18 So moved.

19 MR. TULLY:

20 Second.

21 CHAIRMAN MURPHY:

22 So moved and seconded. Roll call.

23

24 David Tully, aye; George Mermon, aye;

25 Kirk Davis, aye; Neal Hufford Jr., aye;

1 Steve Fretz, aye; William Mohler,
2 abstain; Donald Stoy, aye; Robert
3 Shaffer, aye; Ian Harlow, aye; and Dan
4 Murphy, aye.

5 [The motion carried. William Mohler abstained from
6 voting on the motion.]

7 ***

8 [Juan Ruiz, Esquire, Board Counsel, introduced Shana
9 M. Walter, Esquire, as the Board's new co-counsel.]

10 ***

11 Report of Prosecutorial Division

12 [Glenn P. Masser, Esquire, Board Prosecutor, on behalf
13 of Ricky Lewis, Esquire, Board Prosecutor, presented
14 the Consent Agreement for File No. 15-60-07333 and
15 File No. 15-60-07334.]

16 ***

17 [Glenn P. Masser, Esquire, Board Prosecutor, presented
18 the Consent Agreement for File No. 17-60-02353.]

19 ***

20 [Steven A. Mimm, Esquire, Board Prosecutor, presented
21 the Consent Agreement for File No. 13-60-09786.]

22 ***

23 [Matthew Sniscak, Esquire, Board Prosecutor, presented
24 the Consent Agreements for File No. 16-60-03735 and
25 File No. 17-60-07591.]

1 ***

2 Report of Board Counsel

3 [Juan Ruiz, Esquire, Board Counsel, noted matters for
4 discussion in Executive Session. Mr. Ruiz also noted
5 a protest matter that Mr. Blackburn will discuss in
6 the future.]

7 ***

8 Report of Prosecutorial Division (Continued)

9 [Monty J. Batson, Esquire, Board Prosecutor, presented
10 the Consent Agreement for File No. 15-60-05869.]

11 ***

12 Application Review - Informal Conferences

13 [The Applicant Review Committee made the following
14 recommendations regarding the following Criminal
15 Conviction Applications: Jesse Baum, approved without
16 restrictions; Cody J. Hernley, approved without
17 restrictions; Tyler J. Conkle, approved with two-year
18 probation; Daren M. Vazquez & Roselux Motors LLC,
19 denied; Nikolas A. Gaillot, approved with probation
20 concurrent with criminal probation; Willard Burning,
21 no show; Matthew Alexander Greenland, approved with
22 two-year probation; Anthony J. Andreoli, approved
23 without restrictions; Scott M. Sirko, no show;
24 Lorraine Fritz, no show; and Abdullah M. Jamison & S&O
25 Auto Sales & Tire Service LLC, approved.]

1 MR. RUIZ:

2 Is there a motion to approve those
3 recommendations from the informal
4 conferences?

5 MR. TULLY:

6 So moved.

7 MR. DAVIS:

8 Second.

9 CHAIRMAN MURPHY:

10 Roll call.

11

12 David Tully, aye; George Mermon, aye;
13 Kirk Davis, aye; Neal Hufford Jr., aye;
14 Steve Fretz, aye; William Mohler, aye;
15 Donald Stoy, aye; Robert Shaffer, aye;
16 Ian Harlow, aye; and Dan Murphy, aye.

17 [The motion carried unanimously.]

18 ***

19 Report of Commissioner

20 [Ian J. Harlow, Commissioner of Professional and
21 Occupational Affairs, informed the Board that a
22 representative from Governor Wolf's office will attend
23 the next meeting to review the Executive Order
24 proposal.]

25 ***

1 Report of Board Administrator - No Report

2

3 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
4 9:45 a.m. the Board entered into Executive Session
5 with Juan Ruiz, Esquire, Board Counsel, and Shana M.
6 Walter, Esquire, Board Counsel, for the purpose of
7 conducting quasi-judicial deliberations and to receive
8 advice of Counsel. The Board returned to open session
9 at 10:12 a.m.]

10

11 MOTIONS

12 MR. RUIZ:

13

The Board was just in Executive Session
14 conducting quasi-judicial deliberations
15 on a number of matters currently pending
16 before the Board.

17

Is there a motion to approve the
18 Consent Agreements at File No. 15-60-
19 07333, File No. 15-60-07334, File No.
20 17-60-02363, File No. 13-60-09786, File
21 No. 16-60-03735, File No. 17-60-07591,
22 File No. 15-60-05869?

23 MR. MERMON:

24

So moved.

25 MR. SHAFFER:

1 Second.

2 CHAIRMAN MURPHY:

3 So moved and seconded. Roll call.

4

5 David Tully, aye; George Mermon, aye;
6 Kirk Davis, aye; Neal Hufford Jr., aye;
7 Steve Fretz, aye; William Mohler, aye;
8 Donald Stoy, aye; Robert Shaffer, aye;
9 Ian Harlow, aye; and Dan Murphy, aye.

10 [The motion carried unanimously. The Respondent's
11 name for File No. 15-60-07333 and 15-60-07334 is David
12 Barzola aka Alberto Maldonado. The Respondent's name
13 for File No. 17-60-02363 is Larry L. Clark Jr. The
14 Respondent's name for File No. 13-60-09786 is Novae
15 Corp, formally dba Sure-Trac. The Respondent's name
16 for File No. 16-60-03735 is Rose A. Acosta. The
17 Respondent's name for File No. 17-60-07591 is William
18 Stephen Macko. The Respondent's name for File No. 15-
19 60-05869 is Dennis R. Himes.]

20

21 MR. RUIZ:

22 Is there a motion to grant the motion to
23 dismiss in the protest matter of Gray
24 Chrysler Jeep Dodge Ram vs. Chrysler
25 Group LLC?

1 MR. MERMON:

2 So moved.

3 MR. FRETZ:

4 Second.

5 CHAIRMAN MURPHY:

6 Roll call.

7

8 David Tully, aye; George Mermon, aye;
9 Kirk Davis, aye; Neal Hufford Jr., aye;
10 Steve Fretz, aye; William Mohler, aye;
11 Donald Stoy, aye; Robert Shaffer, aye;
12 Ian Harlow, aye; and Dan Murphy, aye.

13 [The motion carried unanimously.]

14 ***

15 MR. RUIZ:

16 Is there a motion to approve the final
17 Adjudications and Orders in the cases of
18 Joseph Appel, File No. 14-60-11803;
19 Victor E. Berkey, File No. 14-60-06254;
20 Douglas Paul Gross, File No. 13-60-
21 07434; Edward C. Kelso, File No. 14-60-
22 03491 and File No. 14-60-03492; Dwayne
23 Edward Mills, File No. 12-60-07715;
24 Aaron E. Ostrander III, File No. 13-60-
25 09482; Felix V. Ozuna, File No. 13-60-

1 11147; Edwinn R. Raymond, File No. 12-
2 60-07826; Thomas V. Schiavoni, File No.
3 13-60-01390; Anthony M. Sherman, File
4 No. 13-60-06670; Jerry Allen Trone, File
5 No. 14-60-13373; Josue T. Vega, File No.
6 14-60-05174; and Vernon J. Vereen, File
7 No. 13-60-08925?

8 MR. STOY:

9 So moved.

10 MR. TULLY:

11 Second.

12 CHAIRMAN MURPHY:

13 Roll call.

14
15 David Tully, aye; George Mermon, aye;
16 Kirk Davis, aye; Neal Hufford Jr., aye;
17 Steve Fretz, aye; William Mohler, aye;
18 Donald Stoy, aye; Robert Shaffer, aye;
19 Ian Harlow, aye; and Dan Murphy, aye.

20 [The motion carried unanimously.]

21 ***

22 MR. RUIZ:

23 On the proposed Adjudications and
24 Orders, is there a motion to approve the
25 Proposed Adjudications and Orders for

1 Edward A. Cole, File No. 13-60-10525;
2 Roger Onusko, File No. 15-60-13319;
3 Brian L. Pavia, File No. 14-60-00965;
4 and Dean Anthony Rodriguez, File No. 14-
5 60-06810?

6 MR. STOY:

7 So moved.

8 MR. MERMON:

9 Second.

10 CHAIRMAN MURPHY:

11 Roll call.

12
13 David Tully, aye; George Mermon, aye;
14 Kirk Davis, aye; Neal Hufford Jr., aye;
15 Steve Fretz, aye; William Mohler, aye;
16 Donald Stoy, aye; Robert Shaffer, aye;
17 Ian Harlow, aye; and Dan Murphy, aye.

18 [The motion carried unanimously.]

19 ***

20 MR. RUIZ:

21 Is there a motion to direct Counsel to
22 issue Adjudications and Orders for
23 Anthony G. Angelo, File No. 17-60-01303;
24 and Clay S. Mayernik, File No. 17-60-
25 10266 in accordance with Executive

1 Session deliberations?

2 MR. MERMON:

3 So moved.

4 MR. DAVIS:

5 Second.

6 CHAIRMAN MURPHY:

7 So moved and seconded. Roll call.

8

9 David Tully, aye; George Mermon, aye;
10 Kirk Davis, aye; Neal Hufford Jr., aye;
11 Steve Fretz, aye; William Mohler, aye;
12 Donald Stoy, aye; Robert Shaffer, aye;
13 Ian Harlow, aye; and Dan Murphy, aye.

14 [The motion carried unanimously.]

15 ***

16 MR. RUIZ:

17 Is there a motion to grant the Motion to
18 Deem Facts Admitted in the following
19 cases: Dee M. George, File No. 17-60-
20 12256; Samuel Nelson Jr., File NO. 14-
21 60-08223; Rory D. Nero Jr., File No. 15-
22 60-12488; and Michael C. Schuler, File
23 No. 14-60-01750?

24 MR. SHAFFER:

25 So moved.

1 MR. MERMON:

2 Second.

3 CHAIRMAN MURPHY:

4 Roll call.

5

6 David Tully, aye; George Mermon, aye;
7 Kirk Davis, aye; Neal Hufford Jr., aye;
8 Steve Fretz, aye; William Mohler, aye;
9 Donald Stoy, aye; Robert Shaffer, aye;
10 Ian Harlow, aye; and Dan Murphy, aye.

11 [The motion carried unanimously.]

12 ***

13 Adjournment

14 CHAIRMAN MURPHY:

15 Anything else? Motion to adjourn.

16 Somebody make a motion.

17 MR. TULLY:

18 So moved.

19 MR. MERMON:

20 Second.

21 ***

22 [There being no further business, the State Board of
23 Vehicle Manufacturers, Dealers, and Salespersons
24 Meeting adjourned at 10:17 a.m.]

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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.



Kayla R. Wargo,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF VEHICLE MANUFACTURERS,
DEALERS AND SALESPERSONS
REFERENCE INDEX
August 7, 2018

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TIME	AGENDA
9:26	Official Call to Order
9:26	Pledge of Allegiance
9:27	Roll Call
9:27	Approval of Minutes
9:28	Report of Prosecutorial Division
9:36	Report of Board Counsel
9:40	Report of Commissioner
9:45	Executive Session
10:12	Return to Open Session
10:12	Motions
10:17	Adjournment