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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: 9:36 A.M.

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

March 13, 2018

1                   State Board of Vehicle Manufacturers,  
2                                 Dealers and Salespersons  
3   March 13, 2018  
4

5 BOARD MEMBERS:  
6

7 Dan G. Murphy III, Chairman  
8 Kirk Davis, Secretary  
9 Ian J. Harlow, Commissioner of Professional and  
10 Occupational Affairs  
11 Randall Derr, Professional Member  
12 Steve Fretz, Professional Member  
13 Neal Hufford Jr., Professional Member  
14 David Tully, Attorney General Representative  
15 Robert Shaffer, Department of Transportation  
16 Representative  
17 George Mermon, Professional Member  
18 James Minor, Public Member  
19 William Mohler, Professional Member - Absent  
20 Donald Stoy, Public Member  
21 Scott Weisser, Professional Member - Absent  
22  
23

24 BUREAU PERSONNEL:  
25

26 Juan Ruiz, Esquire, Board Counsel  
27 Wade A. Fluck, Esquire, Board Prosecution Liaison  
28 Glenn P. Masser, Esquire, Board Prosecutor  
29 Amanda N. Wojciechowski, Board Prosecutor  
30 Janice Cline, Board Administrator  
31  
32

33 ALSO PRESENT:  
34

35 Charles J. Hartwell, Esquire, Counsel for Respondent  
36 Jesus Delgado Marcano, Applicant  
37 Reggie Evans, PIADA  
38 Charles Wolfe  
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2 State Board of Vehicle Manufacturers,  
3 Dealers and Salespersons

4 March 13, 2018

5 \*\*\*

6 The regularly scheduled meeting of the State  
7 Board of Vehicle Manufacturers, Dealers, and  
8 Salespersons was held on Tuesday, March 13, 2018. Dan  
9 Murphy III, Chairman, called the meeting to order at  
10 9:36 a.m.

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

13 \*\*\*

14 Approval of Minutes of the January 23, 2018 meeting

15 CHAIRMAN MURPHY:

16 Approval of the Minutes?

17 MR. MERMON:

18 So moved.

19 MR. DERR:

20 Second.

21 CHAIRMAN MURPHY:

22 So moved and seconded.

23

24 Roll call.

25

1 David Tully, aye; George Mermon, aye;  
2 Randall Derr, aye; Kirk Davis, aye; Neal  
3 Hufford Jr., aye; Steve Fretz, aye;  
4 James Minor, aye; Donald Stoy, aye;  
5 Robert Shaffer, aye; and Dan Murphy,  
6 aye.

7 [The motion carried. Ian Harlow abstained from voting  
8 on the motion.]

9 \*\*\*

10 Report of Prosecutorial Division

11 [Wade A. Fluck, Esquire, Board Prosecution Liaison,  
12 presented Consent Agreements for File No. 13-60-07902  
13 and File No. 15-60-10917.]

14 \*\*\*

15 [Glenn Masser, Esquire, Board Prosecutor, presented  
16 Consent Agreements for File No. 16-60-07876, File No.  
17 15-60-07204, and File No. 17-60-03883.]

18 \*\*\*

19 [Amanda Wojciechowski, Esquire, Board Prosecutor,  
20 presented Consent Agreements for File No. 15-60-03917  
21 and 15-60-03920, and File No. 16-60-10645.]

22 \*\*\*

23 Report of Board Counsel

24 [Juan Ruiz, Esquire, Board Counsel, noted a hearing  
25 scheduled for 10:00 a.m., five Final Adjudications and

1 Orders, four Proposed Adjudications and Orders, and  
2 five Motions to Deem Facts Admitted for discussion  
3 during Executive Session.]

4 \*\*\*

5 [Chairman Murphy introduced audience member Reggie  
6 Evans of the Pennsylvania Independent Auto Dealer  
7 Association (PIADA).]

8 \*\*\*

9 Report of Commissioner

10 [Ian Harlow, Commissioner of Professional and  
11 Occupational Affairs, noted the Governor had issued an  
12 Executive Order that all licensing boards be reviewed  
13 and an advisory committee be established for guidance.  
14 He will email summary minutes from the first meeting  
15 to all Board members.

16 Commissioner Harlow commented that statistical  
17 information had been collected from other states and  
18 recommendations with regard to policy changes,  
19 legislative or regulatory changes will be discussed at  
20 all Board meetings. Commissioner Harlow noted St.  
21 Francis University in Cambria County conducted the  
22 data collection.]

23 \*\*\*

24 Miscellaneous

25 PALS

1 [Ian Harlow, Commissioner of Professional and  
2 Occupational Affairs, provided an update on the PALS  
3 system recently implemented. He explained that PALS  
4 will offer an electronic criminal history record  
5 check. He discussed the processing of out-of-state  
6 applications and the possibility of an expedited  
7 processing fee. He also commented on improvements in  
8 staffing.]

9

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10 Act 6, Senate Bill 354

11 [Ian Harlow, Commissioner of Professional and  
12 Occupational Affairs, discussed electronically  
13 implementing a bill which allows for a licensee to  
14 request expungement for any minor violation for a  
15 short period of time.

16 He explained, in an effort to streamline that  
17 process, this Board will be able to access the  
18 Pennsylvania Justice Network (JNET) to obtain  
19 information including criminal, registration, birth  
20 records, warrants and traffic stops. This service  
21 will be available to the Board as of April 16, 2018.]

22

\*\*\*

23 [James Minor and Neal Hufford, Jr., exited the meeting  
24 for recusal purposes at 10:03 a.m. Commissioner Ian  
25 Harlow also exited the meeting at 10:03 a.m.]

1 \*\*\*

2 [A Formal Hearing was held from 10:05 a.m. until 11:12  
3 a.m. In the Matter of the Application for License as a  
4 Vehicle Salesperson of Jesus Delgado Marcano, File No.  
5 18-60-00164, Docket No. 0410-60-18.]

6 \*\*\*

7 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
8 11:13 a.m. the Board entered into Executive Session  
9 with Juan Ruiz, Esquire, Board Counsel, for the  
10 purpose of conducting quasi-judicial deliberations and  
11 to receive advice of Counsel on the matters of which  
12 the Board is going to vote. The Board returned to  
13 open session at 11:47 a.m.]

14 \*\*\*

15 [James Minor, Neal Hufford, Jr., and Ian Harlow  
16 reentered the meeting at 11:15 a.m. during Executive  
17 Session.]

18 \*\*\*

19 MOTIONS:

20 MR. RUIZ:

21 The Board was just in Executive Session  
22 conducting quasi-judicial deliberations on  
23 a number of matters currently pending  
24 before the Board.

25 Is there a motion to approve the

1 Consent Agreements at File Nos. 13-60-  
2 07902, 15-60-10917, 16-60-07876, 15-60-  
3 07204, 17-60-03883, 15-60-03917 and 15-60-  
4 03920 and 16-60-10645?

5 MR. DERR:

6 So moved.

7 MR. DAVIS:

8 Second.

9 CHAIRMAN MURPHY:

10 So moved and seconded.

11

12 Roll call.

13 David Tully, aye; George Mermon, aye;  
14 Randall Derr, aye; Kirk Davis, aye; Neal  
15 Hufford Jr., aye; Steve Fretz, aye; James  
16 Minor, aye; Donald Stoy, aye; Robert  
17 Shaffer, aye; and Dan Murphy, aye.

18 [The motion carried unanimously. The Respondent's  
19 name for File No. 13-60-07902 is Massimo Motor Sports,  
20 LLC. The Respondent's name for File No. 15-60-10917  
21 is Ryan Cortazzo. The Respondent's name for File No.  
22 15-60-07876 is Salvatore J. Caroprese. The  
23 Respondent's name for File No. 15-60-07204 is Ashraf  
24 A. Shedid. The Respondent's name for File No. 17-60-  
25 03883 is Stephen A. Jolicoeur. The Respondents' names



1 for File No. 15-60-03917 and 15-60-03920 is Caln Auto  
2 Sales and Micah Joseph Kepiro. The Respondent's name  
3 for 16-60-10645 is Joshua I. Perry.]

4 \*\*\*

5 MR. RUIZ:

6 Is there a motion to approve the Final  
7 Adjudications and Orders in the following  
8 cases: Commonwealth of Pennsylvania,  
9 Bureau of Professional and Occupational  
10 Affairs vs. Desmond T. Cummings, File No.  
11 16-60-06445, Docket No. 1970-60-16;  
12 Commonwealth of Pennsylvania, Bureau of  
13 Professional and Occupational Affairs vs.  
14 Andrew Ronald Hurrey, File No. 13-60-00256,  
15 Docket No. 2084-60-15; Commonwealth of  
16 Pennsylvania, Bureau of Professional and  
17 Occupational Affairs vs. Edward Maholic,  
18 Jr., File No. 14-60-04275, Docket No. 0381-  
19 60-15; Commonwealth of Pennsylvania, Bureau  
20 of Professional and Occupational Affairs  
21 vs. Damion C. Rivers, File No. 14-60-11651,  
22 Docket No. 0952-60-16; Commonwealth of  
23 Pennsylvania, Bureau of Professional and  
24 Occupational Affairs vs. John E. Stull &  
25 Foreign Cars R Us Plus, File No. 14-60-

1 04196 & 14-60-04197, Docket No. 1248-60-16?

2 MR. STOY:

3 Motion.

4 MR. DERR:

5 Second.

6 CHAIRMAN MURPHY:

7 Roll call.

8 David Tully, aye; George Mermon, aye;

9 Randall Derr, aye; Kirk Davis, aye; Neal

10 Hufford Jr., aye; Steve Fretz, aye; James

11 Minor, aye; Donald Stoy, aye; Robert

12 Shaffer, aye; and Dan Murphy, aye.

13 [The motion carried unanimously.]

14 \*\*\*

15 MR. RUIZ:

16 Is there a motion to approve Proposed

17 Adjudications and Orders and issue as the

18 Board's Final Order in the following cases:

19 Mark A. Dambrosio, File No. 14-60-04373;

20 Franciso Irizarry, File No. 16-60-04528;

21 and Terry J. Shetron, File No. 15-60-00809?

22 MR. STOY:

23 So moved.

24 MR. DAVIS:

25 Second.

1 CHAIRMAN MURPHY:

2 Roll call.

3 David Tully, aye; George Mermon, aye;  
4 Randall Derr, aye; Kirk Davis, aye; Neal  
5 Hufford Jr., aye; Steve Fretz, aye; James  
6 Minor, aye; Donald Stoy, aye; Robert  
7 Shaffer, aye; and Dan Murphy, aye.

8 [The motion carried unanimously.]

9 \*\*\*

10 MR. RUIZ:

11 Is there a motion to direct Board Counsel  
12 to draft an Adjudication and Order in the  
13 case of Aaron E. Ostrander, III, File No.  
14 13-60-09842, consistent with discussions in  
15 Executive Session?

16 MR. HUFFORD:

17 So moved.

18 MR. STOY:

19 Second.

20 CHAIRMAN MURPHY:

21 Roll call.

22 David Tully, aye; George Mermon, aye;  
23 Randall Derr, aye; Kirk Davis, aye; Neal  
24 Hufford Jr., aye; Steve Fretz, aye; James  
25 Minor, aye; Donald Stoy, aye; Robert

1 Shaffer, aye; and Dan Murphy, aye.

2 [The motion carried unanimously.]

3 \*\*\*

4 MR. RUIZ:

5 Is there a motion to grant the following  
6 Motions to Deem Facts Admitted: Cody L.  
7 Arnold, File No. 16-60-13297; Wilfred  
8 Bermudez, File No. 16-60-10829; Craig A.  
9 Hatfield, File No. 15-60-06528; Sandra  
10 Menaker, File No. 15-60-11832; and Louis  
11 Pavoni, Jr., File No. 16-60-05833?

12 MR. SHAFFER:

13 So moved.

14 MR. DAVIS:

15 Second.

16 CHAIRMAN MURPHY:

17 Moved and seconded.

18

19 Roll call.

20 David Tully, aye; George Mermon, aye;

21 Randall Derr, aye; Kirk Davis, aye; Neal

22 Hufford Jr., aye; Steve Fretz, aye; James

23 Minor, aye; Donald Stoy, aye; Robert

24 Shaffer, aye; and Dan Murphy, aye.

25 [The motion carried unanimously.]

1 \*\*\*

2 Application Review - Criminal Conviction Applicants  
3 [The Applicant Interview Committee made the following  
4 recommendations with regard to the following Criminal  
5 Conviction Applications: Nicole Rodriguez, approved  
6 with no restrictions; Richard Taylor, no show; Zachary  
7 Lebo, no show; Michael Cravener, approved with no  
8 restrictions; Anthony Krakower, no show; James  
9 Kotelnicki, approved with probation concurrent with  
10 criminal probation; Ahmed Khalil, approved with no  
11 restrictions; Michael Gray, no show; Pamela Roberts  
12 Allen, approved with no restrictions; William Loss,  
13 Jr., conditional approval with probation concurrent  
14 with criminal probation; Todd Laubach, approved with  
15 no restrictions; and Manley Pack, approved with  
16 restriction probation concurrent with criminal  
17 probation.]

18 \*\*\*

19 MR. RUIZ:

20 Is there a motion to approve those  
21 recommendations for the informal hearings?

22 MR. DAVIS:

23 So moved.

24 MR. SHAFFER:

25 Second.

1 CHAIRMAN MURPHY:

2 Roll call.

3

4 David Tully, aye; George Mermon, aye; Randall  
5 Derr, aye; Kirk Davis, aye; Neal Hufford Jr.,  
6 aye; Steve Fretz, aye; James Minor, aye;  
7 Donald Stoy, aye; Robert Shaffer, aye; and  
8 Dan Murphy, aye.

9 [The motion carried unanimously.]

10

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11 MR. RUIZ:

12 Is there a motion to direct Counsel to draft  
13 an Adjudication and Order consistent with  
14 discussions in Executive Session concerning  
15 Commonwealth of Pennsylvania, Bureau of  
16 Professional and Occupational Affairs vs.  
17 Jesus Delgado Marcano, File No. 18-60-00164,  
18 Docket No. 0410-60-18, noting for the record  
19 that Board members Hufford and Minor are  
20 recused from all deliberations and voting?

21 MR. DERR:

22 So moved.

23 MR. DAVIS:

24 Second.

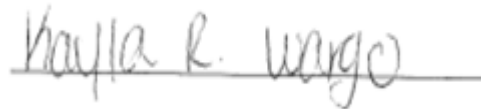
25 CHAIRMAN MURPHY:



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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  
January 23, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	9:36	Official Call to Order
9		
10	9:36	Pledge of Allegiance
11		
12	9:37	Roll Call
13		
14	9:38	Approval of Minutes
15		
16	9:38	Report of Prosecutorial Division
17		
18	9:46	Report of Board Counsel
19		
20	9:47	Report of Commissioner
21		
22	9:51	Miscellaneous - PALS, Senate Bill 354
23		
24	10:05	Formal Hearing - <u>In the Matter of the</u>
25	11:12	<u>Application for License as a Vehicle</u>
26		<u>Salesperson of Jesus Delgado Marcano</u>
27		
28	11:13	Executive Session
29	11:47	Return to Open Session
30		
31	11:47	Motions
32		
33	11:54	Adjournment
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