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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

**PENNSYLVANIA DEPARTMENT OF STATE**

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

September 5, 2023

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State Board of Vehicle Manufacturers,  
Dealers, and Salespersons  
September 5, 2023

BOARD MEMBERS:

- Kirk A. Davis, Chairman
- Irving Stein, Secretary
- Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
- Mark Wolfe, Attorney General Representative
- Angel Layton, Department of Transportation Representative
- Mark Baer, Professional Member
- Joseph Bizzarro, Professional Member
- Steve T. Fretz, Professional Member
- Daniel Limongelli, Professional Member
- Dale J. Yingst, Professional Member

BUREAU PERSONNEL:

- Ashley B. Goshert, Esquire, Board Counsel
- Kayla R.B. Bolan, Esquire, Board Prosecution Liaison
- Paul J. Jarabeck, Esquire, Senior Board Prosecutor
- Kayla Bolan, Esquire, Board Prosecutor
- James P. Kushlan, Board Administrator

ALSO PRESENT:

- David J. Ladwig, LDJ Manufacturing, Inc.
- Matthew Ford

1 \*\*\*

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

4 September 5, 2023

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
7 at 9:00 a.m. the Board entered into Executive Session  
8 with Ashley B. Goshert, Esquire, Board Counsel, for  
9 the purpose of conducting quasi-judicial  
10 deliberations and to receive the advice of counsel.  
11 The Board returned to open session at 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, September 5, 2023.

16 Kirk A. Davis, Chairman, Professional Member, called  
17 the meeting to order at 10:32 a.m.

18 \*\*\*

19 Roll Call/Introduction of Attendees

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

22 \*\*\*

23 [Ashley B. Goshert, Esquire, Board Counsel, noted the  
24 Board entered into Executive Session with Board  
25 Counsel for the purpose of conducting quasi-judicial

1 deliberations and to receive advice of counsel.

2 Ms. Goshert also noted the meeting was being  
3 recorded and voluntary participation constituted  
4 consent to be recorded.]

5 \*\*\*

6 Approval of minutes of the July 25, 2023 meeting

7 CHAIRMAN DAVIS:

8 Do we have a motion to approve the  
9 minutes from the July 25 meeting?

10 MR. STEIN:

11 I will make the motion.

12 MR. YINGST:

13 I second the motion.

14 CHAIRMAN DAVIS:

15 Roll call.

16  
17 Irving Stein, yes; Arion Claggett,  
18 abstain; Mark Wolfe, aye; Angel Layton,  
19 aye; Mark Baer, aye; Joseph Bizzarro,  
20 abstain; Steve Fretz, aye; Dan  
21 Limongelli, aye; Dale Yingst, aye; Kirk  
22 Davis, aye.

23 [The motion carried. Arion Claggett and Joseph  
24 Bizzarro abstained from voting on the motion.]

25 \*\*\*

1 Report of Prosecutorial Division  
2 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor,  
3 on behalf of Jason T. Anderson, Esquire, Board  
4 Prosecutor, presented the Consent Agreement for Case  
5 No. 23-60-003175.]

6 \*\*\*  
7 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor,  
8 on behalf of Amber Lee Czerniakowski, Esquire, Board  
9 Prosecutor, presented the Consent Agreement for Case  
10 No. 21-60-004435.]

11 \*\*\*  
12 [Kayla R.B. Bolan, Esquire, Board Prosecution  
13 Liaison, presented the Consent Agreements for Case  
14 No. 20-60-012550 and Case No. 22-60-009131.

15 Ms. Bolan announced that this would be her last  
16 meeting, and Mr. Jarabeck would be standing in as  
17 Board Liaison.

18 Ms. Goshert informed Board members that agenda  
19 item 6 should be under the Report of Board Counsel.]

20 \*\*\*  
21 MS. GOSHERT:  
22 Based on Executive Session  
23 deliberations, I believe the Board  
24 Chair would entertain a motion to  
25 approve the Consent Agreements at Case

1                   No. 23-60-003175, Case No. 20-60-  
2                   012550, Case No. 22-60-009131, and Case  
3                   No. 21-60-004435.

4 CHAIRMAN DAVIS:

5                   Do we have a motion?

6 MR. STEIN:

7                   I will make the motion.

8 MR. YINGST:

9                   I second the motion.

10 CHAIRMAN DAVIS:

11                   Roll call, Jim.

12

13                   Irving Stein, aye; Arion Claggett, aye;  
14                   Mark Wolfe, aye; Angel Layton, aye;  
15                   Mark Baer, aye; Joseph Bizzarro, aye;  
16                   Steve Fretz, aye; Dan Limongelli, aye;  
17                   Dale Yingst, aye; Kirk Davis, aye.

18 [The motion carried unanimously. The Respondent's  
19 name at Case No. 23-60-003175 is Yahye Makhozomi;  
20 Case No. 20-60-012550, Daniel J. Bernick; Case No.  
21 22-60-009131, Jonathan Andre Smith; and Case No. 21-  
22 60-004435, Ryan A Lariccia.]

23

\*\*\*

24 Report of Board Counsel - Status of Cases

25 [Ashley B. Goshert, Esquire, Board Counsel, provided

1 a Status of Cases Report as of August 29, 2023, for  
2 the Board's review. She asked Board members to  
3 review the cases for any recusals.]

4 \*\*\*

5 Report of Board Counsel - Final Adjudication and  
6 Order

7 MS. GOSHERT:

8 Based on Executive Session  
9 deliberations, I believe the Chair  
10 would entertain a motion to approve the  
11 Final Adjudication and Order at Case  
12 No. 20-60-009520, Colin Charley; Case  
13 no. 20-60-004341, Kenton Lincoln; Case  
14 No. 20-60-003910, Stephen Merry; Case  
15 No. 21-60-008378; Ethan Potts; Case No.  
16 19-60-010720, James Reed; and Case No.  
17 20-60-013262, Michael Ricci.

18 CHAIRMAN DAVIS:

19 Do we have a motion?

20 MR. STEIN:

21 I will make the motion.

22 MR. YINGST:

23 I second the motion.

24 CHAIRMAN DAVIS:

25 Roll call.

1

2

Irving Stein, aye; Arion Claggett, aye;

3

Mark Wolfe, aye; Angel Layton, aye;

4

Mark Baer, aye; Joseph Bizzarro, aye;

5

Steve Fretz, aye; Dan Limongelli, aye;

6

Dale Yingst, aye; Kirk Davis, aye.

7

[The motion carried unanimously.]

8

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9

Report of Board Counsel - Proposed Adjudication and

10

Order

11

MS. GOSHERT:

12

Agenda item 6 is a Proposed

13

Adjudication and Order that was

14

reviewed by the Board in Executive

15

Session.

16

Based on those deliberations in

17

Executive Session, I believe the Chair

18

would entertain a motion to direct

19

Board Counsel to draft an Adjudication

20

and Order consistent with discussions

21

in Executive Session in the matter of

22

Daniel Pikel, Case No. 19-60-016610.

23

CHAIRMAN DAVIS:

24

Do we have a motion?

25

MR. STEIN:



1 I will make the motion.

2 MR. YINGST:

3 I second the motion.

4 CHAIRMAN DAVIS:

5 Roll call.

6

7 Irving Stein, aye; Arion Claggett, aye;  
8 Mark Wolfe, no; Angel Layton, aye; Mark  
9 Baer, aye; Joseph Bizzarro, aye; Steve  
10 Fretz, aye; Dan Limongelli, aye; Dale  
11 Yingst, aye; Kirk Davis, aye.

12 [The motion carried. Mark Wolfe opposed the motion.]

13

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14 Report of Board Counsel - Motion to Deem Facts

15 Admitted

16 MS. GOSHERT:

17 Agenda items 14 and 15. Based on  
18 Executive Session deliberations, I  
19 believe the Chair would entertain a  
20 motion to grant those Motions to Deem  
21 Facts Admitted and Enter Default and  
22 direct Board Counsel to prepare  
23 Adjudications and Orders in accordance  
24 with discussions in Executive Session  
25 in the matters of Kelly Motorcars, Case

1                   No. 21-60-015311 and Charles W.  
2                   Pershing, Case No. 22-60-011239.

3 CHAIRMAN DAVIS:

4                   Do we have a motion?

5 MR. STEIN:

6                   I will make the motion.

7 MR. YINGST:

8                   Second.

9 CHAIRMAN DAVIS:

10                  Roll call.

11

12                  Irving Stein, aye; Arion Claggett, aye;

13                  Mark Wolfe, aye; Angel Layton, aye;

14                  Mark Baer, aye; Joseph Bizzarro, aye;

15                  Steve Fretz, aye; Dan Limongelli, aye;

16                  Dale Yingst, aye; Kirk Davis, aye.

17 [The motion carried unanimously.]

18

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19 Report of Board Chairman

20 [Kirk A. Davis, Chairman, Professional Member,

21 addressed recent legislation introduced to eliminate

22 state inspections for vehicles in the state of

23 Pennsylvania, which he thought could be a detriment

24 in several ways, including public safety and revenue

25 streams.

1           Chair Davis suggested dealers review the  
2 legislation and contact their state legislators to  
3 inform them of any public safety or business  
4 concerns. He commented that there was an ever-  
5 changing landscape for dealers now in terms of their  
6 revenue streams and their contact or interaction with  
7 their clients.]

8

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9 Report of Acting Commissioner - No Report

10

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11 Report of Board Administrator

12 [James P. Kushlan, Board Administrator, informed  
13 Board members that administration was drafting a  
14 different set of documents for applications that have  
15 a criminal conviction and have to be reviewed, noting  
16 it would be implemented with this round of  
17 applications.

18           Mr. Kushlan explained that the document would  
19 include a personal explanation from the person, two  
20 letters of recommendation from people who are not  
21 relatives or do not live with the applicant, a  
22 resume, and a letter from their employing dealership  
23 to make clear that the dealership is aware of their  
24 past convictions. He noted it would be more in line  
25 with the practices in other parts of their division

1 and may help with situations requiring an informal  
2 conference.]

3

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4 Report of Board Administrator - Board Meeting Dates  
5 [Kirk A. Davis, Chairman, Professional Member, noted  
6 the next scheduled meeting date is October 17, 2023.  
7 He also noted the 2024 meeting dates were listed on  
8 the agenda and asked Board members to inform Mr.  
9 Kushlan of their inability to attend any of the  
10 meetings.]

11

\*\*\*

12 Report of Board Administrator - Board Member Terms  
13 [Kirk A. Davis, Chairman, Professional Member,  
14 mentioned that no other Board member terms are  
15 expiring prior to his term.]

16

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17 Application Review

18 MS. GOSHERT:

19 The Application Review of Chad Brassel  
20 at agenda item 20 has been tabled until  
21 the next Board meeting.

22 MS. GOSHERT:

23 Based on Executive Session  
24 deliberations, I believe the Board  
25 Chair would entertain a motion to

1 approve the Application of Marlon  
2 Cortney Brantley, Application No.  
3 AA0004639756; Seth Buchheit,  
4 Application No. AA0004727483; and  
5 Darrell Lee, Application No.  
6 AA0004499578.

7 CHAIRMAN DAVIS:

8 Do we have a motion?

9 MR. STEIN:

10 I will make the motion.

11 MR. YINGST:

12 I second the motion.

13 CHAIRMAN DAVIS:

14 Roll call.

15  
16 Irving Stein, aye; Arion Claggett, aye;  
17 Mark Wolfe, aye; Angel Layton, aye;  
18 Mark Baer, aye; Joseph Bizzarro, aye;  
19 Steve Fretz, aye; Dan Limongelli, aye;  
20 Dale Yingst, aye; Kirk Davis, aye.

21 [The motion carried unanimously.]

22 \*\*\*

23 MS. GOSHERT:

24 Based on Executive Session  
25 deliberations, I believe the Chair

1                   would entertain a motion to approve the  
2                   Application of Hector Avilez,  
3                   Application No. AA0004524082, on the  
4                   condition that he agree to no less than  
5                   three years' probation and the  
6                   conditions associated with that.

7 CHAIRMAN DAVIS:

8                   Do we have a motion?

9 MR. STEIN:

10                   I'll make the motion.

11 MR. YINGST:

12                   I second the motion.

13 CHAIRMAN DAVIS:

14                   Roll call.

15  
16                   Irving Stein, aye; Arion Claggett, aye;  
17                   Mark Wolfe, aye; Angel Layton, aye;  
18                   Mark Baer, aye; Joseph Bizzarro, aye;  
19                   Steve Fretz, aye; Dan Limongelli, aye;  
20                   Dale Yingst, aye; Kirk Davis, aye.

21 [The motion carried unanimously.]

22   \*\*\*

23 MS. GOSHERT:

24                   Based on the Board's deliberation in  
25                   Executive Session, I believe the Board

1 Chair would entertain a motion to  
2 approve the Application of Fawze  
3 Abusedo, Application No. AA0004745146,  
4 and Vinnybilt Custom Werks LLC,  
5 Application No. AA0004778795, on the  
6 condition that they both agree to two  
7 years of probation and the probationary  
8 terms consistent with that.

9 CHAIRMAN DAVIS:

10 Do we have a motion?

11 MR. STEIN:

12 I'll make the motion.

13 MR. YINGST:

14 I second the motion.

15 CHAIRMAN DAVIS:

16 Roll call.

17  
18 Irving Stein, aye; Arion Claggett, aye;  
19 Mark Wolfe, aye; Angel Layton, aye;  
20 Mark Baer, aye; Joseph Bizzarro, aye;  
21 Steve Fretz, aye; Dan Limongelli, aye;  
22 Dale Yingst, aye; Kirk Davis, aye.

23 [The motion carried unanimously.]

24 \*\*\*

25 MS. GOSHERT:

1                   Based on the Executive Session  
2                   deliberations, I believe the Board  
3                   Chair would entertain a motion to  
4                   approve the Application of Tyrone  
5                   Carlton Adair, Application No.  
6                   AA0004294129, and Tyler Thompson,  
7                   Application No. AA0004791020, on the  
8                   condition that they agree to five years  
9                   of probation and the probationary terms  
10                  consistent with that.

11 CHAIRMAN DAVIS:

12                   Do we have a motion?

13 MR. STEIN:

14                   I'll make the motion.

15 MR. YINGST:

16                   I second the motion.

17 CHAIRMAN DAVIS:

18                   Roll call.

19  
20                   Irving Stein, aye; Arion Claggett, aye;  
21                   Mark Wolfe, aye; Angel Layton, aye;  
22                   Mark Baer, aye; Joseph Bizzarro, aye;  
23                   Steve Fretz, aye; Dan Limongelli, aye;  
24                   Dale Yingst, aye; Kirk Davis, aye.

25 [The motion carried unanimously.]



1 \*\*\*

2 MS. GOSHERT:

3 Based on the Executive Session  
4 deliberations, I believe the Chair  
5 would entertain a motion to  
6 provisionally deny the Application of  
7 Renee W. Deville, Application No.  
8 AA0004499578.

9 CHAIRMAN DAVIS:

10 Do we have a motion?

11 MR. STEIN:

12 I'll make the motion.

13 MR. YINGST:

14 I second the motion.

15 CHAIRMAN DAVIS:

16 Roll call.

17  
18 Irving Stein, aye; Arion Claggett, nay;  
19 Mark Wolfe, aye; Angel Layton, aye;  
20 Mark Baer, aye; Joseph Bizzarro, aye;  
21 Steve Fretz, aye; Dan Limongelli, aye;  
22 Dale Yingst, aye; Kirk Davis, aye.

23 [The motion carried. Arion Claggett opposed the  
24 motion.]

25 \*\*\*

1 Adjournment

2 CHAIRMAN DAVIS:

3 Do we have a motion for adjournment?

4 MR. STEIN:

5 Motion.

6 CHAIRMAN DAVIS:

7 We're adjourned.

8 \*\*\*

9 [The State Board of Vehicle Manufacturers, Dealers,  
10 and Salespersons Meeting adjourned at 10:58 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.



Matthew Ford,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

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

September 5, 2023

	TIME	AGENDA
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8		
9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:32	Official Call to Order
14		
15	10:32	Roll Call/Introduction of Attendees
16		
17	10:34	Approval of Minutes
18		
19	10:35	Report of Prosecutorial Division
20		
21	10:44	Report of Board Counsel
22		
23	10:48	Report of Board Chair
24		
25	10:49	Report of Board Administrator
26		
27	10:51	Application Review
28		
29	10:58	Adjournment
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