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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: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

April 4, 2024

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State Board of Vehicle Manufacturers,
Dealers, and Salespersons
April 4, 2024

BOARD MEMBERS:

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

BUREAU PERSONNEL:

- Ashley B. Goshert, Esquire, Board Counsel
- Paul J. Jarabeck, Esquire, Senior Board Prosecutor
- Timothy J. Henderson, Esquire, Board Prosecution Liaison
- Sarah Buhite, Esquire, Board Prosecutor
- Amber Lee Czerniakowski, Esquire, Board Prosecutor
- James P. Kushlan, Board Administrator
- Marc Farrell, Esquire, Regulatory Counsel, Office of Chief Counsel, Department of State

ALSO PRESENT:

- Sophia Mahoney, Sargent's Court Reporting Service, Inc.

1 ***

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

4 April 4, 2024

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 Thursday, April 4, 2024.
16 Kirk A. Davis, Chairman, Professional Member, called
17 the meeting to order at 10:30 a.m.

18 ***

19 [Ashley B. Goshert, Esquire, Board Counsel, noted the
20 meeting was being recorded and voluntary
21 participation constituted consent to be recorded.

22 Ms. Goshert also noted the Board entered into
23 Executive Session with Board counsel for the purpose
24 of conducting quasi-judicial deliberations and to
25 receive the advice of counsel.]

1

2 Roll Call/Introduction of Attendees

3 [Chairman Davis requested a roll call of Board
4 members and introduction of attendees. A Board
5 quorum was present.]

6

7 Approval of minutes of the February 22, 2024 meeting

8 CHAIRMAN DAVIS:

9

10 The first item on the agenda is the
11 approval of the minutes from February
12 22.

13 Does anybody want to put forth a
14 motion to approve the minutes from the
15 last meeting?

16 MR. STEIN:

17 I will make the motion.

18 MR. YINGST:

19 I second the motion.

20 CHAIRMAN DAVIS:

21 Roll call.

22

23 Irving Stein, aye; Mark Wolfe, aye;
24 Angel Layton, aye; Mark Baer, aye;
25 Steve Fretz, aye; Dan Limongelli, aye;
Dale Yingst, aye; William Heeney, aye;

1 Kirk Davis, aye.

2 [The motion carried unanimously.]

3 ***

4 Report of Prosecutorial Division - No Report

5 [Timothy J. Henderson, Esquire, Board Prosecution
6 Liaison, noted prosecution had nothing to report.]

7 ***

8 Report of Board Counsel

9 [Ashley B. Goshert, Esquire, Board Counsel, noted
10 Kenneth Meoni at item 3 was tabled at the request of
11 prosecution and respondent. She also noted Kyle
12 Heidlebaugh at item 4 was tabled.]

13 ***

14 Report of Board Counsel - Status of Cases

15 [Ashley B. Goshert, Esquire, Board Counsel,
16 provided a Status of Cases Report for the Board's
17 review. She noted a number of cases were pending
18 before the Board. There was a discussion during
19 Executive Session of identifying certain cases that
20 the Board could hear to move those cases forward.
21 She requested Board members inform her of any
22 recusals.]

23 ***

24 Report of Board Chairman - No Report

25 ***

1 Report of Acting Commissioner - No Report

2 ***

3 Report of Board Administrator - No Report

4 ***

5 Report of Board Administrator - Scheduled Board
6 Meeting Dates

7 [Kirk A. Davis, Chairman, Professional Member, noted
8 the next Board meeting is May 16, 2024. He again
9 encouraged Board members to notify Mr. Kushlan as
10 soon as possible of any conflicts with the dates. He
11 also noted the remaining 2024 meeting dates and 2025
12 meeting dates are listed on the agenda.]

13 ***

14 Application Review - Informal Conference

15 [Kirk A. Davis, Chairman, Professional Member, noted
16 the applicant for the informal conference was not
17 present.]

18 ***

19 Application Review

20 MS. GOSHERT:

21 Agenda items 6 and 7. I believe, based
22 on executive session deliberations, the
23 Board would entertain a motion to
24 provisionally deny the Application for
25 Licensure of Phillip Varney and Ryan

1 Beamer.

2 MR. STEIN:

3 I will make the motion.

4 MR. YINGST:

5 I second the motion.

6 CHAIRMAN DAVIS:

7 Roll call.

8

9 Irving Stein, aye; Mark Wolfe, aye;

10 Angel Layton, aye; Mark Baer, aye;

11 Steve Fretz, aye; Dan Limongelli, aye;

12 Dale Yingst, aye; William Heeney, aye;

13 Kirk Davis, aye.

14 [The motion carried unanimously.]

15 ***

16 Adjournment

17 CHAIRMAN DAVIS:

18 Do we have a motion for adjournment?

19 MR. STEIN:

20 Adjourn.

21 CHAIRMAN DAVIS:

22 We're adjourned.

23 ***

24 [The State Board of Vehicle Manufacturers, Dealers,

25 and Salespersons Meeting adjourned at 10:39 a.m.]

CERTIFICATE

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5 I hereby certify that the foregoing summary
6 minutes of the State Board of Vehicle Manufacturers,
7 Dealers and Salespersons meeting, was reduced to
8 writing by me or under my supervision, and that the
9 minutes accurately summarize the substance of the
10 State Board of Vehicle Manufacturers, Dealers and
11 Salespersons meeting.

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Sophia Mahoney,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

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

April 4, 2024

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Roll Call/Introduction of Attendees
10:33	Approval of Minutes
10:34	Report of Board Counsel
10:35	Report of Board Administrator
10:36	Application Review
10:39	Adjournment