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20PGSCOMMONWEALTH 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: 10:39 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

December 5, 2023

1 State Board of Vehicle Manufacturers,
2 Dealers, and Salespersons
3 December 5, 2023
4
5

6 BOARD MEMBERS:
7

8 Kirk A. Davis, Chairman
9 Irving Stein, Secretary
10 Arion R. Claggett, Acting Commissioner, Bureau of
11 Professional and Occupational Affairs
12 Mark Wolfe, Attorney General Representative
13 Angel Layton, Department of Transportation
14 Representative
15 Mark Baer, Professional Member
16 Joseph Bizzarro, Professional Member
17 Steve T. Fretz, Professional Member
18 Daniel Limongelli, Professional Member
19 Dale J. Yingst, Professional Member
20 William Heeney, Public Member
21
22

23 BUREAU PERSONNEL:
24

25 Ashley B. Goshert, Esquire, Board Counsel
26 Timothy J. Henderson, Esquire, Board Prosecution
27 Liaison
28 Amber Lee Czerniakowski, Board Prosecutor
29 Paul J. Jarabeck, Esquire, Senior Board Prosecutor
30 James P. Kushlan, Board Administrator
31 Denice Szekely, Esquire, Board Prosecutor
32 Sarah Buhite, Esquire, Board Prosecutor
33 Andrew LaFratte, MPA, Deputy Policy Director,
34 Department of State
35 Marc Farrell, Esquire, Regulatory Counsel,
36 Office of Chief Counsel, Department of State
37
38

39 ALSO PRESENT:
40

41 Mark Stine, Executive Vice President, Legislative &
42 Public Affairs, Pennsylvania Automotive Association
43 John Devlin, President/CEO, Pennsylvania Automotive
44 Association
45 Donald Busey, Director, Training and Compliance,
46 Pennsylvania Automotive Association
47 Victoria Lantz
48
49
50

1 ***

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

4 December 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, December 5, 2023.
16 Kirk A. Davis, Chairman, Professional Member, called
17 the meeting to order at 10:39 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 meeting was being recorded and voluntary
25 participation constituted consent to be recorded.]

1 Ms. Goshert also noted the Board entered into
2 Executive Session with Board Counsel for the purpose
3 of conducting quasi-judicial deliberations and to
4 receive the advice of counsel.]

5 ***

6 Approval of minutes of the October 17, 2023 meeting

7 CHAIRMAN DAVIS:

8 Do we have an approval of the minutes
9 from the October 17 meeting?

10 MR. YINGST:

11 I make the motion.

12 MR. LIMONGELLI:

13 Second.

14 CHAIRMAN DAVIS:

15 Roll call.

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

24 [The motion carried. Arion Claggett, Mark Baer,
25 Steve Fretz, and William Heeney abstained from voting

1 on the motion.]

2

3 [Kirk A. Davis, Chairman, Professional Member,
4 mentioned that the two formal hearings scheduled for
5 this meeting were continued to the February meeting
6 date.]

7

8 Report of Prosecutorial Division

9 [Timothy J. Henderson, Esquire, Board Prosecution
10 Liaison, introduced himself as the new prosecution
11 liaison. He also introduced Sarah Buhite as a new
12 Board prosecutor.]

13 Chair Davis welcomed Mr. Henderson and Ms.
14 Buhite.]

15

16 Report of Board Counsel - Status of Cases

17 [Ashley B. Goshert, Esquire, Board Counsel, provided
18 a Status of Cases Report as of November 27, 2023, for
19 the Board's review. She asked Board members to
20 review the cases for any recusals.]

21

22 Report of Board Counsel - Final Adjudications and
23 Orders

24 MS. GOSHERT:

25

Item 3 is the matter of Blaine Haney.

1 I believe, based on Executive Session
2 deliberations, the Board would
3 entertain a motion to approve the Final
4 Adjudication and Order for Blaine
5 Haney, Case No. 21-60-011164.

6 CHAIRMAN DAVIS:

7 Do we have a motion?

8 MR. YINGST:

9 I make the motion.

10 MR. LIMONGELLI:

11 Second.

12 CHAIRMAN DAVIS:

13 Roll call.

14

15 Irving Stein, aye; Arion Claggett, aye;

16 Mark Wolfe, aye; Angel Layton, aye;

17 Mark Baer, aye; Joseph Bizzarro, aye;

18 Steve Fretz, aye; Dan Limongelli, aye;

19 Dale Yingst, aye; William Heeney, aye;

20 Kirk Davis, aye.

21 [The motion carried unanimously.]

22

23 Report of Board Counsel - Proposed Adjudications and
24 Orders

25 MS. GOSHERT:

1 Agenda items 4 and 5. I believe, based
2 on Executive Session deliberations, the
3 Board would entertain a motion to adopt
4 the Proposed Adjudications and Orders
5 as Final for the matters of A Impulse
6 Auto, Inc., Case No. 22-60-007283;
7 Great Deals Auto, Case No. 21-60-
8 011743; Yurij Klimin, Case No. 22-60-
9 007284; and Anthony DiCicco, Case No.
10 20-60-004292.

11 CHAIRMAN DAVIS:

12 Do we have a motion?

13 MR. YINGST:

14 I make the motion.

15 MR. LIMONGELLI:

16 Second.

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; William Heeney, aye;
25 Kirk Davis, aye.

1 [The motion carried unanimously.]

2 ***

3 Report of Board Counsel - Motion to Deem Facts

4 Admitted

5 MS. GOSHERT:

6 Agenda items 6 and 7. Based on
7 Executive Session deliberations, I
8 believe the Board would entertain a
9 motion to grant the Motion to Deem
10 Facts Admitted and Enter Default and
11 direct Board Counsel to prepare
12 Adjudications and Orders in accordance
13 with discussions in Executive Session
14 in the matters of Darryl Champ, Case
15 No. 20-60-007809, and Randall McDade,
16 Case No. 23-60-002257.

17 CHAIRMAN DAVIS:

18 Do we have a motion?

19 MR. YINGST:

20 I make the motion.

21 MR. LIMONGELLI:

22 Second.

23 CHAIRMAN DAVIS:

24 Roll call.

25

1 Irving Stein, aye; Arion Claggett, aye;
2 Mark Wolfe, aye; Angel Layton, aye;
3 Mark Baer, aye; Joseph Bizzarro, aye;
4 Steve Fretz, aye; Dan Limongelli, aye;
5 Dale Yingst, aye; William Heeney, aye;
6 Kirk Davis, aye.

7 [The motion carried unanimously.]

8 ***

9 Report of Board Counsel - Miscellaneous

10 MS. GOSHERT:

11 Agenda item 8. Based on Executive
12 Session deliberations, I believe the
13 Board would entertain a motion to
14 direct Board Counsel to draft and issue
15 a Final Adjudication and Order
16 consistent with the Commonwealth Court
17 Opinion in the matter of Holly Nichole
18 Kabiru, Case No. 19-60-013685.

19 CHAIRMAN DAVIS:

20 Do we have a motion?

21 MR. YINGST:

22 I make the motion.

23 MR. LIMONGELLI:

24 Second.

25 CHAIRMAN DAVIS:

1 Roll call.

2

3 Irving Stein, aye; Arion Claggett, aye;

4 Mark Wolfe, aye; Angel Layton, aye;

5 Mark Baer, aye; Joseph Bizzarro, aye;

6 Steve Fretz, aye; Dan Limongelli, aye;

7 Dale Yingst, aye; William Heeney, aye;

8 Kirk Davis, aye.

9 [The motion carried unanimously.]

10 ***

11 Report of Board Chairman - No Report

12 ***

13 Report of Acting Commissioner

14 [Arion R. Claggett, Acting Commissioner, Bureau of
15 Professional and Occupational Affairs, noted all
16 meetings going forward would be held at 2525 North
17 7th Street in a hybrid format. He mentioned that the
18 next agenda would be updated with the location.

19 Acting Commissioner Claggett informed Board
20 members that the request for proposal (RFP) for the
21 Pennsylvania Licensing System (PALS) replacement was
22 issued on September 28, 2023. He noted the bidding
23 process closed on November 30, 2023, and offered to
24 provide an additional update at the next meeting.]

25 ***

1 Report of Board Administrator - Proposed 2025 Board
2 Meeting Dates

3 [James P. Kushlan, Board Administrator, noted the
4 proposed 2025 Board meeting dates are January 14,
5 February 25, April 15, June 3, July 22, September 9,
6 October 28, and December 16.

7 Chair Davis requested February 25 and October 28
8 be changed, and Mr. Kushlan offered to provide
9 available dates later during the meeting.]

10 ***

11 Report of Board Administrator - Scheduled Board
12 Meeting Dates

13 [Kirk A. Davis, Chairman, Professional Member, noted
14 the next meeting is scheduled for January 9, 2024,
15 and encouraged Board members to inform Mr. Kushlan as
16 soon as possible if they are unable to attend any
17 meetings.]

18 ***

19 Report of Board Administrator - Board Member Terms

20 [Kirk A. Davis, Chairman, Professional Member,
21 reported no Board member terms are coming up and
22 thanked William Heeney for becoming a member of the
23 Board.]

24 ***

25 Appointments

1 [Kirk A. Davis, Chairman, Professional Member, again
2 noted the formal hearings have been continued.]

3 ***

4 Application Review - Informal Conference

5 MS. GOSHERT:

6 We are going to table number 14 to the
7 January meeting.

8 ***

9 Application Review - Applications with Criminal
10 Convictions

11 MS. GOSHERT:

12 Based on Executive Session
13 deliberations, I believe the Board
14 would entertain a motion to grant a
15 license without restriction to the
16 following individuals: John Martin
17 Neice, Application No. AA0004909001;
18 Davone Morris, Application No.
19 AA0004904970; Maxwell Jude Chenoweth,
20 Application No. AA0004842882; Anthony
21 Alberto, Application No. AA0003603653;
22 William Pryor, Application No.
23 AA0004797291; Brian Anthony Lonesome,
24 Application No. AA0004715224; and Wyatt
25 Joseph Bencoter, Application No.

1 AA0004750046.

2 CHAIRMAN DAVIS:

3 Do we have a motion?

4 MR. YINGST:

5 I make the motion.

6 MR. LIMONGELLI:

7 Second.

8 CHAIRMAN DAVIS:

9 Roll call.

10

11 Irving Stein, aye; Arion Claggett, aye;

12 Mark Wolfe, aye; Angel Layton, aye;

13 Mark Baer, aye; Joseph Bizzarro, aye;

14 Steve Fretz, aye; Dan Limongelli, aye;

15 Dale Yingst, aye; Kirk Davis, aye.

16 [The motion carried unanimously. William Heeney's
17 name was not called.]

18

19 MS. GOSHERT:

20 Based on Executive Session

21 deliberations, I believe the Board

22 would entertain a motion to grant a

23 license to Rodrnick Dunbar, Application

24 No. AA0004928825, provided he agreed to

25 a period of five years' probation.

1 CHAIRMAN DAVIS:

2 Do we have a motion?

3 MR. YINGST:

4 I make the motion.

5 MR. LIMONGELLI:

6 Second.

7 CHAIRMAN DAVIS:

8 Roll call.

9

10 Irving Stein, aye; Arion Claggett, aye;

11 Mark Wolfe, aye; Angel Layton, aye;

12 Mark Baer, aye; Joseph Bizzarro, aye;

13 Steve Fretz, aye; Dan Limongelli, aye;

14 Dale Yingst, aye; William Heeney, aye;

15 Kirk Davis, aye.

16 [The motion carried unanimously.]

17

18 MS. GOSHERT:

19

Based on Executive Session

20

deliberations, I believe the Board

21

would entertain a motion to grant

22

licenses to Matthew Johnson,

23

Application No. AA0004868773, and

24

Edward Beale, Application No.

25

AA0004895609, provided they agree to a

1 period of one-year probation.

2 CHAIRMAN DAVIS:

3 Do we have a motion?

4 MR. YINGST:

5 I make the motion.

6 MR. LIMONGELLI:

7 Second.

8 CHAIRMAN DAVIS:

9 Roll call.

10

11 Irving Stein, aye; Arion Claggett, aye;

12 Mark Wolfe, aye; Angel Layton, aye;

13 Mark Baer, aye; Joseph Bizzarro, aye;

14 Steve Fretz, aye; Dan Limongelli, aye;

15 Dale Yingst, aye; William Heeney, aye;

16 Kirk Davis, aye.

17 [The motion carried unanimously.]

18

19 MS. GOSHERT:

20 Based on Executive Session

21 deliberations, I believe the Board

22 would entertain a motion to grant a

23 license to Samuel G. Feroce,

24 Application No. AA0004867069, provided

25 he agree to a period of two years'

1 probation.

2 CHAIRMAN DAVIS:

3 Do we have a motion?

4 MR. YINGST:

5 I make the motion.

6 MR. LIMONGELLI:

7 Second.

8 CHAIRMAN DAVIS:

9 Roll call.

10

11 Irving Stein, aye; Arion Claggett, aye;

12 Mark Wolfe, aye; Angel Layton, aye;

13 Mark Baer, aye; Joseph Bizzarro, aye;

14 Steve Fretz, aye; Dan Limongelli, aye;

15 Dale Yingst, aye; William Heeney, aye;

16 Kirk Davis, aye.

17 [The motion carried unanimously.]

18

19 MS. GOSHERT:

20 Based on Executive Session

21 deliberations, I believe the Board

22 would entertain a motion to grant a

23 license to Joseph Michael Coppola,

24 Application No. AA0004604636, provided

25 he agree to a period of three years'

1 probation.

2 CHAIRMAN DAVIS:

3 Do we have a motion?

4 MR. YINGST:

5 I make the motion.

6 MR. LIMONGELLI:

7 Second.

8 CHAIRMAN DAVIS:

9 Roll call.

10

11 Irving Stein, aye; Arion Claggett, aye;

12 Mark Wolfe, aye; Angel Layton, aye;

13 Mark Baer, aye; Joseph Bizzarro, aye;

14 Steve Fretz, aye; Dan Limongelli, aye;

15 Dale Yingst, aye; William Heeney, aye;

16 Kirk Davis, aye.

17 [The motion carried unanimously.]

18

19 Report of Board Administrator - Proposed 2025 Board

20 Meeting Dates (cont.)

21 [Kirk A. Davis, Chairman, Professional Member, noted

22 February 25 would be the only date that would affect

23 him because his term is up next year.

24 Mr. Kushlan offered other dates, and Chair Davis

25 agreed to Wednesday, March 5, 2025.]

1 MS. GOSHERT:

2 Would the Board entertain a motion to
3 adopt the 2025 meeting dates of January
4 14, March 5, April 15, June 3, July 22,
5 September 9, October 28, and December
6 16?

7 CHAIRMAN DAVIS:

8 Do we have a motion?

9 MR. YINGST:

10 I make the motion.

11 MR. LIMONGELLI:

12 Second.

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; William Heeney, aye;

21 Kirk Davis, aye.

22 [The motion carried unanimously.]

23

24 Adjournment

25 CHAIRMAN DAVIS:

1 Do we have a motion for adjournment?

2 MR. YINGST:

3 Motion to adjourn

4 CHAIRMAN DAVIS:

5 We're adjourned.

6 ***

7 [The State Board of Vehicle Manufacturers, Dealers,
8 and Salespersons Meeting adjourned at 11:03 a.m.]

9 ***

10

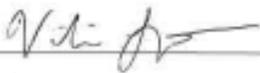
11 CERTIFICATE

12

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

20

21



22

Victoria Lantz,

23

Minute Clerk

24

Sargent's Court Reporting

25

Service, Inc.

1
2 STATE BOARD OF VEHICLE MANUFACTURERS,
3 DEALERS, AND SALESPERSONS
4 REFERENCE INDEX
5

6 December 5, 2023
7

8
9 TIME

AGENDA

10
11 9:00 Executive Session
12 10:30 Return to Open Session
13
14 10:39 Official Call to Order
15
16 10:40 Roll Call/Introduction of Attendees
17
18 10:43 Approval of Minutes
19
20 10:45 Report of Prosecutorial Division
21
22 10:46 Report of Board Counsel
23
24 10:50 Report of Acting Commissioner
25
26 10:51 Report of Board Administrator
27
28 10:54 Application Review
29
30 11:00 Report of Board Administrator (cont.)
31
32 11:03 Adjournment
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