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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

May 16, 2024

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State Board of Vehicle Manufacturers,
Dealers, and Salespersons
May 16, 2024

BOARD MEMBERS:

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

BUREAU PERSONNEL:

- Ashley B. Goshert, Esquire, Board Counsel
- Paul J. Jarabeck, Esquire, Senior Board Prosecutor
- James P. Kushlan, Board Administrator

ALSO PRESENT:

- Derek Richmond, Sargent's Court Reporting Service, Inc.

1 ***

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

4 May 16, 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, May 16, 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 quorum of

5

Board members was present.]

6

7

Approval of minutes of the April 4, 2024 meeting

8

CHAIRMAN DAVIS:

9

The first item on the agenda is

10

approval of minutes from the April 4

11

meeting.

12

Do we have a motion?

13

ACTING COMMISSIONER CLAGGETT:

14

So moved.

15

MR. HEENEY:

16

Second.

17

CHAIRMAN DAVIS:

18

Roll call.

19

20

Arion Claggett, abstain; Joseph

21

Bizzarro, abstain; Steve Fretz,

22

approve; Dan Limongelli, aye; William

23

Heeney, aye; Paul Edger, abstain; Kirk

24

Davis, aye.

25

[The motion carried. Arion Claggett, Joseph

1 Bizzarro, and Paul Edger abstained from voting on the
2 motion.]

3 ***

4 Report of Prosecutorial Division

5 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor,
6 on behalf of Timothy J. Henderson, Esquire, Board
7 Prosecution Liaison, presented the Consent Agreement
8 for Case No. 21-60-017111.]

9 MS. GOSHERT:

10 Based on Executive Session
11 deliberations, I believe the Board
12 would entertain a motion to approve the
13 Consent Agreement for Case No. 21-60-
14 017111.

15 CHAIRMAN DAVIS:

16 Do we have a motion?

17 ACTING COMMISSIONER CLAGGETT:

18 So moved.

19 MR. HEENEY:

20 Second.

21 CHAIRMAN DAVIS:

22 Roll call.

23

24 Arion Claggett, aye; Paul Edger, aye;

25 Joseph Bizzarro, aye; Steve Fretz, aye;

1 Dan Limongelli, aye; William Heeney,
2 aye; Kirk Davis, aye.

3 [The motion carried unanimously. The Respondent's
4 name is Kenneth P. Meoni.]

5 ***

6 Report of Board Counsel - Status of Cases

7 [Ashley B. Goshert, Esquire, Board Counsel,
8 provided a Status of Cases Report for the Board's
9 review. She reported a number of cases are moving
10 through the system and a number of cases have been
11 assigned to hearing examiners that will be heard by
12 the Board at upcoming meetings. She mentioned the
13 Board is scheduled to hear the Lucid Application
14 matter at its July meeting.]

15 ***

16 Report of Board Counsel - Motions to Deem Facts

17 Admitted (MDFA)

18 MS. GOSHERT:

19 Items 4, 5, and 6 are Motions to Deem
20 Facts Admitted for review. I believe,
21 based on Executive Session
22 deliberations, the Board would
23 entertain a motion to grant the Motion
24 to Deem Facts Admitted and Enter
25 Default and direct Board Counsel to

1 prepare Adjudications and Orders in
2 accordance with discussions in
3 Executive Session in the Matters of
4 Gary Deem, Case No. 19-60-016767;
5 Miguel Acevedo-Hernandez, Case No. 20-
6 60-007800; and Andrew Montgomery, Case
7 Nos. 23-60-003185 & 23-60-014744.

8 CHAIRMAN DAVIS:

9 Do we have a motion?

10 ACTING COMMISSIONER CLAGGETT:

11 So moved.

12 MR. HEENEY:

13 Second.

14 CHAIRMAN DAVIS:

15 Roll call.

16
17 Arion Claggett, aye; Paul Edger, aye;
18 Joseph Bizzarro, aye; Steve Fretz, aye;
19 Dan Limongelli, aye; William Heeney,
20 aye; Kirk Davis, aye.

21 [The motion carried unanimously.]

22 ***

23 Report of Board Counsel - Final Adjudication and
24 Orders for Approval

25 MS. GOSHERT:

1 Items 7, 9, 10, 11, and 12. I believe,
2 based on Executive Session
3 deliberations, the Board would
4 entertain a motion to approve the Final
5 Adjudication and Orders for Lucas
6 Dollansky, Case No. 19-60-004384;
7 Herbert Christian, Case No. 20-60-
8 007810; Dashaun Guzman, Case No. 20-60-
9 007812; Rafael Soto, Case No. 20-60-
10 007814; and Kyle Heidlebaugh, Case No.
11 22-60-017810.

12 CHAIRMAN DAVIS:

13 Do we have a motion?

14 ACTING COMMISSIONER CLAGGETT:

15 So moved.

16 MR. HEENEY:

17 Second.

18 CHAIRMAN DAVIS:

19 Roll call.

20
21 Arion Claggett, aye; Paul Edger, aye;
22 Joseph Bizzarro, aye; Steve Fretz, aye;
23 Dan Limongelli, aye; William Heeney,
24 aye; Kirk Davis, aye.

25 [The motion carried unanimously.]

1 ***

2 MS. GOSHERT:

3 Agenda item 8, Daniel Pikel, Case No.
4 19-60-016610. The Commonwealth would
5 table the Daniel Pikel matter for a
6 later meeting to be discussed.

7 ***

8 Report of Board Counsel - Approval of Amended Order

9 MS. GOSHERT:

10 Agenda item 13 is an Amended Order for
11 Holly Nichole Kabiru & Exclusive
12 Preowned Motors, LLC, Case Nos. 19-60-
13 013685 & 19-60-008587.

14 I believe, based on Executive
15 Session deliberations, the Board would
16 entertain a motion to deny the Proposed
17 Amended Order and deny the respondent's
18 request for payment plan as proposed in
19 the Order.

20 CHAIRMAN DAVIS:

21 Do we have a motion?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MR. HEENEY:

25 Second.

1 CHAIRMAN DAVIS:

2 Roll call.

3

4 Arion Claggett, aye; Paul Edger, aye;
5 Joseph Bizzarro, aye; Steve Fretz, aye;
6 Dan Limongelli, aye; William Heeney,
7 aye; Kirk Davis, aye.

8 [The motion carried unanimously.]

9

10 Report of Board Counsel - Proposed Adjudications

11 MS. GOSHERT:

12 Agenda item 14. I believe, based on
13 Executive Session discussions, the
14 Board would entertain a motion to adopt
15 the Proposed Adjudication for Mark
16 Shoemaker, Case No. 23-60-00567.

17 CHAIRMAN DAVIS:

18 Do we have a motion?

19 ACTING COMMISSIONER CLAGGETT:

20 So moved.

21 MR. HEENEY:

22 Second.

23 CHAIRMAN DAVIS:

24 Roll call.

25

1 Arion Claggett, aye; Paul Edger, aye;
2 Joseph Bizzarro, aye; Steve Fretz, aye;
3 Dan Limongelli, aye; William Heeney,
4 aye; Kirk Davis, aye.

5 [The motion carried unanimously.]

6 ***

7 Report of Board Counsel - Legislation

8 [Ashley B. Goshert, Esquire, Board Counsel, informed
9 Board members that Senate Bill 1161 was referred to
10 the Senate Consumer Protection and Professional
11 Licensure Committee. She explained that it provides
12 clarification language related to recreational
13 vehicle (RV) dealers and their warranty obligation.

14 Ms. Goshert noted there is also a consumer
15 protection component that targets RV dealers who come
16 from out of state on a pop-up event. She will
17 continue to update the Board on the bill's
18 progression.]

19 ***

20 Report of Board Chairman - No Report

21 ***

22 Report of Acting Commissioner

23 [Arion R. Claggett, Acting Commissioner, Bureau of
24 Professional and Occupational Affairs, informed Board
25 members that e-licensure would be enabled in the

1 Pennsylvania Licensing System (PALS) on May 31, 2024,
2 for licensees to be able to print their own license
3 from the dashboard. He noted the staff will also
4 continue to print licenses as they are issued while
5 the PALS system is in use. Only e-licensure will be
6 offered when the PALS system is no longer in use,
7 possibly in the summer of 2025.]

8

9 Report of Board Administrator

10 [James P. Kushlan, Board Administrator, noted
11 administrative staff is excited about e-licensure.
12 He mentioned the staff is on top of applications and
13 everything is going very well administratively.]

14

15 Report of Board Administrator - Scheduled Board
16 Meeting Dates

17 [Kirk A. Davis, Chairman, Professional Member, noted
18 the next Board meeting is in July. He again
19 encouraged Board members to notify Mr. Kushlan as
20 soon as possible if they are unable to attend a
21 meeting. He also noted 2025 meeting dates are listed
22 on the agenda.]

23

24 Application Review - Applications with Criminal
25 Convictions

1 MS. GOSHERT:

2 Agenda items 17 and 23. Based on
3 Executive Session deliberations, I
4 believe the Board would entertain a
5 motion to approve the Application of
6 Tyler Ansbach, Application No.
7 AA0005144384 and Clayton Allen Nevitt,
8 Application No. AA0005352619.

9 CHAIRMAN DAVIS:

10 Do we have a motion?

11 ACTING COMMISSIONER CLAGGETT:

12 So moved.

13 MR. HEENEY:

14 Second.

15 CHAIRMAN DAVIS:

16 Roll call.

17

18 Arion Claggett, aye; Paul Edger, aye;
19 Joseph Bizzarro, aye; Steve Fretz, aye;
20 Dan Limongelli, aye; William Heeney,
21 aye; Kirk Davis, aye.

22 [The motion carried unanimously.]

23

24 MS. GOSHERT:

25 Agenda items 18 and 22. I believe the

1 Board would entertain a motion to grant
2 licenses to Jasmine Desiree Seals,
3 Application No. AA0005230834 and Athena
4 Lee Tompai, Application No.
5 AA0005328704 provided they agree to a
6 period of probation for three years and
7 specified terms.

8 CHAIRMAN DAVIS:

9 Do we have a motion?

10 ACTING COMMISSIONER CLAGGETT:

11 So moved.

12 MR. HEENEY:

13 Second.

14 CHAIRMAN DAVIS:

15 Roll call.

16
17 Arion Claggett, aye; Paul Edger, aye;
18 Joseph Bizzarro, aye; Steve Fretz, aye;
19 Dan Limongelli, aye; William Heeney,
20 aye; Kirk Davis, aye.

21 [The motion carried unanimously.]

22 ***

23 MS. GOSHERT:

24 Agenda item 19. I believe the Board
25 would entertain a motion to grant a

1 license to Kailyne Denise Thomas,
2 Application No. AA0005276145 provided
3 the applicant agree to a period of
4 probation of one year and specified
5 terms.

6 CHAIRMAN DAVIS:

7 Do we have a motion?

8 ACTING COMMISSIONER CLAGGETT:

9 So moved.

10 MR. HEENEY:

11 Second.

12 CHAIRMAN DAVIS:

13 Roll call.

14
15 Arion Claggett, aye; Paul Edger, aye;
16 Joseph Bizzarro, aye; Steve Fretz, aye;
17 Dan Limongelli, aye; William Heeney,
18 aye; Kirk Davis, aye.

19 [The motion carried unanimously.]

20 ***

21 MS. GOSHERT:

22 Agenda items 20, 21, and 24. I believe
23 the Board would entertain a motion to
24 provisionally deny the Applications for
25 Licensure of Kendrick Demon Davis,

1 Application No. AA0005276336; Rohan
2 Reid, Application No. AA0005319721; and
3 Jon M. Concadora, Application No.
4 AA0005394507.

5 CHAIRMAN DAVIS:

6 Do we have a motion?

7 ACTING COMMISSIONER CLAGGETT:

8 So moved.

9 MR. HEENEY:

10 Second.

11 CHAIRMAN DAVIS:

12 Roll call.

13

14 Arion Claggett, aye; Paul Edger, aye;
15 Joseph Bizzarro, aye; Steve Fretz, aye;
16 Dan Limongelli, aye; William Heeneey,
17 aye; Kirk Davis, aye.

18 [The motion carried unanimously.]

19

20 Adjournment

21 CHAIRMAN DAVIS:

22 Do we have a motion for adjournment?

23 ACTING COMMISSIONER CLAGGETT:

24 So moved.

25 MR. HEENEY:

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Second.

CHAIRMAN DAVIS:

We're adjourned.

[The State Board of Vehicle Manufacturers, Dealers,
and Salespersons Meeting adjourned at 10:48 a.m.]

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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

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

May 16, 2024

	TIME	AGENDA
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10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:30	Official Call to Order
14		
15	10:30	Roll Call/Introduction of Attendees
16		
17	10:33	Approval of Minutes
18		
19	10:33	Report of Prosecutorial Division
20		
21	10:37	Report of Board Counsel
22		
23	10:42	Report of Acting Commissioner
24		
25	10:43	Report of Board Administrator
26		
27	10:45	Application Review
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29	10:48	Adjournment
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