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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

November 21, 2024

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State Board of Vehicle Manufacturers,
Dealers, and Salespersons
November 21, 2024

BOARD MEMBERS:

- Kirk A. Davis, Chairman
- Irving Stein, Secretary
- Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
- Mark W. Wolfe, Deputy Attorney General, 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
- Jeffrey Foster, Professional Member

BUREAU PERSONNEL:

- Shana M. Walter, Esquire, Acting Senior Board Counsel
- Marc Farrell, Esquire, Regulatory Counsel, Office of Chief Counsel, Department of State
- Paul J. Jarabeck, Esquire, Senior Board Prosecutor
- Timothy J. Henderson, Esquire, Board Prosecution Liaison
- Amber Lee Czerniakowski, Esquire, Board Prosecutor
- Denice M. Szekely, Esquire, Board Prosecutor
- Sarah E. Buhite, Esquire, Board Prosecutor
- James P. Kushlan, Board Administrator
- Amanda Richards, Fiscal Supervisor, Bureau of Finance and Procurement, Department of State
- Jason C. Giurintano, Deputy Chief Counsel, Counsel Division, Department of State
- Andrew LaFratte, MPA, Deputy Policy Director, Department of State
- Jennifer Jumper, Fiscal Management Specialist 2, Bureau of Finance and Procurement, Department of State
- Mark Calor, Legal Department (Virtual)

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State Board of Vehicle Manufacturers,
Dealers, and Salespersons
November 21, 2024

ALSO PRESENT:

Brian Murren, Esquire, Assistant General Counsel,
Pennsylvania Automotive Association
Tammy Loudenslager
Denise Sakeli
Kathy Tully
Jacob Hill- Sargent's Court Reporting Service, Inc.

1 ***

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

4 November 21, 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 Shana M. Walter, Esquire, Acting Senior Board
9 Counsel, for 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, November 21, 2024.
16 Kirk A. Davis, Chairman, Professional Member, called
17 the meeting to order at 10:30 a.m.

18 ***

19 Roll Call/Introduction of Attendees

20 [Chairman Davis requested a roll call of Board
21 members and introduction of attendees. A quorum of
22 Board members was present.]

23 ***

24 Approval of minutes of the October 16, 2024 meeting
25 CHAIRMAN DAVIS:

1 The first item on the agenda which is
2 the approval of the minutes from the
3 October meeting.

4 Do we have a motion for that
5 approval?

6 MR. STEIN:

7 Make a motion.

8 MR. YINGST:

9 I second the motion.

10 CHAIRMAN DAVIS:

11 Roll call.

12
13 Irving Stein aye; Arion Claggett, aye;
14 Mark Wolfe, abstain; Angel Layton, aye;
15 Mark Baer, aye; Jeffrey Foster, aye;
16 Steve Fretz, abstain; Daniel
17 Limongelli, abstain; William Heeney,
18 aye; Kirk Davis, aye.

19 [The motion carried. Mr. Wolfe, Mr. Fretz and Mr.
20 Limongelli abstained from voting on the motion.]

21 ***

22 [Shana M. Walter, Esquire, Acting Senior Board
23 Counsel, noted the meeting was being recorded and
24 voluntary participation constituted consent to be
25 recorded.]

1 ***

2 Report of Prosecutorial Division

3 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor,
4 presenting on behalf of Timothy J. Henderson,
5 Esquire, presented the Consent Agreement for Case No.
6 23-60-012414.

7 Mr. Kushlan noted that the prosecution team
8 members who were attending the meeting through
9 virtual computer technology had to be leave their
10 building due to a fire alarm.]

11 ***

12 [Shana M. Walter, Esquire, Acting Senior Board
13 Counsel, noted the Board entered into quasi-judicial
14 deliberations to discuss items on the agenda 2
15 through 14 and 17 through 23 and received advice of
16 Counsel.]

17 MS. WALTER:

18 I believe the Board would entertain a
19 motion to reject as too lenient the
20 Consent Agreement at number 2 on the
21 agenda, Case No. 23-60-012414.

22 CHAIRMAN DAVIS:

23 Do we have a motion?

24 MR. STEIN:

25 I'll make a motion.

1 MR. HEENEY:

2 Second.

3 CHAIRMAN DAVIS:

4 Roll call.

5

6 Irving Stein, aye; Arion Claggett, aye;

7 Mark Wolfe, aye; Angel Layton, aye;

8 Mark Baer, aye; Jeffrey Foster, aye;

9 Steve Fretz, aye; Daniel Limongelli,

10 aye; William Heeney, aye; Kirk Davis,

11 aye.

12 [The motion carried unanimously.]

13

14 Report of Prosecutorial Division

15 [Paul J. Jarabeck, Esquire, Senior Board Prosecutor,

16 presenting on behalf of Timothy J. Henderson,

17 Esquire, presented Consent Agreements for Case Nos.

18 22-60-001689 and 22-60-001687.]

19 MS. WALTER:

20 I believe the Board would entertain

21 motion to reject as too lenient the

22 Consent Agreement in Order at Number 3

23 on the agenda, Case Nos. 22-60-001689

24 and 22-60-001687.

25 MR. STEIN:

1 I will make a motion.

2 MR. HEENEY:

3 Second.

4 CHAIRMAN DAVIS:

5 Roll call.

6

7 Irving Stein aye; Arion Claggett, nay;
8 Mark Wolfe, aye; Angel Layton, abstain;
9 Mark Baer, aye; Jeffrey Foster aye;
10 Steve Fretz, aye; Daniel Limongelli,
11 aye; William Heeney, aye; Kirk Davis,
12 aye.

13 [The motion carried. Arion Claggett opposed the
14 motion. Angel Layton abstained.]

15 ***

16 Report of Board Counsel - Status of Cases

17 MS. WALTER:

18 Sure. And I will group Numbers 4
19 through 6 together. I believe the
20 Board would entertain a motion to adopt
21 as final the proposed Adjudications in
22 the following matters:

23 Number 4, Good Cars Limited, Case
24 No. 19-60-001511, Number 5, Douglas
25 Gross, Case No. 23-60-018432 and Number

1 6, Adam Weaver, Case No. 24-60-009109.

2 CHAIRMAN DAVIS:

3 Do we have a motion?

4 MR. STEIN:

5 I will make the motion.

6 MR. HEENEY:

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; Jeffrey Foster aye;

14 Steve Fretz, aye; Daniel Limongelli,

15 aye; William Heeney, aye; Kirk Davis,

16 aye.

17 [The motion carried unanimously.]

18

19 MS. WALTER:

20 The final adjudications that are on the

21 agenda, I'm going to group together 7

22 through 9 and 11 through 14. I believe

23 the Board would entertain a motion to

24 direct the Board Counsel to issue the

25 final adjudications and the following

1 matters. Number 7, Darrell Champ, Case
2 No. 20-60-007809, Number 8, Curtis Kofi
3 Dankwa, Case No. 20-60-007808, Number
4 9, Miguel Hernandez, Case No. 20-60-
5 007800, Number 11, Edward Rock, Case
6 No. 20-60-001421, Edward Rock, Case No.
7 22-60-018025, Front Line Marquee, Inc.,
8 Case No. 21-60-012435 and Number 14,
9 Morales Auto Sales, Case No. 20-60-
10 012618.

11 CHAIRMAN DAVIS:

12 Do we have a motion?

13 MR. STEIN:

14 I will make the motion.

15 MR. HEENEY:

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; Jeffrey Foster aye;
23 Steve Fretz, aye; Daniel Limongelli,
24 aye; William Heeney, aye; Kirk Davis,
25 aye.

1 [The motion carried unanimously.]

2 ***

3 MS. WALTER:

4 Number 10 on the agenda, Ryan Kelly. I
5 believe the Board would entertain a
6 motion to table this matter and provide
7 the respondent with additional time to
8 respond to the disciplinary action.
9 It's Case No. 20-60-008359.

10 ***

11 Report of Board Council - Appointment - Budget
12 Presentation

13 [Tamie Laudenslager, Fiscal Management Specialist for
14 the Department of State, presented the Board's annual
15 budget.

16 Ms. Laudenslager began by stating that the
17 Board's recent biennial licensee count was at 40,438,
18 an increase of 1,650 licensees over the first
19 biannual basis. Ms. Laudenslager then presented a
20 breakdown of Board licensure classes and what the
21 actual fees were for those individual classes. She
22 also stated that May of FY '25 would be the last
23 incremental increase of fees with those fees
24 extending out through 2031. Additionally, renewals
25 and applications currently make up a total of 94.4

1 percent of the Board's revenue with the Board's
2 biannual revenue for this period being 4.9 million.

3 She then referenced the Board's expenditures by
4 cost category and stated to members the three ways
5 expenses come in to the Board, including direct
6 charges, timesheets and license population. She
7 stated every Board picks up a portion of these
8 expenses based on their license population.

9 Ms. Laudenslager further informed the Board that,
10 on a biennial basis, there was an increase in
11 expenses for the current fiscal year. She reviewed
12 the prior and current years' figures, noting an
13 increase due to a new IT system for the legal
14 division along with a geographical move for same from
15 the Penn Center to Thea Drive. Expenses had also
16 increased due to the modernization of PALS.

17 Ms. Laudenslager concluded her presentation by
18 advising the Board of their beginning balance and
19 biennial revenue. She further stated there was a
20 deficit from the Board's revenue compared to expenses
21 and that the deficit would continue. She advised
22 another fee increase for the Board and stated she
23 will come back before the Board in the spring to
24 discuss options.]

25

1 Report of Board Chairman - No Report

2 ***

3 Report of Acting Commissioner

4 [Arion R. Claggett, Acting Commissioner, Bureau of
5 Professional and Occupational Affairs, requested that
6 the public session time for the Board begin at 10:00
7 a.m., instead of the 10:30 a.m. time at which it
8 currently starts.]

9 ***

10 Report of Board Administrator

11 [James Kushlan, Board Administrator, stated Angel
12 Layton from PennDOT Dealer Services Unit and he were
13 working together to better serve shared customers.
14 He presented a screenshot reflecting the Board
15 homepage for the Vehicle Board and the State Board of
16 Vehicle Manufacturers, Dealers and Salespersons. He
17 stated information had been added to this website,
18 under Board Pages, which should help the public
19 better discern what services they may need from
20 either PennDOT or the Vehicle Board.

21 Mr. Kushlan also informed the Board that
22 information relating to the Department of
23 Conservation and Natural Resources were added to the
24 website for those individuals selling snowmobiles or
25 ATV's, thus seeking registration requirements for

1 same. Mr. Kushlan noted Ms. Layton and he had
2 already conducted one informational session with the
3 PennDOT Dealer Services people, and another meeting
4 was planned for December 4, 2024.]

5 ***

6 Report of Board Administrator - Meeting Dates
7 [Kirk A. Kirk Davis, Chairman, noted that the next
8 scheduled Board meeting date is January 14, 2025. He
9 encouraged Board members to notify Mr. Kushlan as
10 soon as possible if they would be unable to attend
11 any of the 2025 meetings.]

12 ***

13 Application Review - Applications with Criminal
14 Convictions

15 MS. WALTER:

16 I believe the Board would entertain a
17 motion to provisionally deny the
18 Application of Mahmood Islam at number
19 17 on the agenda.

20 CHAIRMAN DAVIS:

21 Do we have a motion?

22 MR. STEIN:

23 I will make the motion.

24 MR. HEENEY:

25 Second.

1 CHAIRMAN DAVIS:

2 Roll call.

3

4 Irving Stein aye; Arion Claggett, aye;
5 Mark Wolfe, aye; Angel Layton, aye;
6 Mark Baer, aye; Jeffrey Foster aye;
7 Steve Fretz, aye; Daniel Limongelli,
8 aye; William Heeney, aye; Kirk Davis,
9 aye.

10 [The motion carried unanimously.]

11

12 MS. WALTER:

13 Numbers 18 through 23 on the agenda. I
14 believe the Board would entertain a
15 motion to rescind any prior provisional
16 denials or other actions denying the
17 license of the following individuals
18 and grant their Applications for
19 Licensure as a Salesperson: Item 18,
20 Tyrone Carlon Adir; item 19, Edward
21 Beale, item 20, Matthew Johnson; item
22 21, Erikia Lynn Ricker; item 22, Travis
23 Michael Sprow; item 23, Tyler Thompson.

24 CHAIRMAN DAVIS:

25 Do we have a motion?

1 MR. STEIN:

2 I will make the motion.

3 MR. HEENEY:

4 Second.

5 CHAIRMAN DAVIS:

6 Roll call.

7

8 Irving Stein aye; Arion Claggett, aye;

9 Mark Wolfe, aye; Angel Layton, aye;

10 Mark Baer, aye; Jeffrey Foster aye;

11 Steve Fretz, aye; Daniel Limongelli,

12 aye; William Heeney, aye; Kirk Davis,

13 aye.

14 [The motion carried unanimously.]

15 ***

16 New Business - Election of Officers

17 CHAIRMAN DAVIS:

18 Do we have a nomination for Chair?

19 MR. HEENEY:

20 I nominate Irving Stein.

21 MS. WALTER:

22 Mr. Irving Stein, do you accept the
23 nomination?

24 MR. STEIN:

25 Yes, I do.

1 CHAIRMAN DAVIS:

2 Jim, would you call the roll?

3

4 Irving Stein abstain; Arion Claggett,
5 aye; Mark Wolfe, aye; Angel Layton,
6 aye; Mark Baer, aye; Jeffrey Foster
7 aye; Steve Fretz, aye; Daniel
8 Limongelli, aye; William Heeney, aye;
9 Kirk Davis, aye.

10 [The motion carried. Irving Stein abstained from
11 voting on the motion.]

12

13 CHAIRMAN DAVIS:

14 For the Secretary position, do we have
15 a nomination?

16 MS. WALTER:

17 Is there a nomination for the position
18 of Secretary?

19 ACTING COMMISSIONER CLAGGETT:

20 I would like to nominate William
21 Heeney.

22 MS. WALTER:

23 Mr. William Heeney, will you accept the
24 nomination?

25 MR. HEENEY:

1 I will.

2 CHAIRMAN DAVIS:

3 Would you call the roll, Jim?

4

5 Irving Stein aye; Arion Claggett, aye;

6 Mark Wolfe, aye; Angel Layton, aye;

7 Mark Baer, aye; Jeffrey Foster aye;

8 Steve Fretz, aye; Daniel Limongelli,

9 aye; William Heeney, abstain; Kirk

10 Davis, aye.

11 [The motion carried. William Heeney abstained from
12 voting on the motion.]

13 ***

14 Adjournment

15 CHAIRMAN DAVIS:

16 Thank you. We will see everybody

17 January 14. Be safe. Have a great

18 holiday.

19 ***

20 [The State Board of Vehicle Manufacturers, Dealers,
21 and Salespersons Meeting adjourned at 11:11 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.



Jacob Hill,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

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

September 4, 2024

	TIME	AGENDA
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8		
9		
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	10:34	Report of Prosecutorial Division
20		
21	10:50	Report of Board Counsel
22		
23	11:01	Report of Acting Commissioner
24		
25	11:02	Report of Board Administrator
26		
27	11:04	Application Review
28		
29	11:07	New Business
30		
31	11:11	Adjournment
32		
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