

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

September 1, 2021

1:00 P.M.

Telephone Conference

Call: +1 (267) 332-8737, ID: 519 640 504#

I. CALL OF MEETING TO ORDER/ROLL CALL:

Chairman Rob Barley called the regular Sunshine Meeting of the Pennsylvania Milk Marketing Board to order at 1:00 P.M. via Telephone conference.

Secretary Hardbarger called the roll. Those in attendance and constituting a quorum were:

Board Members:

Present: Chairman Robert Barley, Consumer Member Kristi Kassimer,
Member James Van Blarcom

Absent: None

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the September 1, 2021, Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the minutes for the September 1, 2021, Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the October 6, 2021, Sunshine Meeting). **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

B. Acceptance of Minutes of the September 22, 2021, Special Sunshine Meeting

PRESENTED by: Chairman Barley

MOTION by: Consumer Member Kassimer

Moved to accept the minutes for the September 22, 2021, Special Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the October 6, 2021, Sunshine Meeting). **Seconded by Member Van Blarcom. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

3. PUBLIC INPUT (PERTAINING TO GENERAL ISSUES):

N/A

4. OLD BUSINESS:

N/A

5. NEW BUSINESS:

1. Schedule Cost Replacement Hearings

DISCUSSION: Attorney Petrascu stated that he did not have that information currently for the scheduling of the Cost Replacement hearings but would provide it later.

Carol Hardbarger mentioned that the intent was to schedule those on the same dates as the February and March Sunshine Meetings.

Gary Gojsovich stated those meeting dates to be February 2, and March 2, 2022. He further mentioned that they were proposing that Hearings for Areas 3, 5, and 6 be held on February 2, and Areas 1, 2, and 4 be scheduled for March 2.

MOTION by: Member Van Blarcom

Moved to accept the Cost Replacement Hearings to be held on February 2, and March 2, 2022, as stated. **Secoded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly followed up that the Hearing Notices would be sent out the following week at the latest. He stated that he had a telephonic meeting with Chairman Barley and Consumer Member Kassimer, to discuss the upcoming Citation Hearing, and spoke separately with Member Van Blarcom about that Citation Hearing. No official actions or deliberations undertaken.

7. LEGAL CASE DISPOSITIONS

N/A

8. LICENSE APPLICATIONS:

1. JEC Consulting & Trading Co. Subdealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that JEC Consulting & Trading Co. has applied for a subdealer license for 2021-2022. Applicant will purchase packaged milk/cream for resale to Foodbanks in Areas 1, 2, 3, 4, 5, and 6. No bond is required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. Board Staff recommends approval, and with Board approval of this application, a subdealer license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a subdealer license to JEC Consulting & Trading Co. as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

2. Masontown Brethren Church Subdealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Masontown Brethren Church has submitted an application for a subdealer license for 2021-2022. Applicant will purchase packaged milk/cream products for distribution to individuals/families in Area 5. A COD has been provided in lieu of a bond. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional license was granted on October 1, 2021. Board Staff recommends approval, and with Board approval of this application, a subdealer's license will be issued.

MOTION by: Consumer Member Kassimer

Moved to approve a subdealer license to Masontown Brethren Church as presented. **Seconded by Member Van Blarcom.**

DISCUSSION: Chairman Barley inquired if they were donating the milk, and is licensing required to give the milk away? **Attorney Petrascu** stated yes, as they are purchasing the milk and redistributing it as a subdealer, and they have a COD in place of a bond, for the PA producer milk.

Secretary Hardbarger mentioned that they needed to be licensed to be eligible to receive the 15% discount upon milk purchases.

Motion carried without dissent.

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

3. United Natural Foods, Inc Subdealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that United Natural Foods, Inc. has submitted an application for a subdealer license for 2021-2022. Applicant will purchase packaged milk/cream products for resale to retail grocery stores in Areas 1, 2, 3, 4, 5, and 6. A bond has been provided. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. A Provisional license was granted on October 1, 2021. Board Staff recommends approval, and with Board approval of this application, a subdealer's license will be issued.

MOTION by: Member Van Blarcom

Moved to approve a subdealer license to United Natural Foods, Inc. as presented. **Seconded by Consumer Member Kassimer. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom, Consumer Member Kassimer

Dissenting: None

9. REMINDERS:

PRESENTED by: Chairman Barley

<u>MEETING (S)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Regular Sunshine meeting	Wed. Nov 3, 2021	1:00 P.M.	Room 202- Ag Bldg

10. ADJOURNMENT:

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:11 P.M.