

ON THE ROAD

THE OFFICIAL COMMUNICATION OF THE NEW JERSEY GASOLINE C-STORE AUTOMOTIVE ASSOCIATION
www.NJGCA.org

THE BATTLE TO SAVE SAFETY INSPECTIONS



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On The Road is a quarterly newsletter reaching gasoline stations, convenience stores, and auto repair shops throughout New Jersey.

This newsletter is sent to a focused market that requires your products and services. If you receive this newsletter and are interested in advertising, please contact Phil at (973) 376-0066.

For over 70 years NJGCA has been serving and protecting the small businesses that serve the motorist.

QUOTE FOR THOUGHT

*By working faithfully eight
hours a day you may eventually
get to be boss and work twelve
hours a day.*

-Robert Frost

MESSAGE FROM NJGCA EXECUTIVE DIRECTOR SAL RISALVATO

THE BATTLE TO SAVE SAFETY INSPECTIONS



It is difficult to understand the reasoning if any exists as to why Governor Christie chose to eliminate motor vehicle safety inspections. Governor Christie, who by all other accounts and actions is the best thing that ever happened to small businesses and taxpayers in New Jersey, became an unmovable object on this issue.

The man has governed brilliantly in his short tenure as governor. That doesn't mean that I agree with him on this issue or others, it only means that to us political junkies that follow politics the same as others follow professional sports, his strategy has been flawless. Governor Christie got his way on virtually every aspect of his proposed budget, and accomplished it with an opposing Democrat Party that outnumbered his own Republican Party by a wide margin. Yet he effectively neutered Democrats and even Republican members of the legislature.

I have been involved as an advocate for the Small Business Community for 31 years, and never have I seen such a strong and focused leader. Except for being caught on the opposite side of a very big issue for NJGCA members, Governor Christie's leadership is the exact medicine our state needs to get back on solid financial ground.

I have never had such an overwhelming amount of evidence to support my side of any issue that I have brought to legislators, yet Governor Christie steamrolled even those legislators that adamantly agreed with our plan that would have saved motor vehicle safety inspections. The frustrating and confusing thing to me is that no one can give me a reason why my plan was rejected. Republican legislators that adamantly supported my proposal stuck their tails between their legs and ran for the hills once they learned that Governor Christie insisted that his plan to eliminate safety inspections be adopted. They were unwilling to oppose the governor on any issue.

I remain optimistic that Governor Christie supports our plan to close the Parsons run Central Inspection Facilities and have all Emissions Inspections performed at PIFs. I have been trying to rationalize that this has been his plan all along, and eliminating safety inspections will make it more palatable to the motoring public. Do I know this for sure? No. But I do know that my presentation to the Governor's Privatization Task Force produced a report that is on his desk right now. None of the members of the task force will confide in me what the report says, but all have said to me "Sal...you will like what we have recommended to Governor Christie.

The new battle in the inspection war begins today. ■

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PCI COMPLIANCE - WHAT IS IT ALL ABOUT?



by Phil Apruzzi

Over the last few weeks, many of you may have received a letter from your credit card processor (also known as an Acquirer) stating that you must become PCI compliant. What is this all about? Is this just another way to extract a few extra dollars from merchants processing credit cards? Actually, the answer is NO. It is there for the protection and security of your customers' data.

Since numerous recent security breaches on credit card data, there has been a lot of buzz about PCI compliance and if, it is really worth the money spent trying to stay compliant.

First, I would like to explain exactly what PCI compliance stands for and what it means. PCI stands for Payment Card Industry and compliance simply stands for cooperation. When these two terms are used together, they stand for a set of guidelines that are put in place for anyone who accepts credit card transactions to keep all information processed, stored or transmitted safe and secure. These standards of compliance are set by the PCI SSC (Payment Card Industry Security Standards Council), which was formed on September 7, 2006. There is no federal or state law mandating PCI compliance but some states have already begun to look at codifying PCI compliance rules and regulations.

These guidelines apply to any and ALL organizations and merchants who accept credit cards, no matter the size of the company or number of transactions permitted each month. With this being said, let's talk about some other concerns. The argument has been made that securing the data collected can be expensive and time consuming. While there might appear to be some validity to this point, just take a look at just one incident of credit card

theft. According to the research group Ponemon Institute, if a company is breached and records are stolen, the cost to that company for one affected record is \$202. We are talking about one record, one credit card transaction. According to the Identity Theft Resource Center 35 million records were stolen in 2008. That is \$7,070,000,000 translated into a dollar amount of costs to companies for stolen data, A LOT of money spent recovering lost data!

So staying compliant and secure doesn't seem like too much to ask for now right? Security is an ongoing 24 hour a day, 7 days a week, 365 days a year project. It is not just something you can check once or twice a year, or even for that once or twice a month. It is something that must be looked at on a daily basis. As a business owner, you must take the commitment of keeping your clients information safe.

The bottom line is that you need to be PCI Compliant. Follow the instructions given you by your credit card provider. I have also included here four websites that will give more insight into being PCI Compliant. If you have additional questions, please call us at 973-376-0066.

-PCI Compliance for Dummies - Step by step description as how can be PCI Compliant: <http://www.qualys.com/forms/ebook/pcifordummies/>

-PCI Quick Reference Guide – Understanding the Payment Card Industry Data Security Standard: https://www.pcisecuritystandards.org/pdfs/pci_ssc_quick_guide.pdf

-Why Businesses need to be PCI Compliant <http://thetechedition.com/why-businesses-need-to-be-pci-compliant>

-Questions & Answers regarding PCI Compliance: <http://www.pcicomplianceguide.org/pcifaqs.php> ■

RETIRING? SELLING? WANT TO STAY BUSY?

NJGCA is looking for people with experience to join our team of Territory Managers who work in the field visiting NJGCA members. Several territories are available. NJGCA has always tried to employ previous members whenever possible. Even if you are not available now, let us know if you are interested and we will keep you in mind for the future.

Contact Phil Apruzzi at phil@njgca.org

ISSUE UPDATES



Please see the updates below for the most recent activity in Trenton and around the State. These issues are important to all NJGCA Members!

By Jim McCabe



Beer and Wine in C-Stores

New Jersey may be the next state to join 45 other states in allowing convenience and grocery stores to sell beer and wine. Assemblyman Louis Greenwald (D-Camden) introduced the bill (A-2591), known as the “New Jersey Grocery Store Economic Recovery Act”. The law would gradually expand the sale of beer, wine, and other spirits to grocery stores by increasing the amount of liquor licenses an individual or business can own from two to ten. With the current bind the state is in financially, Greenwald and others believe that this would create additional revenues for the state through taxes, stimulate small businesses, and create private sector jobs. The bill does not increase the amount of liquor licenses around the state, however there are currently hundreds of licenses not in use. Greenwald suspects that those unused licenses would be quickly purchased by grocery and convenience stores. A 10% “transfer fee” will be levied on the purchase of liquor licenses and will be paid to the municipalities for property tax relief.



Below Cost Selling

For the past few years, NJGCA has been working non-stop to prevent Below Cost Selling in New Jersey. Earlier this year, Senator Lesniak introduced a bill that would allow business to sell fuel below the dealer’s net cost. A companion bill, sponsored by Assemblymen Wisnewski and Rumpf was introduced in the Assembly earlier in the month. Both bills are still in committee, but we must start taking action now. With your help, NJGCA has blocked similar bills from becoming law in the past. Just last year, NJGCA successfully held a Below Cost Selling bill (A-2904) from a vote in the Assembly for the second straight year. We were successful because you raised your voices and came out to support our cause. Be prepared to write, call, and visit your legislators over this issue.



Education Scholarship Bill

Senator Raymond Lesniak (D-Union) and Assemblywoman Mila Jasey (D-Essex) have introduced legislation that would allow private and parochial schools to convert to public charter schools. This effort is being pushed to help fight the problem of public school closings across the state, and to give students, particularly in urban areas, more opportunities at a better education. The private schools that do convert will have to eliminate any religious-oriented agendas or activities that promote one religion over another. Once the schools convert to public charter schools, a voucher program will be implemented to allow families to send their children to these schools while offsetting their property taxes that will be going to the schools their children no longer attend. Unfortunately, the bills are being stalled in committee. It is the position of the NJGCA that this bill will provide some property tax relief while providing our children with a quality education. This is an issue that affects all of us; the children in this state are the future small business owners.



Gas Tax

Since 1988, the gas tax in New Jersey has remained at 14.5 cents, and any talk of increasing it is usually met with harsh public resistance. Governor Christie has come out publically against raising the gas tax, however with the Transportation Trust Fund rapidly depleting, some law-makers are asking Governor Christie for an alternative. Assemblyman Joe Cryan (D-Union) has sponsored a bill that would raise the gas tax 8 cents a gallon per year from 2011-2013, with inflationary increases thereafter. “It’s like eating liver. It may be good for you, but it doesn’t smell good,” Cryan said. “It’s a point of discussion, not the end all and be all.” Other solutions to solving the Transportation Trust Fund shortage include putting tolls on interstate highways such as I-287 and I-80, making gasoline subject to the sales tax, and selling naming rights to parts of the NJ Turnpike and the Garden State Parkway.



Payroll Taxes & Jobless Benefits



In the next coming weeks, your business will see an average annual increase in payroll taxes by approximately

Continue on next page...

\$130 per employee to pay for unemployment benefits. Governor Christie vetoed the original bill, and required that it be amended to exclude those workers fired for misconduct from collecting unemployment benefits before he would sign it. The new bill also includes the creation of a task force to identify ways in which the Unemployment fund can be rescued from bankruptcy. The state faces a \$1 Billion deficit in the Unemployment Fund due to excessive state borrowing. Without the passing of this bill, businesses could have expected an increase in their payroll taxes by \$400 per employee per year. A 1984 law put a trigger in place to increase the employer share of UI taxes once the UI Trust fund was depleted to a certain level.

The reforms put in place in 1984 helped the fund build a reserve that totaled almost \$5 billion by 1992. Previous Governors and legislatures raided the fund over the past decade to make up for annual budget deficits. Today New Jersey owes the Federal Government \$1.7 billion that has been borrowed to pay unemployment claims.

   **Form 1099**

Starting in 2012, businesses will be required to issue Form 1099 to any service vendor or property that the business has paid more than \$600 a year to for their service or property. All 1099 Forms must be submitted to the IRS in lieu of a penalty. Your suppliers of gasoline, car parts, or convenience store goods are considered vendors under the new law, and as such, you must submit a 1099 Form to all those you pay more than \$600 a year. Any business that pays you more than \$600 for services or property must send you a 1099 Form as well. There is a bill in the House of Representatives, submitted by Representative Daniel Lungren (R-CA) that would repeal such changes to the current law. More information on H.R. 5141 can be found at

www.stopform1099.org or call Jim McCabe at NJGCA Headquarters for further details.

  **ATM Surcharge Reduction Bill**

All of us have used a check card or credit card to withdraw cash from an ATM. I with don't go to our bank's ATM, we typically pay for the convenience though a fee that is charged as cash is withdrawn. These fees not only help cover the cost of a non-bank ATM in accessing bank records, but harm the small business owner who derives income from that particular ATM.

Iowa Senator Tom Harkin has now proposed Senate Bill 3217, a measure which would essentially reduce ATM surcharge and access fees to no more than 50¢ per transaction.

If this proposal were to become law, it would harm the small business owners who depend on ATM fees as part of their income, as well as those they employ. However, it would also harm consumers who often seek the convenience of stand-alone ATM when shopping. If these fees are limited, then the number of ATMs in geographically diverse areas may be reduced or eliminated altogether. Furthermore, since a federal law mandates that individuals must be given the option of accepting or declining these transaction fees, any fee elimination would only inhibit consumer choice.

Please contact your federal Legislators and ask them to oppose S. 3217 and tell them that any fee reduction will only harm your small business! ■

NJGCA encourages all our members to participate in getting our agenda passed in Trenton. If you have any questions or comments on the Issues presented here, feel free to call Jim McCabe at 973-376-0066.

-NJGCA MEMBER QUOTE-

“I feel Sal is doing everything he can, I’m thankful there is someone going to Trenton time after time to help us to help ourselves.”

–Robert Pascale, Waretown Liberty, Waretown

IMPORTANT DATES & TRAINING SCHEDULE

CHECK OUT THESE THREE CLASS OPTIONS!!

Call Debbie Hill at NJGCA to enroll in all classes at 973-376-0066

1). NJ EMISSION INSPECTOR TRAINING CLASS

***SPECIAL NOTICE: All PIF & DIESEL INSPECTORS ***

ALL Private Inspectors and ALL Diesel Inspectors must be licensed as a Motor Vehicle Inspector and take the state approved training program. **NJGCA is offering a SPECIAL ONE DAY Emissions Inspector Class & Final MVC Test.**

LOCATION:

Springfield - Union County
Class to be held at NJGCA Headquarters
66 Morris Ave.
Springfield, NJ 07081

CLASS DATE: 06/13/2010 OR 06/20/2010

ARRIVAL TIME: 7:30am

CLASS COST (INCLUDING MANUALS):

- Member - \$299
- Non-member - \$329

We will serve coffee/donuts in the morning and lunch at 12:00pm. You will take the MVC test at 1:00pm

NOTE: FUTURE DATES WILL BE ADDED UPON REQUEST – CALL DEBBIE AND LET HER KNOW YOU ARE INTERESTED IN TAKING THE CLASS!!

2). EMISSION REPAIR TECHNICIAN RE-CERTIFICATION CLASS

New Jersey Gasoline C-Store Automotive Association (NJGCA) is offering the ETEP course that your ERT's need in order to re-certify their license.

Our Course includes:

- New Jersey State Specific Information Course
- ETEP Section 6 "OBDII Monitoring Failures"
- Section 7 "Light-Duty Diesel Vehicle Technologies and Testing".

Everything your technician needs to Re-Certify his ERT license!!!

CLASS COST (INCLUDING MANUALS):

- NJGCA Member rates: \$489.00
- NON-Member rates: \$629.00

TWO LOCATIONS – NIGHT & DAY CLASSES

Springfield - Union County (TWO DAY CLASS)

Class to be held at NJGCA Headquarters

66 Morris Ave.
Springfield, NJ 07081
August 12th & 19th
8:00am to 4:00pm

Rumson – Monmouth County (FOUR EVENING CLASSES)

Class to be held at Junior League of Monmouth County

July 20th, 22nd, 27th & 29th
Tuesday and Thursdays
6:00pm to 10:00pm

3). INITIAL EMISSION REPAIR TECHNICIAN CERTIFICATION CLASS

New Jersey Gasoline C-Store Automotive Association (NJGCA) is offering an INITIAL ETEP Certification course. This is the entire program, section 1 – 7. This is everything you need to become a licensed Emission Repair Technician.

Our Course includes:

- New Jersey State Specific Information Course
- ETEP Sections 1-7 – THE ENTIRE ETEP CURRICULUM
- Section 7 "Light-Duty Diesel Vehicle Technologies and Testing".
- EIGHT DAY CLASS

Everything to become an Emission Repair Technician!!

LOCATION:

Springfield - Union County (EIGHT FULL-DAY CLASSES)
Class to be held at NJGCA Headquarters
66 Morris Ave.
Springfield, NJ 07081
September 16th – November 4th (Every Thursday for 8 weeks!)

CLASS COST (INCLUDING MANUALS):

- NJGCA Member rates: \$1,495.00
- NON-Member rates: \$1,695.00

SAVE TODAY WITH YOUR NJGCA MEMBER BENEFIT PARTNERS!

NJGCA continues to revamp our Member Benefit Partners (MBPs) program to better serve your small business. Most MBPs offer discounts and special programs exclusively for NJGCA members ONLY – You cannot get these negotiated arrangements anywhere else!!

Here is a list of our current MBPs:

Tek Collect - Debt collection
NCS LLC - Credit improvement
EXTEL Communications - Improved communications offerings
Firesigns1075 - Digital sign provider
First Capital Mortgage - Commercial & Residential loans
MYnjOffice - Office supplies (paper, forms, ink cartridges)
Merchants Advocate - Credit Card Processing & Consulting
Environmental Alliance - Environmental remediation services
American Equipment Finance - Gas Station & C-Store Equip. & Acquisition
PH2 Solutions - Quick Diagnostic Emissions Tools
ABLE-TECH - Industry Specific Business consulting
First Choice - Bay Equipment, Hardware, Lifts
Service Station Vending Equipment - Air & Vacuum Machines
AUTOBOSS USA - Scanners, Wheel Alignment Equip.
PrimePay - Payroll
Association Master Trust (AMT) - Health Coverage
Meadowbrook Insurance - Workers Compensation
The Amato Agency - Garage Keepers
Dana Insurance and Risk Management - Tank Insurance
S & W Services, Inc. - Gasoline Advertising Products
Affinity Credit Union - Credit Union
Quality Nozzle - Gas hoses, nozzles, etc.
Watchdog Calibration - Pump and Meter Calibration
ATS Environmental - Tank and Vapor Testing

-NJGCA MEMBER QUOTE-
The Amato Agency saved me \$4,000 to \$5,000 dollars a year. They quoted me apples to apples and they were GREAT to work with.
**-Gordon Choyce,
G & M Auto Service Inc.,
Edgewater Park, NJ.**

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ENVIRONMENTAL REPORT

NEW JERSEY'S LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) PROGRAM UPDATE



By Mike and John Vanderslice, Environmental Alliance, Inc.

As you know, in May 2009 Governor Corzine signed into law the Site Remediation Reform Act or SRRA (Assembly Bill No. 2962). The SRRA features a Licensed Site Remediation Professional (LSRP) program which will literally change the way you remediate a contaminated site. As a reminder, the goals of the LSRP program are to license eligible environmental consultants and professionals who will oversee the site remediation of projects without direct NJDEP case manager oversight. This will allow existing NJDEP case managers to focus on remediation sites based on levels of risk that these sites present to public health and the environment.

On November 7, 2009, all NEW cases initiating remediation required the utilization of a LSRP. By May 7, 2012, all cases are to use a LSRP if the site does not have a Response Action Outcome (RAO) which is the regulatory equivalent of a No Further Action letter. The program is still being phased in, and a NJDEP Near-Term Priorities Group (NTPG) has been developed to refine the SRRA LSRP program. This group is made up of NJDEP managers, environmental consultants, environmental attorneys, and oil companies working together to establish what's working so far, what's not effective, and what can they do to improve the program.

Most recently the NTPG met on June 2nd to provide guidance on updating the NJDEP's Training and Tool web page, and also to work on expanding training and outreach efforts to a larger set of constituencies. The NJDEP's training group will start working to develop a format for a LSRP program "Opt In" web page. The NTPG will assist in developing content for that web page. With regard to the expansion of NJDEP's training and outreach activities, the NTPG are working on ways to reach a wider set of constituencies and the possibility of cooperative sessions with more organizations/groups.

With regard to opting in to the LSRP program, Envi-

ronmental Alliance, Inc. (Alliance) has recently helped several NJGCA members transition into the program. This was done in an effort to alleviate the frustrating and inflated NJDEP case manager oversight bills that were being received by members, and also to also get their gas station / service station sites on a clear pathway towards site compliance and ultimately closure. To date, the NJDEP case managers Alliance has dealt with have been very cooperative as we changeover sites into the program during this "compliance assistance" period. All sites will be required to be part of the LSRP program by May of 2012 anyway, so why not opt-in now if it makes sense based on the environmental conditions of the site.

John Vanderslice, P.G., a professional hydrogeologist with Alliance, is a LSRP and part of the NJDEP Near-Term Priorities Group that meets on a regular basis to further refine the SRRA LSRP program. Should you have any questions regarding the program, please contact John at our Middlesex office at (732) 537-0250 or jvanderslice@envalliance.com. We are here to serve the members of NJGCA.

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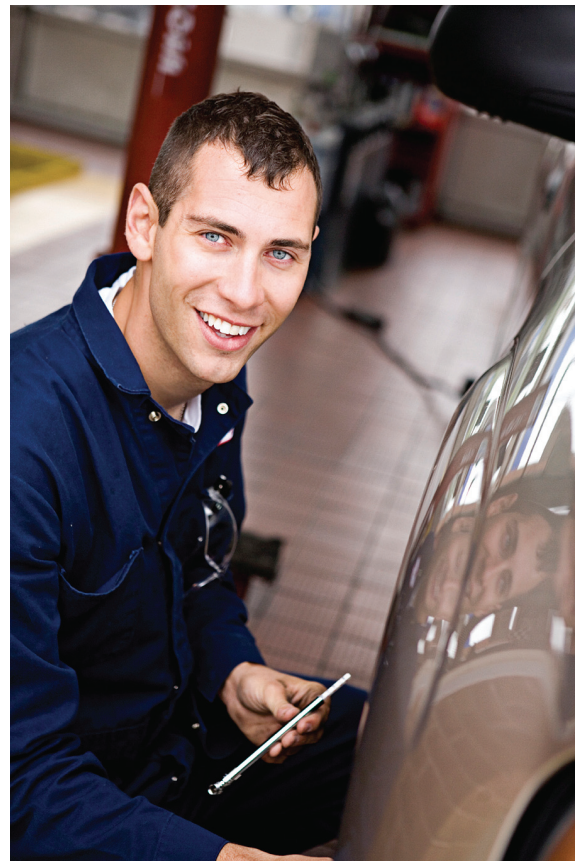
Great News for NJGCA Members

Group Health Coverage through NJGCA and Association Master Trust

Unless you're a large business with hundreds or thousands of employees, providing and administering a health benefits plan can be a huge burden. However, if you're a NJGCA member, you can now take advantage of a great group offering through the **Association Master Trust**

NJGCA member companies are eligible for comprehensive self-funded health and dental benefits through Association Master Trust. The Association Master Trust covers approximately 10,000 participants from thirteen trade and member association benefit trusts.

Qualifying NJGCA member firms can now enjoy all of the benefits of network services and modern claims administration. By being a member of AMT you're part of a large group, and have access the same great health benefits plans the big guys do!



*To learn more about AMT's self-funded health
benefits plans call today and ask for Joy
at 973-379-1090 ext. 229
for further details.*

Association Master Trust

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NJGCA MEMBERS PLAY AN IMPORTANT ROLE IN STATE'S ANTI-FRAUD VEHICLE PRE-INSPECTION PROGRAM

For many years NJGCA members serving as CARCO Group inspection sites – in support of the State's Automobile Physical Damage Insurance Inspection Procedures regulations – have made a valuable contribution to the ongoing battle against vehicle insurance fraud. Participants in the CARCO inspection site network have also been able to create a steady revenue stream by providing vehicle inspection services, with the benefit of also enhancing their marketing activities.

New Jersey's pre-insurance vehicle inspection program is designed to document the existence of certain motor vehicles, their condition, existing options and accessories. The program's primary goal is to help lower, or stabilize, the cost of insurance coverage by reducing opportunities for fraudulent claims. Implemented in 1991, the New Jersey pre-insurance inspection program has been extremely successful, in large measure through the participation of its site network participants including many NJGCA members. Since the program's inception, significant financial savings have

been obtained by the insurance industry by preventing nonexistent or "phantom" vehicles from being insured, and curtailing pre-existing damage claims. Additionally, the program provides dynamic tools to law enforcement and investigative branches of the insurance industry for the in the pursuit of suspicious claims.

CARCO Group, Inc., a pioneer in vehicle pre-insurance inspection, and the nation's leader in inspection services, inspects more than 1.5 million vehicles per year. Founded more than thirty years ago, the Company provides service to more than 70 insurance companies through its network of more than 6000 inspection sites.

In addition to the importance of the inspection process as a vital fraud deterrent system, participants in CARCO's inspection site network have the benefit of being paid for their services directly by CARCO, with the opportunity to have potential customers directed to their facility. In the all-important business relationship-building process, an inspection client today is a potential

customer for products and services tomorrow.

For those participating in the program, in addition to revenue, they have the satisfaction of being part of an important fraud deterrent program; for those not yet involved, CARCO welcomes the addition of new inspection sites in this important endeavor.

Unfortunately, over the past few years the number of inspections in New Jersey has decreased. This is due to some companies requesting that they not be required to perform certain types of inspections. Due to this, CARCO is concerned that you may experience a further reduction in traffic.

If this declining trend is of concern to you, please contact Bill Frink at CARCO. His e-mail address is bfrink@carcogroup.com.

If have any questions about how to become an inspection site, please contact Bob Pichler. rpichler@carcogroup.com.

Helpful suggestions from existing site members are also encouraged.

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NEW JERSEY'S DIRE NEED FOR TORT REFORM

BY MARCUS RAYNER, NJ LAWSUIT REFORM ALLIANCE



AS NEW JERSEY'S unemployment rate hovers around a regionally high 10 percent, our businesses face a stagnant economy coupled with high business costs, and our state and local governments must address significant spending cuts, some may not realize that New Jersey's economy is taking another serious hit – from frivolous litigation.

According to Forbes Magazine, New Jersey is “one of the worst places to get sued in America.”

The American Tort Reform Association has listed New Jersey in its Top Five “Judicial Hellholes” for the third consecutive year. And that's not an overstatement: For many high-tech, bio-tech and research-based companies, one frivolous lawsuit can spell financial ruin, and send ripple effects through our struggling economy.

Consider this: Consumers do not have to be defrauded in order to file a lawsuit under New Jersey's Consumer Fraud Act. They don't have to ask for a refund before suing in court, either. Warnock Dodge found this out when a customer believed she was overcharged by \$40 and immediately marched to court. New Jersey courts also welcome out-of-state plaintiffs.

In one such case, an Alabama resident who claimed a popular acne medication gave him inflammatory bowel syndrome received a \$25 million judgment – money he will take with him to Alabama.

Meanwhile, the New Jersey-based manufacturer stopped producing this popular product due to its costly legal battle.

Finally, when a questionable judgment is levied against a New Jersey business, many companies simply cannot afford the cost of an appeal. Defendants, like plaintiffs, deserve to appeal an unfair decision. But in New Jersey, businesses must pay in advance. A defendant cannot pursue an appeal without posting the entire award amount, and oftentimes attorneys' fees, as a bond.

Awards have skyrocketed in recent years to the point where it is nearly impossible for many small and mid-sized businesses to obtain the financing they need to meet the bond.

As a result, it's usually not cost-effective to fight, so many businesses are forced to settle by default, and accept the cost to their reputation instead.

Facing bankruptcy

We are one of only a few northeastern states that do not cap appeal bonds – except for tobacco companies, which do get a cap under state law. Should a company pursue an appeal, it may result in that company filing for Chapter 11 bankruptcy in order to

stay the judgment.

The money used to finance a bond for the duration of an appeal – which often takes years – is lost and never recovered, no matter what the outcome.

Reforming our civil justice system is gaining traction in Trenton. It's a cost-neutral approach to revitalizing our economy, and the Legislature is starting to notice: Sen. Raymond Lesniak, D-Union, and Assemblyman Gary Schaer, D-Passaic, introduced S-480/A-2473, which would limit the amount of appeal bond in a civil action to the total amount of the judgment, not exceeding \$50 million.

Granted, this legislation seeks to alleviate dire consequences once a business has already been dragged into court. To keep companies out of abusive litigation to begin with, remedies to New Jersey's Consumer Fraud Act need to be pursued, and higher standards for what may be considered expert evidence at trial are needed as well.

Testimony given by experts in court can determine a trial's outcome – and consequently, whether a business will cease to exist. New Jersey's court rules regarding what may be considered hard science have not been updated since 1991.

The rules also don't require a witness's testimony to be consistent with reliable scientific principles and methods used by other experts in that field, like they do in federal court.

Courtrooms as guinea pig

In turn, this has meant that New Jersey's courtrooms have become somewhat of a guinea pig for personal injury lawyers promoting unsubstantiated scientific theory. There is a reason why 93 percent of mass tort litigation against our pharmaceutical companies have been filed by out-of-state plaintiffs: New Jersey has made it easy to sue businesses on the shakiest grounds possible that few other states would entertain.

It should come as no surprise that a class action lawsuit against Denny's, which alleged the restaurant chain used too much sodium in its entrees, was filed in Middlesex County.

Governor Christie and the Legislature have an enormous task before them. The appropriate balance of taxes and spending reductions is always difficult to identify with certainty, especially when state and local governments' revenue sources are less certain and businesses struggle to provide the stability on which many local economies depend.

Tort reform can help New Jersey businesses during this economic downturn. And it can do it without costing the state money.

Marcus Rayner is the executive director of the New Jersey Lawsuit Reform Alliance.



Over the last year, the topic of “Universal Health Care” has been thoroughly debated. For better or worse, as the Affordable Healthcare for America Act is now law, the consequences of the bill will be seen in the next few years.

As a small business owner, you must be wondering: What does the Health Care Bill mean for my business? How will it change what I provide to my employees? What will it cost me?

Like any government policy, there are both positive and negatives aspects to this new law. While many people believe they will now have free health care, we all know that there is no such thing as a free lunch. There will certainly be some unanticipated costs associated with “ObamaCare,” but there are also some benefits.

However, there are some of the aspects of the bill and how it will affect your small business:

A. Small Business Tax Credit: The government will implement a very restrictive credit that will only be implemented after a series of complicated “tests” are completed. These tests will determine the credit amount and be subject to three conditions:

1. Size of your business: Only firms with 10 employees or less will receive the full credit, while firms with 11-25 employees will obtain partial credit, and those business with more than 25 employees get no credit at all.

2. Employee wage average: The new law ties credits to the average worker’s wage. Firms that pay their average worker \$25,000 or less will be eligible for the full credit. However, as the wage amount increases, the credit is reduced and ultimately tops out at \$50,000. For businesses with 10 or fewer employees, the average wage is roughly \$27,000.

3. Your contribution: The tax credit will only be applied to employers who cover at least 50% of the insurance costs.

PLEASE NOTE: While a tax credit is a positive incentive, healthcare costs are anticipated to increase indefinitely, while the credit it will only be available to business owners for up to six years.

B. Small Business Health Insurance Tax: A new tax will be implemented on small businesses which offer health insurance. The government has presented this as a “fee on insurers”, but it is likely that those taxes will be passed onto employers. The tax is expected to commence at \$8 billion in 2014 and increase to \$14.3 billion by 2018. Ultimately, however, small business owners and consumers will have to foot-the-bill for this tax.

C. Tax filing provision: A new requirement will be implemented asking for all small businesses to file a 1099 corporate report each year. This will increase business expenses and adds an additional burden on entrepreneurs.

D. Medicare Payroll Tax Hike: The new law raises the Medicare Payroll Tax to 2.35%. However, the extra funds raised by this tax hike will go to pay for non-Medicare programs. Ultimately, the bill adds an additional tax on those businesses and individuals making over \$200,000 a year.

E. New Medicare Taxes on non-wage income: Though traditionally funded through payroll taxes, the Government will now create a new Medicare tax on non-wage income (capital gains, rents, interest, royalties and dividends) for those businesses and individual reporting over \$200,000 in income.

A short timeline for the Patient Protection and Affordable Care Act (PPACA). It will take a decade for the new healthcare reform bill to be fully enacted. Please see the timeline below:

2010

-Small business tax credit begins

2011

-**W-2 reporting:** Employers will be required to report employees’ health benefits on W-2s.

-**Health Savings Accounts (HSA) & Flexible Spending Accounts (FSA) limits:** Consumers are prohibited from using HSA and FSA funds to purchase non-prescribed items, including over-the-counter medication (except insulin).

-**HSA penalty:** The penalty for using HSAs for non-qualified purchases increases to 20%.

2012

-**1099 reporting:** Businesses will have to send Form 1099s for every business-to-business transaction of \$600 or more – a tremendous new paperwork burden for small business.

2013

-**Medicare payroll taxes:** The Medicare payroll tax on wages and self-employment income in excess of \$200,000 (\$250,000 joint) will increase to 2.35% and is not indexed to inflation. “Medicare” investment tax: A new tax of 3.8% will be included on investment incomes for higher-income taxpayers (including business owners and those self-employed).

2014

-**Small business health insurance tax:** An annual fee on health insurance providers will be passed on to consumers.

-**Employer mandate:** The bill contains a complex employer mandate requiring some firms to provide insurance, pay penalties or both. Employers with 50 or fewer full-time employees pay NO penalty.

There are still many unknowns about “ObamaCare” as many of the regulations governing the new system must still be written by regulators. And whether or not you supported the bill, NJGCA recommends that you take full advantage of the benefits and tax breaks that the bill provides to small businesses.

For further information, please see a list of documents and websites concerning this issue at www.njgca.org/healthcare ■

GENERAL COUNSEL CORNER: A MORALITY TALE

BY PETER H. GUNST, ESQUIRE



Equilon Enterprises trading as Shell Oil Products (“Shell”) had a problem with a service station that it owned in Riverside California. The local watershed project authority informed it of a significant groundwater contamination problem at the station that could require extensive remediation, and threatened to cause a spill that would result in millions of dollars of liability to Shell.

When the authority demanded that it enter into an indemnification agreement, Shell concluded that it would cost it between \$300,000 and \$500,000 to install a containment system; that it would be required to spend \$40,000 a year to maintain the system; and that a spill could result in a liability to Shell of between twenty million and fifty million dollars.

What to do? Shell was already in negotiations to sell the station to its dealer, Elias Atallah, for a sum of \$759,575. So why not unload the environmental landmine on its unsuspecting dealer?

It is undisputed that Shell never told Mr. Atallah about the groundwater problem, the cost of remediation or the potential environmental liability. It also failed to advise Mr. Atallah that Shell had allowed the conditional use permit for the station to lapse.

After the sale to Mr. Atallah had closed, he learned that the permit had lapsed when he started to install new underground storage tanks. When he sought to obtain a new permit, its issuance was opposed successfully by the watershed authority, which revealed the site’s significant environment problems. Mr. Atallah then learned that the station was inoperable.

Mr. Atallah sued for fraud in state court, and Shell adamantly resisted his right to obtain any remedy even though it conceded that it had concealed from him obviously significant information concerning the station’s environmental problems.

Ultimately a jury ruled in Mr. Atallah’s favor, awarding him \$1,700,000 in damages attributable to his inability to operate the station. Mr. Atallah’s claim for punitive damages, however, was dismissed by the court for technical reasons.

Rather than let things ride, Shell appealed citing technical arguments that only a lawyer could love. Mr. Atallah countered by appealing the trial court’s dismissal of his request

for punitive damages.

In a non-published opinion released in late 2008, *Atallah v. Equilon Enterprises*, the California intermediate appellate court affirmed the jury’s finding of liability and remanded the case to permit Atallah to present his case for punitive damages.

Rejecting Shell’s contention that there was “no evidence of any intent to conceal” the station’s true condition, the appeal courts found its argument to be “remarkable” given the “campaign of deception” that Shell had pursued against Mr. Atallah.

The appeals court concluded:

In many ways, this case is a paradigm fraudulent concealment case. There is no doubt about what was concealed, no doubt that what was concealed was not merely material but crucial – a literal deal-breaker – and no doubt that [Shell] intended to deceive Atallah. There simply was no other way of unloading the gas station as a gas station, especially for the sum of \$759,575.

The subsequent trial of Mr. Atallah’s punitive damage claim in March, 2010 resulted in the award of an additional fifty million dollars in punitive damages.

In a statement released after the trial, Mr. Atallah’s attorney described his client as “the quintessential little guy fighting for his rights.” And indeed he is, having to pursue his claim through a legal battle that lasted many years.

But what of Shell? Why did it embark upon what the appeals court labeled a “campaign of deception” intended to exact \$759,575 from Mr. Atallah? That sum does not even amounting to a rounding error on Shell’s massive multi-billion dollar financial statement.

Is it surprising that Shell engaged in behavior more befitting a cheap con artist than a major corporation? Given what we have learned about corporate morality over the past year and a half, maybe it is not so surprising at all.

You can contact Peter at pgunst@agtlawyers.com

APPLAUSE & CONGRATULATIONS

We would like to acknowledge a number of noteworthy events that have recently taken place in the NJGCA family. Please see below and help us celebrate these important milestones!



In mid-March, NJGCA said a bittersweet good-bye to Government Affairs Assistant, Chris Stark. Chris began working with us in May 2007 and has been an invaluable member of our team since we transitioned from the old NJGRA to the new NJGCA. With his assistance, we were able to get quite a bit accomplished in Trenton over the last three years, including the passage of our First Right of Refusal legislation, stopping a truly horrific Below Cost Selling law, and taking it to Attorney General Anne Milgram for painting our members as “scammers” during the gas crunch two years ago.

Chris has now moved on to work for Governor Chris Christie as his Southern Regional Director for Intergovernmental Affairs, where we know he will serve the new Administration well.

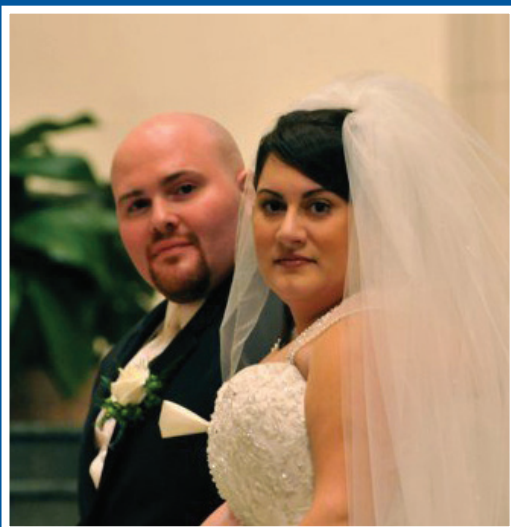
We'd like to congratulate Chris on his new role and wish him well in all his future endeavors --- He will be sorely missed!

We are happy to announce the addition of Jim McCabe to the NJGCA Family! Just as we have bid a fond-farewell to Chris Stark in mid-March, NJGCA was quick to welcome Jim onboard as the new Government Affairs Assistant. Jim has previously worked alongside our staff as an intern in 2007, where he helped conduct a gas-price survey. He is a recent graduate of Seton Hall University where he majored in Political Science and minored in Communications. Prior to joining NJGCA, Jim worked as a professional disc jockey for Magic 98.3FM and 1450AM WCTC radio.



Only with us a short time, Jim has already hit the ground running as we have found ourselves in the midst of a fight to save Safety Inspections, combat a new Below Cost Selling proposal, and support an initiative to create a public school choice system. So far, Jim has taken these challenges in stride.

We hope you will join us in welcoming Jim. If you have any government or legislative related questions, feel free to reach out to him at jim@njgca.org or 973-376-0066 x208.



NJGCA is thrilled to congratulate Nick De Palma on his recent nuptials!

Nick married the former Miss Amanda Gasperino on January 29, 2010 at St. Teresa of Avila Roman Catholic Church in Summit, New Jersey. Over 270 friends and family joined them in celebrating their special day.

The bride and groom met during the 2006 US Senate campaign and had been dating for over two years when Nick proposed.

Amanda is a former political operative who currently works in Trenton for Governor Christie. Nick, in addition to his role as NJGCA Communications Director, is also a part-time student at Seton Hall Law School. The newlyweds will reside in Union County.

Please join us in sending best wishes & congratulations to the new Mr. & Mrs. De Palma!

MEMBER SPOTLIGHT: LARRY VALENZANO

by Nick De Palma

NJGCA Members help others, blaze new trails, or simply give back to their own communities.

The NJGCA Member Spotlight is here to illustrate their accomplishments and take pride in their contributions as members of your Association.



Today our Membership Spotlight shines on Lawrence Valenzano of Mighty Joe's Gas, Grill & Deli in Shamong Township (Burlington County).

Lawrence – or Larry as his friends call him – grew up in Magnolia (Camden County) and attended Haddon Heights High School. At 22 years old Larry joined the United States Army and later married his childhood sweetheart, Barbara, who he knew since he was sixteen. They married in 1964 and together they had three sons: Kenny, Joseph, and Lawrence.

Larry originally started out in the supermarket business and eventually worked his way up to supermarket management. Later Larry left his role in supermarket management and became a food-broker, as a retail sales manager. However, an opportunity arose to combine his background in retail with gasoline sales that eventually lead him to the service station industry.

“When I was working in the supermarket business, I used to pass this location all the time. Gas sales and food sales go hand in hand, so I took a chance and purchased the station in 1986”, said Larry.

When he first started out, the location had only gasoline and auto repair. Since then, Larry has revised the station many times to address the needs of his customers. In 2009, he remodeled his location to include an updated convenience store; he remodeled his kitchen, grill, and deli; new pumps were installed; and the over-

all curbside appeal of his business was improved.

However, one of the most striking aspects of this expansion and renovation was the types of fuels Larry offered his customers.

A patriotic individual by nature, Larry wanted to do something about our dependence on foreign oil and help the environment. So Larry reached out to his suppliers and asked them about E85 (a pump fuel that is composed of 85% ethanol and 15% gasoline). Since ethanol is typically made from organic sources such as corn and switch-grass, E85 would be more environmentally friendly, could be produced domestically, and help put many Americans to work. Furthermore, with few stations in New Jersey offering E85 and automakers producing more “Fuel Flex” vehicles today (cars which can consume both regular gasoline and E85), they would need a convenient location to purchase the fuel.

The gamble has paid off and volume of E85 has increased month over month as more people become aware of its availability.

“It has really been a tremendous success and very profitable. I’m averaging 30¢ profit on every gallon of E85 – which is significantly better than what I make on a gallon of ordinary gasoline. Despite the fact that my gasoline volume is much higher, I encourage other NJGCA Members to start carrying it – you only have to ask you distributor to get it for you”, stated Larry.

While Larry spent approximately \$110,000 to install new lines, specialty dispensers and tanks, a portion of the cost was offset by a special \$50,000 federal tax credit.

Aside from E85 and gasoline, Larry also offers CAM 2 racing fuel, kerosene, propane, and bio-diesel.

“A lot of customers actually thank me for adding these options for them. Just having more ‘green-fuels’ like bio-diesel and E85 helps attract a lot of new people. And as E85 has a higher octane rating and prices re-

Continue on next page...



main relatively stable, I've even had customers ask me to retro-fit their current vehicles to use it. We sell them a kit to make the needed adjustments and they are very appreciative", Larry said.

Running a successful business has not prevented Larry from being involved in his local community. As such, Larry and Mighty Joe's have been frequent sponsors of local baseball

and soccer teams. He has also made donations in support of the high school, did fundraising for cancer research, and sponsors a cruise-night every Monday at his location.

"We support everything we can – it's important that your customers don't only see you as a small business owner, but as a member of the community. Getting involved is the right and responsible thing to do," said Larry.

Unfortunately, Larry and the entire Valenzano family have also experienced a great tragedy. In 1999, Larry's son sadly passed from a brain tumor. Joseph was an all-natural body builder and won many awards, which earned him the nickname "Mighty Joe" from friends and family. Shortly after his tragic passing, Larry renamed the station "Mighty Joe's" in his honor.

Despite adding new signs to depict the branding change,

it is the 30-foot tall gorilla at Larry's station that patrons first see upon visiting his station. The gorilla – Mighty Joe – is a tribute to his son and the mascot of his business. Larry recalled seeing the gorilla on the boardwalk in Wildwood in the 1960s. After Joseph's death, Larry came across it seemingly abandoned on the side of the road while traveling to and from his beach house.

"It instantly reminded me of my son and I had to have it. I contacted the owner to see if he'd sell it to me and we spent six months on repairs fixing it up. My wife thought I was nuts, but it was worth it", Larry remembers.

Today, Mighty Joe now stands at Larry's station, both welcoming customers and appropriately acting as a memorial to his son.

"If you want to run a successful business you have to be hands on. Go out there and meet people, get to know your patrons. But most of all, it's important to be honest. I charge a fair price for the services and products I offer. I may not be the cheapest guy around, but my customers patronize my station because we work hard at building relationships, we're friendly and courteous, and we don't take them for granted", said Larry.

A true and solid example of a small business owner making a difference in his community, NJGCA proudly recognizes Larry Valenzano and Mighty Joe's for all his success!

If you know of a fellow Member who should be in the Spotlight, please contact NJGCA so they may be acknowledged.

-NJGCA MEMBER SPOTLIGHT QUOTE-

"If you want to run a successful business you have to be hands on. Go out there and meet people, get to know your patrons. But most of all, it's important to be honest. I charge a fair price for the services and products I offer. I may not be the cheapest guy around, but my customers patronize my station because we work hard at building relationships, we're friendly and courteous, and we don't take them for granted"

-Larry Valenzano, Mighty Joe's Gas, Grill & Deli

COMMON CENTS BY DEBBIE HILL THE DO'S AND DON'TS EDITION



1) **DO** call Debbie Hill if you have questions regarding NJ Motor Vehicle Commission proposed civil penalties and imposed fines. For more than three years I have been negotiating better terms and reduced penalties for our Members at the NJ MVC hearing.

2) **DO** take classes with NJGCA:

See a list of upcoming classes in the next couple of months. We have educated more than 526 NJ Emission Inspectors and NJ Emission Repair Technicians in the past year. Our NJ Emission Repair Technician Re-Certification and NEW ERT program has had a 100% passing rate. Our program has been well regarded as a personable program. We've done this so successfully that NJGCA provided the training this year for UPS, Ryder Truck, Fleetsource, and the State of New Jersey Emission Repair Technicians. We make every attempt to have our educational program meet your requirements and your individual needs.

3) If you have the Gas Analyzer **DO** call SGS Help Desk: For replacement toners, PIFs should call the Help Desk once the yellow toner light comes on and SGS will send them another toner using DataSpan. Gases are also handled similarly; the station calls the Help Desk when they are running low and gases are sent as needed.

4) If you own a Gasoline Station **DON'T** do what I just did. As an NJGCA Member, **DO** use ATS Environmental Testing! Recently the NJDEP came in for a compliance inspection at my own station. Unfortunately, our secretary was not there and my brother (my business partner) could not find the most recent testing records. My brother frantically called me and I immediately reached out to Kristi Klune at ATS for help. Kristi contacted my station, spoke with the NJDEP inspector directly, and faxed over the required test results. Thanks to ATS, my station avoided getting fined. NJGCA strongly recommends you use ATS Environmental testing – and from my personal experience, so do I!

Call me to see how to get your free compliance review from ATS.

5) **DO** visit the Department of Labor Website & Workplace posters at <http://webapps.dol.gov/dolfaq/dolfaqbytopic.asp?topicID=17>

From this site, you can answer any number of Frequently Asked Questions that small business owners have including:

- Which Workplace posters do you need at your location?
- Where can you find the posters?
- What penalties for not posting a required federal poster?

Check them out today!

6) **DO** take the time to check out the New Jersey Green Auto Repair Council.

In the near future you will see advertisements on your local channels. If you own a service station or auto body shop – take the time and find out if how marketing your business GREEN may bring in new customers to your location. You can visit them at: www.njgreenautorepair.org

7) Do you sell Diesel? **DON'T** forget to call our office to get the new labels you need on your dispensers. New On-Road and Off-Road Diesel Pump labels are required by October 1, 2010. Anyone who does not have the proper labels may face fines of \$37,500 a day per violation!!

Make sure your dispensers are clearly marked with the most up-to-date pump labels to avoid fines and penalties!

NJGCA has purchased a number of pump labels for our members. We have a limited supply so **DO CALL TODAY** and get your new labels to avoid \$37,500 fine!

Please Call Debbie Hill at (973)-376-0066 with any questions or concerns!

-NJGCA MEMBER QUOTE-
"I like the added benefits that NJGCA has to offer, plus the representation between the federal government and Trenton. It is reassuring to know that someone is looking out for us, the small business folks."

-Mike Mazza, Ledgewood Sunoco, Ledgewood

HORROR HIGHLIGHT

DON'T LET THIS HAPPEN TO YOU!!

In each issue of OTR, we would like to tell you the stories of other NJGCA members that have been horrific and painful. Our objective is to have our readers get a clear picture and understanding of pitfalls that you should avoid.

Mr. Smith, an NJGCA Member, owned a service station and was charged \$15,000 by NJDEP for not being in compliance. Wanting to avoid further fines, Mr. Smith called ABC Testing, but they were unable to perform the Cathodic Protection Test. As such, they would have to bring in an additional company, XYZ Testing, to conduct the test. For this service, Mr. Smith was charged \$500.

NJDEP came out to do a compliance inspection afterwards only to find that the problem persisted. Out of desperation, Mr. Smith contacted NJGCA to ask for help. NJGCA had a trusted Member Benefit Partner (MBP), ATS Environmental Services, go out to Mr. Smith's location and investigate FOR FREE.

What they discovered was disturbing. Not only had ABC Testing and XYZ Testing not adequately tested Mr. Smith's location, but they failed to catch a characteristic that would have avoided the NJDEP fine altogether.

What ATS Environmental Services found was that NJDEP was charging Mr. Smith for a violation that he should never have received. Since Mr. Smith's tanks were coated with fiberglass, they met the UL standard for non-metallic tanks – meaning that ABC & XYZ were charging Mr. Smith for tests that were not required.

ATS Environmental Services conducted an investigation to prove Mr. Smith's case: They went back to the manufacturer, found pictures of the installation of the tanks, and offered proof that the information was incorrectly recorded when the tanks were installed.

With this evidence in hand, NJDEP rescinded their violation. A letter sent from NJDEP to Mr. Smith illustrated that not only had the \$15,000 penalty been dropped, but that NJDEP was easily able to tell that both ABC and XYZ had not done their jobs correctly thanks to the information provided by ATS Environmental Services.

Luckily Mr. Smith was able to save money and a very large headache. Still, had it not been for ATS's effort to dig deeper and obtain the essential information, things would have turned out very differently.

THE MORAL OF THE STORY IS THIS: If you are an NJGCA Member, always contact us before you begin any testing or similar undertaking. Had Mr. Smith not called NJGCA asking for assistance, it is very likely he would have had to pay the \$15,000 fine without any recourse.

Furthermore, Mr. Smith paid an outside vendor \$500 for a test that was unnecessary had XYZ simply known what kind of tanks were underground. They failed to ask questions and find out what they were testing. In a very real way, they were the experts and yet blindly followed the advice of a service station owner who was depending on their expertise.

As an NJGCA Member, you are entitled to services and products at special rates from our Member Benefit Partners (MBPs) – included tank testing from ATS Environmental Services. These MBPs not only offer special breaks to NJGCA Members like you, but have all been screened for their honesty and integrity – So take advantage of that BEFORE you are taken advantage of!

Don't ignore the guidance and services NJGCA has to offer. Heed this Horror Highlight!! Don't let this happen to you!! ■

Heed this Horror Highlight!! Don't let this happen to you!! If you have a Horror Headlight you'd like to share, contact NJGCA Headquarters so we can warn our members on real-world situations to avoid. Thank you!

WHY MEMBERSHIP IN NJGCA MATTERS!

by Phil Apruzzi



Have you often looked wearily out the front of your station/shop on a dreary day and saw a single beam of light getting closer and brighter as you stare out? That bright light is not someone with a flashlight coming to you to rescue you from your problems. Rather it is the headlight of a train about to come through your front door and wreck havoc on your business. That's right. You are about to be hit by a "train" of problems and you have no idea how to stop it! Many of you believe you can "go it alone" or that "I've been in this business for years and know my way around. I can take care of myself and see no value in being a member of your association".

There may have been a time when NJGCA did not meet with your expectations, but that has not been true for years. Today, NJGCA not only represents you, but we offer the tools you need to keep the train from coming through your door.

Let's get down to dollars and cents: What will you do if you run into a problem with the NJ Department of Environmental Protection or the Motor Vehicle Commission? You may hire an attorney, go to a hearing, and get leveled with a fine for your infraction(s). NJDEP fines can be in the tens of thousands of dollars. MVC fines are easily in the thousands of dollars, plus possible suspension of you inspection license. I cannot tell you how many times our staff has interceded on behalf of our members with the NJDEP to reduce fines or accompanied a member to an MVC hearing, only to get a fine reduced or have a license suspension cut dramatically. We work for you!

I know. I know. You say you run a clean shop, follow all the rules, and would never run into a problem with the state, right? Perhaps so. But what do you do when the state wants to pass a law that will directly impact your business and you have little (if any) say? Take for example, the state's recent decision to drop safety inspections or extending new car inspections to every 5 years. Is that fair after you've just spend thousands of dollars on new inspection equipment? What do you do? Grumble? Get aggravated or just fall in-line and take it? NO! You take action! Sal Risalvato, our Executive Director, has been on the front line fighting these fights! NO matter if he's in Trenton or talking with elected officials, he's educating these decision makers on how their actions affect **YOU!**

Well I know you've heard it all before. "I don't pump gas or do inspections. None of what you say here applies to me. Why do I need NJGCA?" Okay. Let's get down to what really matters to you – money in your pocket.

Here is just one example of the money a single member earned by purchasing three insurance packages through NJGCA:

	Yearly Cost	Cash Returned
Blue Cross Blue Shield Health Insurance	\$11,538	+\$115.38
Workers Compensation insurance	\$5,390.57	+\$377.34
Garage Liability insurance	\$4,980	+\$498.00
Cost of Yearly Membership	\$450	- \$450.00
Value to this member is:		+ \$540.72

That right, this member earned \$540.72 AFTER paying his dues for one year, just by being an NJGCA member! Why not give us a call and see how you can earn money on your membership?! It's not savings, it is money in your pocket. Call Phil Apruzzi at 973-376-0066. AND, if you are current member reading this article and not taking advantage of these insurance offerings, give Phil or your Territory Manager a call to earn additional money in your procket. What do you have to lose?

THE NJGCA PAC

www.njgcapac.org



**DEFENDING OUR MEMBERS.
PROTECTING YOUR INTERESTS.
ANSWER THE CALL & CONTRIBUTE TODAY!!**

Promoting our agenda in Trenton is of utmost importance to NJGCA and our members. However, in order to truly affect the debate, we must ensure our friends in the Legislature are re-elected.

It is for this reason that your Association has established the NJGCA PAC.

For too long, the weight of funding our Political Action Committee, the arm of the Association responsible for political donations, has rested upon a few. This is not only unfair to those few members who have shouldered this burden, but means we are not utilizing our full strength to affect the debate in Trenton.

[To truly understand the importance of supporting our allies, consider our successes in Trenton:](#)

We defeated BELOW COST SELLING

We made history in getting FIRST RIGHT OF REFUSAL signed into law!

We have built large support for RIGHT TO REPAIR and got it passed out of the Assembly

**We defended your small business against the false accusations of Attorney General Anne Milgram
We gained wide support to move New Jersey to an all PIF Inspection System and close the CIF lanes
...and MUCH MORE!!**

In each instance, we achieved these goals with the help of our friends in the Legislature!

If every member contributes just \$100 we can help to ensure victory for our allies.

***We have made great progress in Trenton, but more needs to be done-
I hope that you will answer the call and contribute to the NJGCA PAC TODAY!***

MEET YOUR OFFICE STAFFERS!

Debbie Hill

Director of Membership Services



Tell us about yourself and your background.

I grew up in Branchburg, NJ (Somerset County) and graduated from Somerville High School in 1982. I got married in 1983 to Mark Hill and we have two daughters – Kasandra (23) and Kathryn (20). We raised our family in Hunterdon County for 25 years and we recently moved to Monmouth County.

How did you get involved in this industry?

My father had a long history in the gasoline and repair industries. He worked for Exxon as a mechanic and drove a truck delivering gas. He also did repairs at our home to make extra money. As a little girl I would go on deliveries with him and help out in anyway I could. Sometimes I was even his mechanic's helper. Eventually my parents, Anthony and Lorraine De Angelo, started a business in Somerville as a lessee Exxon dealer. In 1983, my brother, Mike, and I purchased a closed station in Raritan. We opened as a Chevron and eventually changed to Mobil four years later and doubled our volume. I worked there 18 years with my brother and we now sell fuel under the Shell brand. We not only pumped gas, we also did repairs, private inspections and emission repairs.

What brought you to NJGCA?

My father was a member for years, and later, my brother and I also joined the old NJGRA. I started to attend dinner meetings, got involved, and sat on the board for five years. Eventually there was a change in leadership and I was asked to take a more active role. The association was moving in a new direction, and as a long time member, I really wanted to contribute something to the organization. It's been over three years now and I'm very proud of the work we're doing here.

Tell us about your role at NJGCA?

First you must know that I love my job – I'm lucky to enjoy what I do and enjoy the folks I work with. I speak with our members everyday; helping with any problems that may arise at their businesses. I work closely with the NJ Department of Environmental Protection and the NJ Motor Vehicle Commission. I represent our members at hearings in Trenton. I review proposed contracts for our Members and make suggestions on their gas contracts. I interview and meet with new Member Benefit Partners, as well as manage our Education Program, which has been very success-

ful. Luckily, we have developed a program to meet the needs of all our students through out New Jersey. I also represent NJGCA on a few different organizations: Association Master Trust, New Jersey Green Auto Repair Council, NJDEP Compliance Advisory Panel and with Sal on the NJ Repair for Excellent Council. Working with Sal gives me the opportunity to assist him with our office, staff, meetings, trade show, and building management.

Can you tell us about your involvement in organizing the Tradeshow the last two years?

2009 was the first time NJGCA participated at a tradeshow in the magnitude they we did at the Meadowlands with AASP/NJ. I was responsible for bringing in vendors that our members could benefit from. In 2009 I sold booths to 24 different vendors. This year – my second attempt – I was able to contract for 42 booths/vendors at the show. I organized meetings and responded to our vendors' needs in setting up at the tradeshow. I also coordinated all events for the Family Fun Day – which has been a success both years. Personally I think if business owners took advantage of going to the tradeshow, meeting with different vendors, attended seminars, and spoke with their peers; they would definitely benefit a great deal.

There have been a lot of changes over the last few years. How have members reacted to them?

Positively!! The new NJGCA is a workforce that is passionate about our members. There are so many changes for the better. NJGCA staff is here to serve and help you. We communicate better through emails and magazines like the one you are reading now. Sal and Jim, our new legislative assistant have been working in Trenton and through out the state to advocate for your members. We consistently strive to do better for the whole organization.

What do you say to perspective members about joining NJGCA?

If you own a small business in NJ that is related to serving the Motoring Public – such as auto-repair, gasoline retail, convenience store, auto body or any combination of these services – You need to be a member. NJGCA is a source of Information, advocacy and partnerships, were responsible businesses can generate a positive change for themselves and their customers.

What do you do in your spare time?

I enjoy time with my family and friends. I love to read – and am always trying to better myself. I enjoy going to shows in NY City, hanging out with friends, boating, and fishing. I also enjoy quiet time; walking along the water with our three shih tzu dogs, and best of all a little travel time with my family that I look forward to each year. ■

JOIN US IN WELCOMING THE NEWEST NJGCA MEMBERS!!

Allenhurst Car Care, Allenhurst
Anthony's Auto Repair, West Long Branch
Bobby's Precision Auto Repair, Middletown
Bound Brook BP, Bound Brook
Bradley Car Care, Bradley Beach
Centric Ins. Agency, New Providence
Compact Kars Inc, Clarksburg
Discount Brake & Muffler, Keyport
Ditmire Motoworks, Absecon
E & A's Friendly Service, Hackensack
East Coast Auto Body, Neptune
Franky's Automotive Center, Freehold
Haledon Exxon, Haledon
Hayden's Auto & Truck Repair, Sparta
Holland Tunnel Service Center, Jersey City
Ideal Petroleum Products, Park Ridge
John's Auto & Truck Repair, Long Branch
Kan's Mobil Service Center, Cherry Hill
Krauszer's Food & Liquor, South Amboy
Krehel Automotive Repair, Clifton
Lower Township Rescue Squad, Villas
Lube It All, Eatontown
Marczaks Inc., Metuchen

Middletown Exxon, Holmdel
Netcong Valero, Netcong
Ontash and Ermac, River Edge
Phil & Son's Service Center, Hazlet
Pit Refuel Exxon, South Plainfield
Power Gas, Newark
Ray's Service Center, Neptune
Route 9 Exxon, Old Bridge
Royal Tire & Auto, Magnolia
Sal's Service Center, Holmdel
Sam's Garage & Towing, Montclair
Shade Tree Garage, Morristown
Skip's Garage, Morganville
South Side Garage, Clifton
TKA Management LLC, Fort Lee
TLC Auto Service, West Long Branch
Tool Time Auto Service, Toms River
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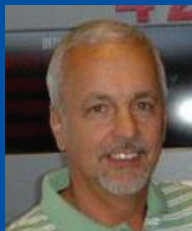
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IT HAPPENED IN JUNE!

June 1, 1792: Kentucky becomes the 15th state of the union.
June 1, 1911: The first US group insurance policy written, Passaic, NJ
June 2, 1977: NJ allows casino gambling in Atlantic City
June 4, 1942: Battle of Midway begins; Japan's first major defeat in WW II
June 6, 1925: The Chrysler Corporation is founded by Walter Percy Chrysler.
June 6, 1932: US Federal gas tax enacted
June 11, 1905: Penns Railroad debuts fastest train in world (NY-Chicago in 18 hrs)
June 12, 1931: Al Capone is indicted for violating Prohibition laws.
June 14, 1847: Bunson invents a gas burner. Lab teachers celebrate worldwide
June 16, 1903: Ford Motors incorporates
June 19, 1928: Amelia Erhart flies across the Atlantic Ocean, the first woman to do so
June 24, 1898: American troops, drive Spanish forces from La Guasimas, Cuba
June 24, 1949: "Hopalong Cassidy" becomes first network western (NBC)
June 25, 1910: The U.S. Congress authorized the use of postal savings stamps.
June 27, 1847: NY & Boston linked by telegraph wires
June 27, 1955: First automobile seat belt legislation enacted (Illinois)
June 28, 1778: Battle of Monmouth, NJ
June 28, 1951: "Amos 'n' Andy" premiers on CBS TV
June 30, 1894: Korea declares independence from China, asks for Japanese aid
June 31, 1865: The four Lincoln assassination conspirators are hanged



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LETTERS TO THE OTR EDITOR

Dear NJGCA:

We appreciate all of the help and assistance we have received from NJGCA during the many years we have been members. A special thanks to Phil Apruzzi, Jack Leli and Debbie Hill who have helped us along the way. Our membership in NJGCA has been one of the best business investments we have ever made.

Mike and Vicki Baxter
Brennan's Service Center
Egg Harbor Township

Please Send your letters on any topic that would interest NJGCA members. Letters may be emailed to info@njgca.org or mailed to NJGCA Headquarters at:
66 Morris Avenue - Springfield, New Jersey 07081

Dear Debbie & Team NJGCA:

Just a note to tell you how pleased I was with this course! Bob Dressler is an excellent teacher and impressed me with his command of the subject. I chose the ETEP path to mix it up a little and am glad that you recommended this course and instructor. I would take another course with Bob Dressler anytime.

Regards,
Tom Elder
Mercedes-Benz Collision Center of Freehold

QUOTE FOR THOUGHT

*I am certainly not one of those who need to be prodded.
In fact, if anything, I am the prod.
-Winston Churchill*

IMPORTANT INFORMATION !!

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