

JULY 2018



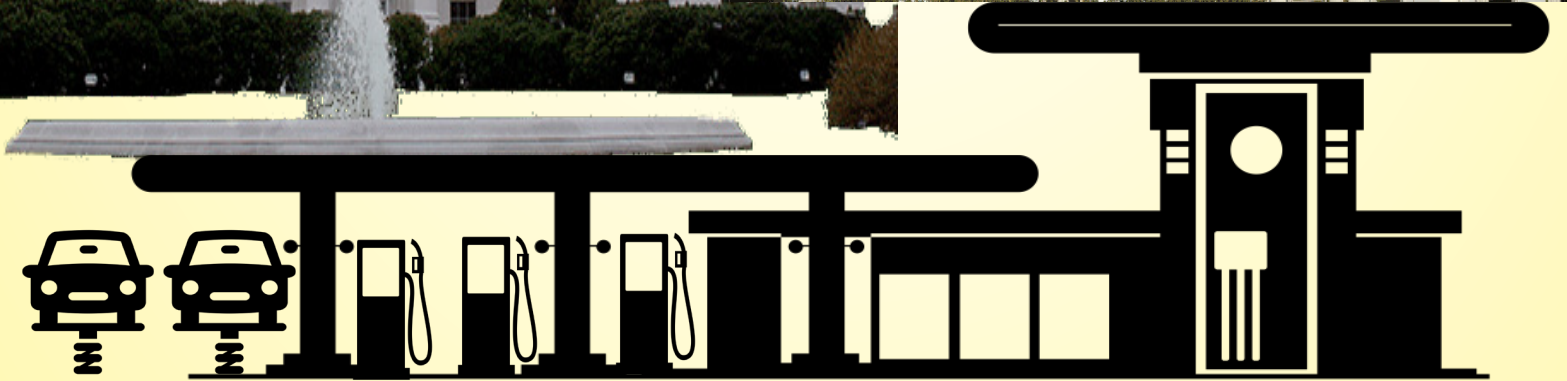
VOLUME 10 - ISSUE 2

ON THE ROAD

THE OFFICIAL COMMUNICATION OF THE NEW JERSEY GASOLINE C-STORE AUTOMOTIVE ASSOCIATION
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NJGCA *ON THE ROAD* TABLE OF CONTENTS

- P. 4 - Message from the Executive Director
- P. 6 - U.S. Department of Labor Question & Answer
- P. 8 - Legislative Roundup
- P. 14 - The Battle Over Right to Repair: More Important Than Ever Before
- P. 18 - Summer/Fall 2018 Training Class Schedule
- P. 19 - NJGCA Young Professionals
- P. 20 - NJGCA Snapshots
- P. 22 - NJDEP Updates to Release Response Plan and UST Registration Requirements
- P. 25 - Energy Examiner
- P. 29 - The California Effect: How Decisions in Washington Brought Together Unlikely Allies in the Fight Against Climate Change
- P. 31 - Government is Disrupting Your Small Business
- P. 36 - Employer Beware: Necessity of Wage and Hour Law Compliance
- P. 38 - If You Own a Gas Station: Please Note These Friendly Reminders!
- P. 39 - Census Breakdown
- P. 40 - Pumped Up: Island's Last Remaining Gas Station Reopens for the Long Haul
- P. 42- \$ave with NJGCA MBPs



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Message From Executive Director Sal Risalvato

Government Disruptions to Your Business

Recently, we wrote about Disruption. I said that you would be hearing this word more frequently as changes in our industry are happening more rapidly. When industry watchers talk about Disruption, they generally refer to the changes in technology, customer habits, and purchase trends. Yes, here at NJGCA we too monitor these changes and trends, but we also monitor and often effectuate the Disruption caused by government.

Without our employees, our businesses would not run very well. Government is becoming the largest Disruptor with regards to how businesses deal with their employees. For your small business, every little change in employment laws create a new burden for you, from paperwork to how you schedule your staff hours. YES, government wants to tell you how you have to schedule your employees. They have been telling employers for years how much to pay their employees, and recently began telling employers how much paid time off they have to give their employees, even when they must permit employees to take paid time off.

The Disruption is made worse when government imposes harsh penalties for not properly complying with all of the new onerous rules.

For the past four years, NJGCA has been battling new labor laws and changes to existing laws trying to mitigate the effect their Disruption will have on you. Alone we cannot withstand the onslaught of government imposing these burdens, but thankfully NJGCA has been able to join forces with other small business organizations, and together we have "muddied the waters" enough to at least slow down the Disruption. I know from your end it may not seem like it has been slowed, but without the efforts of our army of organizations, minimum wage would have already been increased to \$15.

Currently, employers are faced with new requirements to allow employees to take time off to attend a child's little league game, or care for a friend who they deem as someone who is equal in their life to family. Expansions of Family Medical Leave and Paid Sick Leave laws have all been on the early agenda for Trenton, and \$15 minimum wage is constantly staring us in the face. Add to this multiple legislative efforts to punish employers for non-compliance with labor laws and you have big time government Disruption. NJGCA has successfully blocked a new wage theft law that would allow your employees to file criminal charges against you in municipal court for improperly paying their wages, even if you made a mistake and it wasn't done purposely.

When I testify against these unwarranted and burdensome laws, I am always pitted against employees who have been mistreated or cheated by their employer. I constantly defend you and try to make legislators understand that 99.999% of small business owners do not cheat their employees, but actually care about them as family. I am drowned out by the few who testify their misfortune. Making it hard to be heard are real examples of idiot employers who not only skirt the law, but really do take advantage of their employees. Recently, I wrote in one of my weekly emails informing you of a former member who was recently found to be cheating his employees and was fined \$1.4 million. As this newsletter was going to print I received a notice from the USDOL that a current member was smacked for \$135,000 for improperly paying employees as little as \$7 per hour. Do you think that these guys make it more difficult to defend you?

These recent cases are especially heartbreaking since I have repeatedly warned NJGCA members in emails, and have conducted many seminars with DOL in order to inform you how to avoid harsh penalties and how to properly pay your employees. These efforts began in 2011 right after USDOL announced they were implementing a task force in New Jersey to stop what has become a part of the culture in the gas station industry. Most issues of the OTR newsletter that you are reading at this moment have had a column titled "Ask DOL...Your Questions, Their Answers."

I am especially sensitive to and worry that members are not listening and only hear what they want to hear. It worries me because like I said, it breaks my heart when a member gets penalized for paying employees improperly, even when there is no intent to cheat them. Here is the proof I need to be worried, as I regularly hear this statement from members: "Don't worry about me Sal, I pay my employees a salary and don't have to worry about calculating overtime."

I scream back at them, NO! That is wrong! You are exactly what the USDOL is looking for!

Too many members, including many who have attended our various seminars with USDOL, still don't understand that their blue collar employees are subject to overtime wages when they work more than 40 hours in a week. Yes, that includes gas attendants, c-store clerks, auto technicians, and even service managers. In some instances, an operations manager may be exempt from overtime, but that should be examined in order to be certain that the exemption applies.

If members are struggling to understand the old laws that have been in place for 80 years, then how can I feel confident that they will follow this onslaught of Disrupting new laws that are confusing and difficult to comply with?

The staff here has been working on putting some valuable resources and seminars in place on each of the topics that I want to ensure that you understand. It is important that we do our best to get information to you.

Government Disruption is expected to continue for the foreseeable future. There are movements all around the country to enact new labor laws including \$15 minimum wage. The 'Me Too' movement and issues arising from discrimination and pay equity are front page and are grabbing the attention of legislators in every state. I am certain NJGCA will be on the front lines here in NJ fighting these battles, but I am less certain what the outcomes will be. When movements turn in to tidal waves, expect Disruption. > C-STORE > A



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US Department of Labor Question & Answer



Member questions are submitted to Debbie Hill who is the NJGCA Director of Member Services, and then forwarded to John Warner of the USDOL. Members' identities are never revealed. John's answers are published below:

Member Question: I have an employee that works a double shift seven days a week. Two eight hour shifts every day. I pay him regular pay for the first 40 hours and time and half for all the hours over 40 hours every week. The employee wants to work these hours, he asked to work the double shift. My question – Is it okay to have someone work this amount of hours? Am I breaking any labor rules? Do I have to provide him breaks?

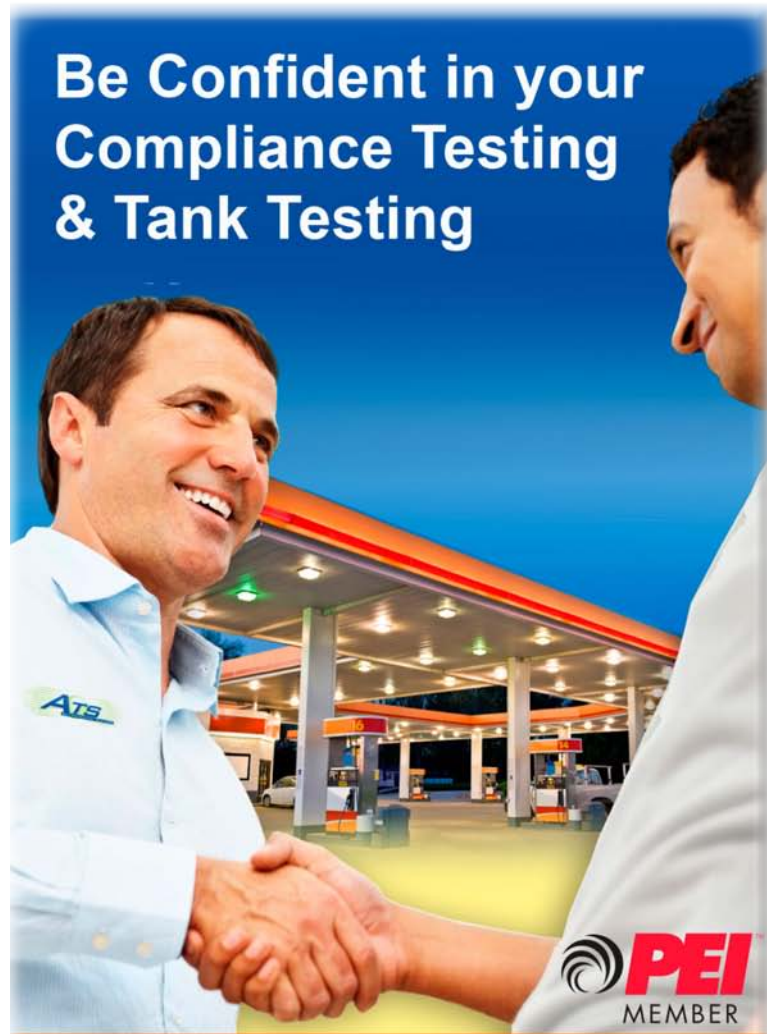
Warner: While there are hours limitations for some types of workers (like long-haul truck drivers) for most employees there are no limitations on daily or weekly hours **provided the individual is paid properly for all the hours he or she works.** That seems to be the case here. There are no federal labor laws which require breaks. “Coffee breaks” of 20 minutes or less are considered hours worked and must be paid. Meal breaks, typically half an hour or more, do not count as hours worked **if the employee is completely relieved** of duty. A gas station attendant who is eating a meal but must remain at the station and is required to wait on any customers who arrive, is “engaged to wait” and not relieved of duty. If the worker in question frequently is alone providing coverage, the member is not required to “give him a break” but also must pay that worker even if at a certain point; he has no customers for 20 minutes or more and can eat a meal uninterrupted. The fact the employee cannot leave the station and must wait on any customers who come in would mean he was working under the FLSA regulations.

Member Question: How does the new mandatory Sick Leave apply for this employee working more than 40 hours per week?

***Editor's Response: Mandatory Sick Leave is maxed out at 40 hours per employee per year. Please see Eric Blomgren's article in this edition for all information regarding Mandatory Paid Sick Leave.*

Member Question: I am a one man shop, and I no longer have any employees. Do I still have to worry about DOL coming in my door? What should I be worried about?

Warner: If a business has no employees, there would be no basis to conduct an investigation.



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Legislative Roundup

Important Issues Affecting Your Business

By: Eric Blomgren

INSPECTION UPDATE

In June, the Department of the Treasury announced that they were cancelling the proposed contract for the new emissions inspection system. As a quick recap: the current contract was awarded to Parsons in May 2008 and was only supposed to last until May 2016. The State waited as long as possible to decide on what the new inspection program should be, and only unveiled the Request For Proposal (RFP) in December 2015, with bids due February 2016. What ensued next was several years of delays as the various bidders fought with each other over who should be awarded the contract. Finally, last month, the State officially announced that after throwing out the top two bidders, it was going to completely rebid the contract under the new Administration.

For years, NJGCA has advocated that New Jersey follow the successful model of every other state in the nation: close the central lanes completely and have all inspections performed at private inspection facilities (PIFs). Currently, only about 15% of inspections are performed at private shops. Despite years of promises, the plan unveiled by the Christie Administration back in 2015 did not decentralize the lanes (although it did call for commercial vehicles and re-inspections to be performed only at PIFs). The cancelling and upcoming re-design of the new contract does give us an unexpected second chance at pushing to finally close the central lanes and boost small businesses across this state. While the new Murphy Administration does seem less likely to be sympathetic to policies that would reduce government services to benefit the private sector, it is also mired in ongoing budget crises. Fully decentralizing the inspection program would save the State approximately \$40 million per year, which the new Administration would no doubt greatly value to spend on its other priorities.

BAG FEE PASSES LEGISLATURE

In a somewhat surprising move, the Legislature quickly passed a bill to create a new tax on disposable plastic and paper bags. While talk of a bag fee has been going on in Trenton for many years, the issue reached a fever pitch this year. More and more local governments are instituting total bans on plastic bags, while others are requiring fees set at a variety of rates. Rather than having each of our 565 towns set a different policy, and rather than limiting the choices of business owners, NJGCA did not oppose this compromise proposal. Under the bill, non-reusable carryout bags (both paper and plastic) must have a 5¢ fee collected on each one of them. The retailer is able to keep 1¢ from the fee, and the other 4¢ must be paid to the State. If the governor signs the bill, then exact

process for this will be determined by the Division of Taxation, though we expect it will work like the sales tax. If a customer is using food stamps in your convenience store (EBT) then they are exempt from the fee. Also, a business is exempt from collecting this fee if it is not part of a chain (10 locations nationwide doing business under the same name or under the same ownership) and under 2,000 square feet. Of course, a store can also choose to simply no longer offer these bags rather deal with the fee collection. The bill also prevents any other local governments from setting their own rules. The parts of Maryland that have enacted a similar fee have seen bag usage drop about 70%. If the Governor signs it, it will go into effect October 1st. However, as of this writing it is not clear that Gov. Murphy will be signing the bill. Most environmental groups actually opposed this bill because they insist on a full ban immediately. It is possible Gov. Murphy will agree with them, or at least try to phase-in a total ban.

TOBACCO/VAPING

In February, the Governor's new Treasurer announced that their budget would include around \$55 million from dramatic increases on tobacco and vaping products. Cigars would be taxed at \$2.70 each, products like chewing tobacco would have their tax more than doubled, and vaping would see a new 75% tax on devices and fluid. By working with a variety of allies who would be hurt by these huge tax increases, we were able to educate our legislators about the harm these taxes would cause. As a result, they introduced reasonable compromise legislation, modeled on successful tax schemes used in a few other states. Starting on September 28th, the nicotine-containing fluid used in vapor products will be taxed at a rate of 10¢ per milliliter (amended down from 20¢ in an earlier proposal). It will amount to roughly a 20% increase in costs (and no cost increase for the devices themselves, as was originally proposed). The tax will be collected and paid by distributors. The only worry for retailers is that there will be a "floor stocks tax", similar to what happened when the gas tax increase went into effect. When the tax goes into effect, retailers will have to report how many milliliters of nicotine-containing fluid they have in stock, then pay the owed tax several weeks later. As of this writing we are still waiting to hear from the Division of Taxation for the exact effective dates, so stay tuned to your email for further updates.

PAID FAMILY LEAVE EXPANSION

In addition to the new mandate for paid sick leave, the Legislature is also pushing a dramatic expansion of the state's paid family leave law. Under current law, all employees are allowed to take up to six weeks of leave to care for a child,

parent, or spouse who is ill, or for the birth of a child. Every employee pays a small payroll tax to fund the leave, and the employee is paid 67% of their regular wages. Employers with fewer than 50 employees are not required to keep the position open if an employee uses the leave. Last year, Gov. Christie vetoed a bill which would have expanded this program dramatically. Employees would have been allowed to take 12 weeks of paid leave per year and be paid 90% of their regular wages (up to about \$1,200 per week) and would be able to take leave for more members of their family. Labor advocates pushed to completely eliminate the employer exemption, but legislators decided instead to lower it to 20. The goal of these changes was to increase the usage of the program, which would likely have led to a drawdown of the fund, which would have created a need to increase payroll taxes, including a tax on employers.

When the bill was re-introduced this year, legislators did make some concessions. They lowered the employer exemption to 30 instead of 20, and specifically stated that any increases in payroll taxes will be on employees and not employers. Unfortunately, they also moved in the wrong direction in one specific way—by defining a “family member” as “any individual whose close association with the employee is the equivalent of a family relationship.” In effect, this is basically anyone, since how can an employer prove what the nature of an employee’s relationship is? While these bills both looked like they were on the fast track to being signed into law, they were pulled from both the Assembly and Senate voting lists in June so that they could be further amended.

RAIN TAX

This will affect any business with a parking lot. The state Senate has moved legislation that would allow each of the state’s 565 local governments to create their own local authorities to manage stormwater. These authorities would be funded by fees on homes and businesses, based on how much pavement-covered land they have. In other states, these new fees have been called taxes on the rain. There is no guidance in the bill as to how high these fees could be; conceivably a gas station could be charged \$100 per year or \$5,000, or nothing at all. Local governments would also have an incentive to force the burden onto businesses within their town instead of on actual homeowners. There is also an issue with competition, since two locations just a mile apart from each other could be paying dramatically different fees. The bill passed the state Senate 25-15. It awaits action in the Assembly.

MINIMUM WAGE

Though Governor Murphy, Senate President Sweeney, and Speaker Coughlin all stated in their January inauguration speeches that they want to increase the minimum wage to \$15 an hour, there was too much division over how to do it for our legislators to come to an agreement (so far). While all agree the increase must be phased in, the Governor wants a much shorter implementation (around 2-3 years) than what

the Senate President wants. There have been a variety of exemptions discussed, though they have mostly focused on farm workers, temporary workers, and those under 18. A lower “training wage” is also a possibility, as is a slightly lower rate for small businesses. Still, even if a small business could pay an employee \$12.50 an hour, it would be difficult when that same employee can get a job at a Walmart for at least \$15. It is widely expected that this issue will be decided in the fall.

FUEL TAXES

Expect the gas tax to be slightly increased this October 1st. As part of the increase passed in late 2016, the Legislature wrote in a provision to alter the per-gallon tax rate annually in order to bring in the same amount of revenue for the State, even as total gasoline consumption declines over the course of the eight-year transportation funding program. The end of June also marks the first full fiscal year that the new gas tax has been in effect. Though the numbers are not yet final, it appears that the increase has led to a total decline of about 7.5% of gallons sold in New Jersey since before the increase went into effect. To compensate for that loss, we are expecting the tax to be increased between 2.5¢ and 3¢ per gallon, though the exact rate is at the discretion of the Treasurer.

The end of the first full fiscal year with the increased fuel tax as well as the recent spike in prices gives us a chance to consider what life would be like if one of the competing ideas on the gas tax had been passed instead. Several legislators had suggesting shifting the tax to one based on a percentage of the current retail price for gas. NJGCA opposed this proposal, and had it been passed, the current tax would be anywhere from 9¢-14¢ a gallon higher than it currently is.

JERSEY CITY PAYROLL TAX

In June, the Legislature passed a bill that would allow Jersey City to institute a payroll tax of up to 1% on businesses located there. Currently, only Newark has such a tax. It is up to the government of Jersey City to decide how to implement this new tax and whether any local businesses may be exempt from it. The money from the new tax must be dedicated to the local schools and was created to make up for a large cut in State school aid to the city. This is a disadvantage for NJGCA members in Jersey City as they may have to pay a tax that competitors outside of Jersey City won’t. It passed the Assembly 46-28 and the Senate 22-17.

NON-SOLICITATION AGREEMENTS

In May, the Assembly Labor Committee passed a new bill that would have eliminated all “restrictive covenants.” The bill defined this term extremely broadly, in such a way that it would be illegal for employers to ask their employees to sign an agreement that would prevent the employee from leaving for a competitor and immediately soliciting every customer they have ever interacted with. Though the bill passed Committee, NJGCA will soon be meeting with the sponsor of the legislation, and we believe this bill can be

amended enough that NJGCA members, particularly auto repairers, will not need to worry about it.

HEALTHCARE POLICY

After many years of debate, the Legislature passed and the Governor signed a major bill to reform out-of-network policies in the state. The law increases transparency to ensure that patients will not be surprised with huge bills because at some point they were treated by an out-of-network doctor without realizing the cost they would be asked to pay. These reforms will lower the cost of healthcare across the board for consumers and businesses. Gov. Murphy also signed a bill to make New Jersey the second state in the nation to mandate that every citizen have health insurance or pay a “tax.” The federal individual mandate that became law as part of Obamacare was repealed by the federal tax reform law last year. The new NJ mandate does not require businesses provide healthcare, although it may lay the groundwork for such a requirement to be fought over in the years to come. A third bill would have created a new tax on all group and employer health plans, and then used the money to subsidize plans purchased by individuals. Thankfully, this new tax was removed from the bill.

WORKFORCE DEVELOPMENT

For those who own auto repair shops, one of the biggest challenges is finding qualified technicians to work on increasingly complicated vehicles. As such, NJGCA is getting more actively involved in the issue of workforce development to lessen this problem. In the last three months we supported three bills that would help. S-1887 was passed by the Senate Higher Education Committee in May. It directs the Commissioner of Labor to create a new program to assist the unemployed in completing a technical education program within a 12-month period. S-1922 passed the Senate Labor Committee in May as well. It would give employers a tax deduction of up to \$5,250 per year when they provide financial assistance to their employees so that they can enroll in classes for more training. Both bills were sponsored by Sen. Troy Singleton (D-Burlington). Finally, the Legislature overwhelmingly passed the “Securing our Children’s Future Bond Act.” If approved by the voters this November, it will provide \$450 million to the various county vocational-technical schools and \$50 million to county college career and technical programs, funding significant upgrades to their programs.

NORTHEAST GASOLINE SUPPLY RESERVE

In June, the Assembly passed a resolution supported by NJGCA opposing a proposal from the Trump Administration to completely eliminate the Northeast Gasoline Supply Reserve (NGSR). The NGSR was created in 2014 as a reaction to the gas supply crisis that affected the state after Superstorm Sandy. It consists of 1 million barrels of gasoline, 700,000 of

which are stored in NJ. We also reminded the Assembly that the cause of the gas crisis after Sandy was not a lack of electricity, but a lack of fuel supply. The mistaken impression that lack of electricity was the cause of the gas crisis is what led many legislators to support a mandate that all stations install permanent backup generators, which can cost \$50,000 to \$100,000.

CASH PAYMENTS

In June, the Assembly quickly passed a bill that would require businesses to accept cash as a form of payment. This comes as a result of a program from Visa in which they paid a few businesses to accept credit cards only. Legislators were concerned that if this became a trend, it would hurt low-income consumers who are less likely to have credit or debit cards. On the one hand, this bill will hold back the big credit card companies from using their weight to further bully business owners into paying for their services. On the other hand, it does somewhat restrict a business owners’ ability to make a choice about their business. It awaits action in the Senate.

WAGE THEFT

NJGCA continues to oppose an expansive proposal tied to cracking down on “wage theft.” The bill would significantly increase fines and penalties for employers who do not pay their employees properly, but makes no designation between employers who made honest mistakes and those who deliberately cheat their employees. The bill would also task “community groups” with going around to businesses and looking for even the smallest errors in paperwork, since they would be rewarded with a cut of any fines collected. Thankfully, this bill has not seen any movement since it was vetoed by Gov. Christie in December. Instead, we have supported a much more reasonable bill which increases the existing fines a more reasonable amount. That bill passed the Senate in June unanimously. It awaits action in the Assembly.

UNEMPLOYMENT INSURANCE

In June, the Legislature passed a bill to amend the state’s unemployment law by repealing the “severe misconduct” category, thereby making it easier for fired employees to collect unemployment. Workers who are not capable of doing the job they are hired for should not be given the same benefits as those who lose their job through no fault of their own, and extra revenue in the UI Fund should be returned to the employers who contributed to it. This change was an important part of the reforms several years ago which rescued the Unemployment Insurance Fund from bankruptcy. The bill passed the Assembly 50-25 and the Senate 24-15.

PLASTIC STRAWS

Plastic straws have suddenly come under fire from environmentalists. The small town of Monmouth Beach enacted the state's first, and one of the nation's first, bans on plastic straws. While these items do have a tendency to wind up in the ocean due to careless customers not properly disposing of them, a complete ban would be problematic for c-stores. Unlike in restaurants, customers buying a fountain soda or iced coffee typically need a straw and lid to avoid spilling in the car they are about to get into. Paper straws do exist, but they are about eight times the cost and go soggy not long after being inserted into the drink. There will be a hearing later this summer to discuss banning plastic straws as well as polystyrene (Styrofoam) containers.

TAX AMNESTY

The Legislature also voted in favor of a plan to create a tax amnesty program, the first in several years. Any state taxes due since January 2012 can be paid back to the State with half the interest owed and no fines or penalties by the end of the year.

URBAN ENTERPRISE ZONES

On May 31st, the Governor signed into law a bill to extend the state's Urban Enterprise Zone program. In January, the designation expired for the cities of Bridgeton, Camden, Newark, Plainfield, and Trenton. It is now in effect once again under the same rules as before. All 27 zones are authorized until the end of 2023. The reduced sales tax is 3.3125%.

FY 2019 BUDGET

New Jersey very nearly had its second government shutdown in two years, despite the fact that the Governor and both houses of the Legislature are solidly Democratic. The main dispute was an increase over which taxes should be raised to pay for a variety of new and increased spending. Governor Murphy wanted to increase the tax on income over \$1 million and raise the sales tax back to 7%. The Legislature's position was that taxes should not be increased on individuals, but they would back an increase in the corporate tax for corporate profit over \$1 million. Ultimately, they met somewhere in the middle and raised both the income and corporate tax. The final budget is \$37.4 billion, an increase of about 8% from last year. The sales tax will remain unchanged at 6.625%. The income tax will be raised on incomes over \$5 million, from 8.97% to 10.75%. This will be the nation's third highest rate, after California (13.3%) and Hawaii (11%). The corporate business tax is increased from 9% to 11.5% for c-corp profit over \$1 million, the second highest in the nation. After two years, the rate will be lowered to 10.5%, and then after another two years drop back to 9% (in theory). These two taxes are expected to generate about \$700 million in new tax revenue. A further \$400 million will come in from technical changes to corporate tax law like "combined-reporting", which affects corporations with outlets in multiple states. In

addition to these large tax increase, new taxes were added for ride-hailing apps (an Uber or Lyft trip will now have a 50¢ surcharge), app-based rentals (Airbnb fees of about 12%), and sales tax on all online purchases (currently only collected by businesses with a physical presence in the state).

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NJGCA takes pride in providing up-to-the-minute information and making sure our members are ahead of the curve (and their competitors). All members receive a weekly email and quarterly magazine, in addition to urgent *Wildfire Alerts* when we have an update that can't wait!

NJGCA also provides the training and seminars that you need to make sure you stay on the cutting edge. We offer technical certifications for INL and ERT licenses, as well as seminars on how to stay in compliance with State labor regulations, DEP rules, and Weights and Measures requirements.

And whenever you have a question, NJGCA's dedicated, expert staff is only a phone call away to make sure that you're running the smartest, most efficient business you can!

For over 80 years, NJGCA has advocated for the interests of the motor fuel, auto repair, and convenience store industries in Trenton and Washington, DC.

We work tirelessly to promote and encourage legislators to enact small-business friendly policies. We also take the time to educate law-makers about how harmful proposals will impact you and your business, and ultimately hurt consumers and the economy at large.

NJGCA has worked hard to earn the respect of lawmakers, and our credibility is second-to-none. The more members we have, the louder our voice, the stronger our Association, and the more power we have to accomplish our goals! Join us today!

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The Battle Over Right to Repair: More Important Than Ever Before

This article, authored by Aaron Lowe, was originally published by Aftermarket Business World on January 30, 2018 and can be found at <https://www.searchautoparts.com/aftermarket-business>



As we begin 2018, one of the issues that seems to never go totally away is right to repair. There is good reason for this since many of the issues now at the forefront of our industry, such as access to data transmitted by embedded telematics systems, have as their root the right of car owners to obtain repairs for their vehicle from the location of their choice and not be limited to authorized dealer facilities.

Further, the right to repair battle points to an important dynamic that is occurring not only in our industry, but in many others where manufacturers are attempting to assert increased control over how their products are used and repaired. Therefore, it is important to go back and review where the right to repair came from and its current status since its repercussions are not only being felt in the automotive aftermarket in this country, but in other countries and even other industries.

Many in our industry are no doubt familiar with the right to repair battle that our industry launched as far back as 2001, but only concluded when a law was finally enacted in Massachusetts in 2012. The car companies embarked on a major campaign to prevent passage, only to finally concede defeat when Massachusetts voters overwhelmingly approved a right to repair ballot measure by an 86-14 percent margin as part of the 2012 elections.

Following the victory in 2012, the car companies agreed in a memorandum of understanding (MOU) signed with Auto Care and the Coalition for Auto Repair Equality (CARE) to comply with the Massachusetts right to repair law nationwide in order to avoid a state by state battle over right to repair.

The result of this effort is that there is now a nationwide requirement that vehicle manufacturers make available to independent repairers at a fair and reasonable price, the same repair information, tools and software that they provide their dealers. This year, the right to repair law and MOU will require car companies to make all of their software, repair capabilities and information available over the cloud on a subscription basis.

Under this system, a shop should be able to download all of the repair capabilities on to a generic laptop and then connect to a vehicle using a standardized interface that either meets either SAE J2535 or ISO 22900 industry standards. If everything works as planned, a shop would be able to obtain on either a long or short-term basis, all of the same diagnostic and repair capabilities that a new car dealer receives for nearly any car that comes into their shop, without the investment of tens of thousands of dollars to purchase car company proprietary tools.

Of course, with the benefits of right to repair come some responsibilities. While having a lot of great tools at their disposal is great, shops need to ensure that their technicians are properly trained to work on late model computer controlled vehicles and know where they can obtain the tools, software and information they need to repair them. Further, if information, tools or software are not available, shops/technicians need to take the responsibility to let us know so that action can be taken to ensure compliance.

Which leads me to a quick word about the National Automotive Service Task Force (NASTF). NASTF was designated to help ensure that technicians can get what they need to repair cars and to close gaps that occur either on purpose or by accident.

There is a process called the Service Information Request (SIR), where NASTF will attempt to remedy a gap found by a shop. However, NASTF can only do this if someone lets them know there is a problem. The NASTF website also has links to all of the car company service information web sites for quick reference. For most issues, NASTF is a good first point of contact if you need something. Auto Care and other groups can take on more difficult issues. To find out more about NASTF, go to <https://www.nastf.org/i4a/pages/index.cfm?pageid=1>

Notwithstanding the day-to-day problems that sometimes occur with right to repair in the real world, it is easy to take for granted that the independent aftermarket has for the most part pretty good access to the information and tools needed to work on most makes sold in this country. However, the recent battles in the electronic device industry and the farm industry demonstrates that consumer choice does not always come easy.

You may have seen in the press that independent technicians that work on electronic devices claim that companies like Apple are locking them out from access to the tools and information to work on iPhones and tablets, leaving the OE designated repair facilities the only place consumers can go to obtain repairs.

In the farm industry, John Deere requires that all of their tractors are repaired by only authorized repairers, thus delaying needed repairs for farmers that depend on their tractors to keep their farms profitable. Groups representing independent technicians in the electronic device and farm industry have been pressing for their own version of right to repair, and had bills introduced in about eight states during 2017. While all of those efforts were unsuccessful, they are promising to return in 2018 with additional state efforts.

Further, groups representing the independent automotive aftermarket in Australia and South Africa are fighting their own battle for right to repair. In these countries, the same vehicle manufacturers that are making most information and tools available in the U.S., have severely limited what is available to independents. Our success in the U.S. is providing important assistance to these groups as they move forward with their right to repair efforts.

The right to repair battles in the U.S. and globally makes me wonder what would have happened in the U.S. had the industry not pressed the right to repair battle. It also points to the fact that just like the freedom we enjoy in this country, competition cannot be taken for granted – it must be something that the independent aftermarket must fight to maintain every day, whether through government action or just by educating consumers on the benefits they receive from having a choice on where they get their car repaired.

Right to Repair legislation has been introduced in 16 states



- Illinois
- Iowa
- Kansas
- Massachusetts
- Minnesota
- Missouri
- North Carolina
- Nebraska
- New Jersey
- New York
- Tennessee
- Wyoming
- New Hampshire
- Virginia
- Vermont
- Washington

iFitit Video. 2018. *Snad Up For Your Right to Repair!* 10 July 2018.
 <<https://i.ytimg.com/vi/IGvoxEcL6UU/maxresdefault.jpg>>



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NEW RULES FOR PURCHASING REFRIGERANT EFFECTIVE JANUARY 1, 2018!

Effective January 1, 2018 the EPA will require service technicians to have Section 609 credentials to service motor vehicle air conditioning systems.

The sales restriction is established by EPA regulations (40 CFR Part 82, Subpart F) under Section 608 of the Clean Air Act. Only EPA-certified technicians are allowed to purchase ozone-depleting substances (ODS) used as refrigerants. The sales restriction covers refrigerants contained in cylinders, cans or drums, except for the sale of small cans of substitute refrigerants for use in motor vehicle air conditioners. The sales restriction does not cover refrigeration and air-conditioning equipment or components containing refrigerants.

How does this effect you?

Starting January 1, 2018, technicians must pass a certification exam offered by an approved technician certification program in order to maintain, service, repair or dispose of appliances containing ODS or substitute refrigerants. The certification exam will be updated to reflect the new rules and new refrigerants. The technicians are required to keep a copy of this certificate at their place of business. This copy of your certificate must be maintained for three years after no longer operating as a technician.

Autopart International will not sell refrigerant to any service provider without proof of this certificate effective January 1, 2018.

The following people can buy any type of ozone-depleting refrigerant under this sales restriction effective January 1, 2018:

- Technicians who have earned the Section 608 Technician Certificate.
- Employers of Section 608 certified technician (or the employer's authorized representative) if the employer provides the refrigerant wholesaler written evidence that he or she employs at least one properly certified technician.

The following people can buy refrigerant found acceptable for use in a motor vehicle air conditioner (MVAC):

- Technicians who have earned the Section 608 Technician Certificate.

Service professionals can satisfy the sales requirement by showing their certificate or wallet card prior to purchase. Section 608 credentials can be earned with the EPA-approved ASE Refrigerant Recovery and Recycling Program. ASE recommends that technicians take the program online so they can get their results instantly.

The program costs \$19 and more details can be found at ase.com/609.

SUMMER/Fall 2018 TRAINING CLASS SCHEDULE

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4900 Route 33 West, Wall Township, NJ 07753
Visit our website or email debbie@njgca.com

1. ENTIRE Emission Technician Education Program & ETEP Re-Certification Courses

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CLASSES: Thursdays from 1:00 PM to 9:00 PM

Entire ETEP Program: Fall schedule coming soon

ETEP Re-Certification: Fall schedule coming soon

** Manuals Included in Cost of Class **

FEES:

Entire ETEP Class:

NJGCA Member = \$1,995

Non-Member = \$2,295

** \$500 deposit due upon registration **

ETEP Re-Certification:

NJGCA Member = \$675

Non-Member = \$795

2. One Day Class for NJ Emissions Inspectors Training

To be licensed as a Motor Vehicle Emissions Inspector, you must complete this course and pass a "Written Exam" given by the State of New Jersey. NJGCA offers this training in a ONE DAY State approved training program that will provide an understanding of inspection related issues including EPA Regulations, Safety, Diesel, Customer Service, and the New Jersey State Specific Curriculum.

This specially tailored NJGCA course fulfills all requirements.

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Class Options: August 9th, September 18th, or October 19th

Class Time: 7:00 AM to 3:00 PM (Donuts & Coffee and Pizza & Soda provided)

Class Fees: Members = \$275

Non-Members = \$325

Payment is due upon registration. We accept credit cards.

****PLUS** License Fee of \$50.00 ... check made payable to NJ MVC**

NJ Drivers License Required... If out-of-State, 6 Points of ID Required

*****Dont wait until the last minute! Completed registrations must be sent five days prior to the class date!*****

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If you or someone you know might be interested, call or email Michelle Horowitz or Eric Blomgren

732-256-9646

michelle@njgca.org

eric@njgca.org



NJGCA



Snapshots:



We were very honored to have U.S. Senate candidate Bob Hugin visit our office to discuss policies that will affect our members. NJGCA advocates for your interests in Trenton and Washington!

NJDEP Updates to Release Response Plan and UST Registration Requirements

By: Moses Alcala, LSRP (Environmental & Geotechnical Services)

The latest UST regulations NJAC 7:14B (amended January 16, 2018) specifies that the owner or operator of a regulated UST shall prepare, and update as necessary, a release response plan. This plan shall be available for onsite inspection. The plan is to include the following information:

- Emergency phone numbers of the local fire department, local health department, NJDEP Hotline
- Name and phone number of the person responsible for the operation of the facility during an emergency, including the names and phone numbers of Class A, B, or C operators.
- The procedures to follow in the event of a leak or discharge of hazardous substance
- Name and phone number of an LSRP

NJGCA provides an Emergency Release Response Plan for its members. Please contact Debbie at NJGCA for an updated copy for your location. (debbie@njgca.org) or 732-256-9646

Most of these items are not new, except for the requirement to list the names and phone numbers of the Class A, B, or C operators. The key words “update as necessary” should not be taken for granted. I have seen many release response plans that are so old that the contact information is wrong. For example, some plans still have information associated with the previous owner such as Exxon. Some plans are so faded that the text cannot be read, or the paper is crumbling, or the second page is missing. This will not help you in times of emergency, or when NJDEP or other regulator inspects your facility and asks to see your release response plan. NJDEP has proposed penalty fees for failure to prepare or update a release response plan (\$1,750) or failure to make the plan available for inspection by regulatory personnel (\$1,740). (Many other fees have been proposed, and may be inserted into other regulations such as the Administrative Requirements for the Remediation of Contaminated Sites- or “ARRCS”)

The name and phone number of an LSRP is not a new requirement. However, due to confusion in the past, NJDEP has recently clarified that the operator is not required to retain or have a contract with an LSRP upfront. The LSRP contact information serves to facilitate LSRP oversight and assist the operator or other personnel onsite when an incident occurs. It is advisable that the owner or operator should already be familiar with the LSRP and the cost of his/her services, and it behooves the LSRP to have an “emergency” proposal on hand for contractual purposes with the owner or operator.

A major change in the UST regulations involves new tank registration requirements. The UST facility questionnaire has been completely revamped. The new form dated March 29, 2018 now requires more information on the tank owner and operator -- including details of their NJ business license; contact information on the corporate officers; billing contact information; information on each of the Class A or B operators; a tank installer certification on new installations or substantially modified tank fields; separate owner and operator certifications; and the attachment of a valid and complete copy of tank insurance. USTs must now be registered annually (instead of every 3 years) with an annual renewal fee of \$50.00. For submission, the NJDEP allows emailing of the registration form and attachments including tank insurance; however, the original paperwork consisting of the signed UST facility questionnaire and attachments still need to be submitted to the NJDEP with your annual payment of \$50.00.

If you have any questions, or need any assistance, please contact Debbie@njgca.org. Office: 732-256-9646.



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THE ENERGY **EE** EXAMINER

FROM TRADITIONAL RESOURCES TO ALTERNATIVE ENERGY INNOVATIONS

By Michelle Horowitz



Since our debut in 2007, NJGCA *On The Road* has brought you timely updates on changes in the energy and automotive industries. Today, each new issue of *On The Road* will bring you more update and information in our *Energy Examiner*. The *Energy Examiner* will offer readers news from around the energy/transportation industry and how it will affect your small business. If you have any questions or comments on what you review in these quarterly pieces, please feel free to reach out to NJGCA.

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UPDATE: ETHANOL / BIOFUELS / BIODIESEL ALGAE COULD BE THE NEXT FUELING OPTION; TRUMP WILL NOT CAP RINS

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With gas prices steadily increasing and growing concerns around how gas emissions affect our environment, there has been a greater interest in alternative energies and cleaner fuel options for the future. One option that has gained momentum in recent years has been biofuels. ExxonMobil began their partnership with Synthetic Genomics in 2009 to conduct research on algae biofuels as an alternative, low-emission fuel option. This continued effort from Exxon could lead to the ability to produce 10,000 barrels of algae biofuel per day by 2025.

In policy news, President Trump recently agreed to not pursue an artificial cap on renewable identification numbers (RINs) which would have affected demand for biofuels and those in the biofuel industry. RINs are credits used for compliance under the Renewable Fuel Standard Program, which enforces requirements that transportation fuel contain a certain amount of renewable fuels.

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UPDATE: ELECTRICITY & ELECTRIC POWERED VEHICLES CHANGES TO TESLA AMID CONTROVERSIES; NEW WATER-BASED BATTERY LONGER-LASTING

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Tesla has recently had quite a few months of ups and downs within the company as well as in the media. Their promises to boost production of the more affordable Model 3 sedan have stalled, resulting in an inability to meet their targets for mass-marketing. CEO Elon Musk anticipates meeting his 5,000 cars per week production goal by the end of June. Additionally, a recent Consumer Reports review pointed out several flaws with the vehicle, most notably, issues with braking. Other car reviewers saw much discrepancy and variation in braking distance. After denying these claims initially, Tesla CEO Elon Musk promised a firmware update to the car to fix the braking issues. With the recent news of a roll-back of CAFE standards (see article "The California Effect"), this could result in a decrease in demand for electric vehicles overall, which could spell further problems for the company and the entire electric vehicle industry. Additionally, Tesla announced a company-wide reorganization that would involve laying off 9% of its employees. Financial and production issues aside, Tesla revealed a new design sketch of the Model Y, a crossover SUV with plans to launch in 2020.

Continue reading on next page...

Despite the inevitable policy battles ahead with regards to emissions standards, the automotive industry is looking to a greener future. Ford recently announced plans to invest \$11 billion by 2022 to offer 40 electric and hybrid models to its fleet. Mercedes will also invest in electric vehicle production and plans to launch more than 10 EVs by 2022. Electric buses also look to be on the horizon in the U.S., as the total cost of ownership is estimated to be less than traditional buses.

A new type of battery is being developed by researchers at Stanford University using water and salt. It works using a chemical reaction from electricity being pumped through the salt solution. This creates manganese dioxide and pure hydrogen gas, which can be stored and used as fuel. This is especially useful in the event of inclement weather, as wind and solar energy continue to be the fastest growing forms of energy generation. This fuel could be used as a backup for when wind turbines and solar panels are not producing enough energy.

Additionally, BP recently invested \$20M in StoreDot, a fast charging battery developer for electric vehicles (EVs). The company is working on battery technology that would allow for a five minute charging time for EVs, comparable to a customer's time at the pump and expects its first sales as early as 2019.

Chief among concerns of the disruption to the industry as a result of an influx of electric, self-driving, and car-sharing apps is the effect this will have on auto repair businesses, as battery powered vehicles have significantly fewer parts and are much less complicated to repair. Fewer workers will be needed to assemble and repair these vehicles. While electric cars have yet to completely take off yet, the time is now to begin preparing for this disruption.

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UPDATE: NUCLEAR / WIND / SOLAR / GEOTHERMAL FUNDS TO SAVE NUCLEAR PLANTS; INCREASE SOLAR MARKET; ENERGY STORAGE

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Governor Murphy signed a bill that would advance several clean energy initiatives in New Jersey, one of which will funnel \$300 million a year in ratepayer subsidies to keep three nuclear power plants from closing in the state. PSEG, which owns the plants, claimed that as a result of falling natural gas costs, they were not operating the plants at a big enough profit, and needed the subsidies to keep the plants open. The Trump administration is debating using a similar effort to revive nuclear and coal plants across the country.

Legislation passed alongside these subsidies also aims to stabilize the solar market through 2021 by increasing solar targets, closing the current solar renewable energy credit trading program, and reducing the cost of the current solar renewable portfolio standard. The bill will uphold the Governor's goal of 3.6 gigawatts (GW) of offshore wind by 2030, as well as require each utility to implement energy efficiency measures to decrease energy usable by 2% and gas usage by 0.75%, and achieve 600 megawatts (MW) of energy storage by 2021.

Overall these policies will have a negative effect on electric rates, and will likely cause rates to rise about 5%. However, we want to encourage our members to look into solar energy. If done properly, you can zero out your electric utility bill both at home and in your stores and shops and receive thousands of dollars a year for 15 years in renewable energy certificates that are sold on the open market like stock certificates. As an added bonus, whatever you invest, the government will give you a 30% tax credit, a \$50,000 investment will give you an immediate \$15,000 check from the federal government.

PSEG plans to put forth a proposal later this year to invest between \$11.5 billion and \$13.2 billion by 2022 on programs to improve energy efficiency, reduce electric use, and increase efforts to fight climate change. \$100 million of this would be earmarked for large energy storage systems which will promote the development of renewable resources. While these would effectively increase energy rates, it could decrease customers' bills as they would be using less energy. Additionally, \$300 million will be dedicated to set up a network of 50,000 electric vehicle charging stations in residential areas, workplaces, and around traffic corridors. PSEG estimates that in 2025 there will be 275,000 electric vehicles in New Jersey, up from 16,000 currently. This would amount to about 10% of the passenger vehicle fleet in New Jersey.

The Department of Energy also recently announced a \$72 million initiative for new projects to advance high-temperature concentrating solar power technologies. This method uses mirrors to reflect and concentrate sunlight where it is collected and converted into heat, which can then be stored and used to produce electricity.

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UPDATE: NATURAL GAS/PROPANE

U.S. NATURAL GAS EXPORTS CONTINUE TO RISE

U.S. exports of natural gas are up 8% in the first quarter compared to last year, 62% higher overall from last year. One reason for the increase is the emergence of more liquefied natural gas facilities. The U.S. is now a net exporter of natural gas for the first time since 1957.

President Trump's commitment to aid in the ailing nuclear and coal industries is in direct competition with the progress of natural gas, this has slowed the progress of projects that could move the natural gas industry forward. The Federal Energy Regulatory Commission (FERC) rejected President Trump's emergency bailout proposal to prop up nuclear and coal industries, citing wind, solar, and natural gas as more sustainable and affordable approaches to energy production, although it's possible the President will continue to push these efforts. The Department of Energy has said that the rise in natural gas usage has been the biggest contributor to the coal industries decline, resulting in mass layoffs.

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UPDATE: HYDROGEN/HYDROGEN FUEL CELLS

SEVERAL CAR COMPANIES LOOKING TO ADD HYDROGEN FUEL CELL VEHICLES TO FLEET

Toyota is looking to increase its hydrogen fuel cell investments, with a recent announcement to invest in a facility producing hydrogen fuel cell stacks and hydrogen gas tank production. Production is slated to begin in 2020. According to market research and consulting firm Information Trends, Toyota accounts for 76% of hydrogen fuel cell vehicles sold globally. Other automakers such as BMW, Daimler, Hyundai, Honda and Volkswagen are also developing hydrogen-powered vehicles.

Continue reading on next page...

UPDATE: FOSSIL FUELS

YEAR-ROUND E15 GAS; 95 OCTANE FUEL

President Trump has given the green light to year-round E15 gas sales. E15 uses a 15% ethanol gasoline blend, as opposed to the 10% blend that is usually sold. This has the potential to significantly increase U.S. ethanol demand, and will allow this blend to be sold during the summer months, the busiest driving period of the year as well as corn production. E15 gas is considered a cleaner burning fuel, which has benefits to both the environment as well as engine performance, and costs slightly less than regular gasoline.

Additionally, the auto industry is pushing for the U.S. to adopt one fuel grade, 95 octane, which would replace the current 87 octane regular (E15 has 88 midgrade octane). This would effectively make all regular gas premium gasoline. Should the production of premium gasoline increase, this could make premium gasoline more affordable. ■



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The California Effect:

How Decisions in Washington Brought Together Unlikely Allies in the Fight Against Climate Change

By: Michelle Horowitz

The past few months have seen many changes in U.S. environmental policy. In April 2018, Environmental Protection Agency (EPA) Administrator Scott Pruitt announced that Obama-era greenhouse gas emissions standards, also known as CAFE standards (Corporate Average Fuel Economy) for cars in model years 2022 - 2025 would be rolled back. The standards called for a goal of between 50 and 52.6 miles per gallon for cars and trucks by the year 2025. "The Obama administration's determination was wrong," Pruitt said. "Obama's EPA cut the Midterm Evaluation process short with politically charged expediency, made assumptions about the standards that didn't comport with reality, and set the standards too high." Instead, the EPA intends to freeze current standards at the 2020 level through 2026 at 37 miles per gallon. Pruitt also specifically put California's especially ambitious goals on notice, prohibiting the state from imposing its own stricter standards as they originally anticipated though a waiver in the Clean Air Act. Additionally, Pruitt argued these rigorous emissions standards would drive up the cost of light-duty vehicles. As a result of these actions, 17 states, including California are suing the EPA to reinstate Obama's targets.

Among those states aligning themselves with California is New Jersey, which previously agreed to require California's

cleaner cars to be sold throughout the state. In an effort to bolster electric car sales, New Jersey is considering legislation to address the availability of charging stations, the time it takes to recharge, and the price tag for electric vehicles. Additional legislation is being debated that would require the Board of Public Utilities to administer a \$300 million rebate program to offset the cost of zero-emission cars by giving purchasers a \$5,000 credit.

Several environmental groups are attempting to refute Pruitt's claims that electric car sales have decreased and that increased electric car sales would be necessary to meet the Obama standards. Meanwhile, automakers who previously supported rollbacks and rallied against more rigorous emissions standards are being given changes to the standards that go even farther than what they had originally proposed, and are currently meeting with President Trump to try to pull the Administration back for fear that his overly aggressive policy will provoke a reaction that will leave the automakers worse off in the long run. Automakers reportedly are looking to enact a uniform emissions standard which would incorporate California's goals, and are in agreement that standards should be enacted and uniformly implemented.



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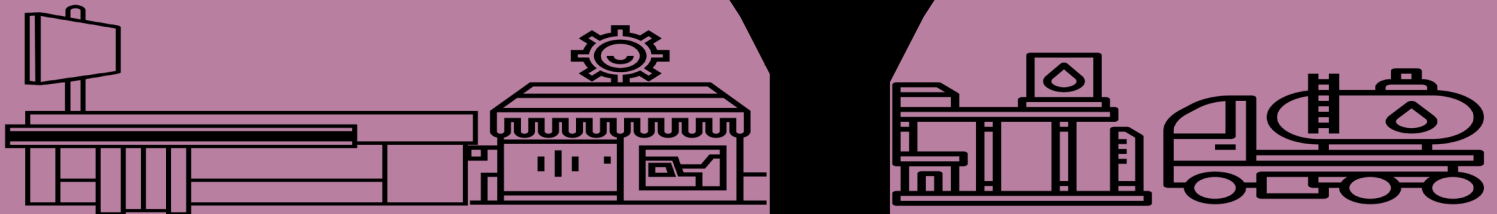
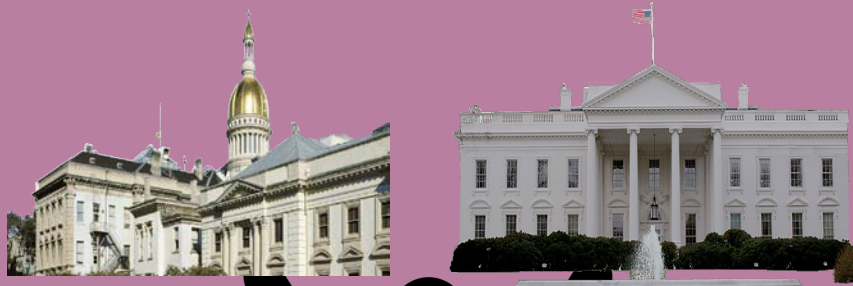


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Paid “Sick” Leave Law

By: Eric Blomgren

After six years of fighting in the Legislature, a bill mandating that every employer in the state give every employee paid leave was signed into law on May 2, 2018. It passed the Assembly 50-24 in March and the Senate 24-12 in April. **The new law goes into effect October 29, 2018.** Unfortunately, there are some technical issues that still need to be addressed by government regulations which are still being drafted. For now, here is what you need to know to be ready in October. This new law is very specific, so even if you think you are already generous enough with your leave policies, make sure you read through and are in full compliance.

Every employee must be given one hour of paid sick leave (PSL) for every 30 hours they work. An employee must be able to save up at least 40 hours of PSL per year (employers are allowed to define when a year starts, it does not have to match the calendar year). Employers are allowed to give their employees all of their PSL upfront at the start of the year instead of tracking it on an hourly basis, but they are not required to do so. If at the end of the year an employee still has some PSL they have not used, they must be allowed to carry it forward into the new year. An employer is not required to let an employee accrue more than 40 hours of PSL at any time.

Employees will begin earning their PSL on October 29th. While employees start earning PSL on their first day of work, they are not allowed to use PSL until they have been employed for 120 calendar days. Employers who offer existing paid leave are in compliance with this law as long as their leave policy is at least as generous as that mandated by this law.

The employee must be paid “at the same rate of pay with the same benefits as the employee normally earns.” We are waiting for the regulations to specify what this means for overtime rates of pay, but it does seem that an employee using their PSL during a shift when they would be earning time-and-a-half must be paid at the higher rate they would have been earning if they had showed up. An employer cannot require an employee find a replacement worker to cover any hours they take off with PSL. If you shift an employee from one location to another, that employee keeps all the PSL they have earned. If an employee leaves your business, but returns within six months, they must

be given back all of the PSL they have saved up.

There are currently 13 cities in NJ which require employers to provide PSL. When this law goes into effect on October 29th, those laws will all be repealed and replaced by the state law. No local government going forward will be able to make ordinances regulating PSL.

What are the conditions that employees are allowed to use their PSL?

- Time off for the employee to receive or recover from any medical care, including preventative care, mental health care, or to recover from an instance of domestic violence.
- Time needed for the employee to aid a family member with any of the above.
 - **Who is a “family member?”** The law defines it as a child, grandchild, sibling, spouse, parent, grandparent, the spouse or sibling of any of those people, any other blood relative, or any other person “whose close association with the employee is the equivalent of a family relationship.”
- Time for the employee to take their child to a school-related event.
- Employers cannot request proof that any of these conditions were met unless the employee uses PSL on three or more consecutive days.
 - If an employee takes PSL and uses it for other purposes, the burden of proof is on the employer to prove the employee misused their paid time off before any disciplinary action is taken.

What restrictions can an employer place on PSL?:

- Employers are allowed to set a minimum for the number of hours of PSL an employee can take at a time.
 - For example, an employer can say that an employee cannot only take off one or two hours at a time for a doctor’s appointment, they must take off their entire shift so that a different employee can more easily fill the spot.
- If the employee’s leave is foreseeable (like a doctor appointment), then the employer may require advance notice as much as seven days ahead of time.
- Employers can set “blackout dates” for PSL, in which employees cannot use foreseeable PSL, and if it is unforeseeable, then the employee must provide proof. This provision was one of

the final changes made to the bills, and there are no other details at this time, such as if there is a limit on the number of days an employer can 'black out.'

Notifications:

- Records must be kept for five years, showing all hours worked by all employees and all hours of PSL taken by every employee.
- Employers must give every employee a special form, which will be created by the Department of Labor, telling the employee what their rights are under this law.
 - o This notification must be posted in the workplace.

Penalties:

- An employer cannot take any "retaliatory action" against an employee for using their PSL.
- Employers must treat any information they have about the health of an employee or their family member as confidential and not disclose it without the written permission of the employee.
 - o So, if another employee asks why their colleague is taking the day off, make sure you don't tell them!
- If an employer takes an "adverse action" against an employee within 90 days of that employee informing another employee of their rights under this law, or cooperating in some way with a Department of Labor investigation, or filing a complaint with the DOL, then the employer is presumed guilty unless they can prove the adverse action was taken for another reason.

- The penalties for violating this law will be as if the wage and hour laws were violated.

If you would like to read the actual language of the law yourself, you can visit NJGCA's website or search for NJ P.L. 2018, Chapter 10.



Cartoon paid sick leave lemonade stand. Digital image. Why the DOL's Federal Contractor Paid Sick Leave Rules Matter for All Employers. Ohio Employer Law Blog, n.d. Web. 11 July 2018. <<https://www.ohioemployerlawblog.com/2016/10/why-dols-federal-contractor-paid-sick.html>>



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2. Pay Equity

By: Michelle Horowitz

In late April, Governor Murphy signed what advocates are calling the strictest pay equity law in the nation, which went into effect July 1, 2018. The Diane B. Allen Equal Pay Act expands upon the New Jersey Law Against Discrimination (NJLAD) to enhance equal pay protections, broaden the scope of the law, and puts a greater burden of proof on the employer to explain and defend differences in employee wages. The NJLAD prohibits employment discrimination based on the following protected classes: race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, pregnancy or breastfeeding, sex, gender identity or expression, disability, service in the armed forces, nationality, and refusal to submit a genetic test. The recent changes to the law significantly expand protections for employees in that it:

- Prohibits unequal pay for “substantially similar” work.
- Requires employers to justify differences in pay among protected classes (see above list).
- Restarts the clock for filing a wage discrimination claim each time a paycheck is issued. The statute of limitations for filing a discriminatory compensation claim is two years from the date of the violation. This new aspect of the law restarts the two-year clock each time an employer issues a discriminatory paycheck.
- Includes stricter provisions regarding retaliation against an employee who discusses compensation. Employers were already barred from prohibiting employees from discussing their wages with other employees. In addition to sharing with other employees, the new law also prevents employers from prohibiting employees from sharing wage information with an attorney or governmental agency.
- Requires greater transparency in state contracting; including reporting compensation and hours worked

categorized by gender, race, ethnicity, and job category for each of their establishments.

While pay discrimination was illegal prior to the Equal Pay Act, the new law puts a greater burden of proof on the employer to explain differences in wages of employees that are part of the protected classes listed above. If employees can show they performed similar work and/or worked in similar working conditions, but were paid less, there is now a greater burden on employers to prove they were not in violation of the law and that the differentials are the result of permissible reasons such as a seniority or merit system. Basically, before this law an employee who thought they were the victim of discrimination had to ultimately prove that the reason they were paid less was likely because of discrimination. Now, if an employee is paid less it is generally the employer who has the greater burden of proof to defend itself.

Penalties for non-compliance will be very steep, three times the amount of the pay differential, in addition to up to six years of back pay and other penalties which the NJLAD establishes. Penalties can also be imposed on the employer of up to \$10,000 for a first offense, \$25,000 for a second offense, and \$50,000 for a third offense. Overall, the new law will make bringing lawsuits alleging discriminatory pay differentials against you and your business much easier. In order to be in compliance of the law and avoid penalties, best practices include:

- Take time to review or revise your businesses compensation policies and employee handbooks;
- Review your current employee salary and benefits information, be able to justify any pay differences; and
- Document how compensation decisions are made.

3.

Immigration & I-9 Documentation

By: Michelle Horowitz

In January 2018, U.S. Immigrations and Customs Enforcement Agents (ICE) raided 98 7-Eleven stores nationwide, including two in New Jersey. It is widely expected that raids will continue in NJ and focus on gas stations and convenience stores, as data shows that these businesses have a higher percentage of hiring illegal workers. As business owners and employers, it is important to keep yourself informed and understand immigration laws as it pertains to your employees and staff. The 7-Eleven raids were not the end, they are just the beginning of an effort to crack down on both illegal immigration, and immigrants living in the country legally with criminal backgrounds, no matter how minor. Carelessness and ignorance of correct procedure and employment laws only increases a business's chances of being targeted in the next raid. This ignorance could be very costly to you. As recently as 2016, the Department of Justice increased I-9 penalty fines, which, depending on the violation, could range anywhere between several hundred to tens of thousands of dollars. While both citizens and non-citizens must complete an I-9 to be hired, this document is especially important for immigrant workers, as it verifies if the employee is eligible to hold employment in the country. I-9's need to be collected from everyone, not just immigrants, even if the Applicant's family members came over on the Mayflower! Make sure you are aware of the following:

Before Hiring/During Hiring Process/ Within First Three Days of Hiring:

- An I-9 must be filled out within the first three days of employment. It is the responsibility of the employer to ensure that all information is accurate. The form needs to be filled out completely and accurately. The instructions provided with the I-9 Form by the Federal Government lists the documents that satisfy Column "A" OR Column "B" AND "C" should you need assistance. See page four within the following link, which also provides the most recent I-9 Form: <https://www.uscis.gov/sites/default/files/files/form/i-9.pdf>
- Make sure the candidate's employment authorization document is not expired and

that they are authorized to work. If the candidate has no documentation but has legal status, this can also be verified by a receipt for lost, stolen, or damaged documents, or the arrival or departure portion of the I-94 or I-94A forms.

- With I-9 accompanying documents make sure you see and record information that shows the employee's ability to work. Appropriate documents may include U.S. passport, green card, foreign passport with I-94 form, a document receipt card, etc. If possible, try to make sure these document requests are uniform across all employees in order to avoid discrimination lawsuits.
- Be on the lookout for fraudulent I-9 forms. Make sure the information on the form relates to the prospective employee. Only original forms can be accepted, no photocopies.

During Employment:

- Conduct periodic internal self-audits at least once a year: This allows employers to ensure compliance, that I-9 forms were completed correctly, and allows opportunities to make corrections if needed. The time frame, scope, and reason for the audits should be communicated to employees in a timely manner, and should not be based on any biases or retaliation. If any discrepancies are found, these should be communicated to the employee privately and professionally and the employee should be given an opportunity to make corrections (to section 1 only, errors in sections 2 and 3 must be corrected by the employer).
- Make sure to have conversations with your employee as to when I-9 sections need to be completed or renewed.
- Establish a reminder system: 180, 90, 60, 30, etc. days in advance of deadlines. Set reminders for yourself when paperwork for renewal/extension is due or when paperwork is about to expire. Do not ask employees to complete I-9 more than once unless their work permit is up for renewal or another legal reason presents itself.
- Make sure official documents are

organized and in a safe location. I-9's should be kept separate from personnel files so they are easily accessible in the event of an audit, or these documents are requested.

- Original I-9's must be kept on file for three years after the date of hire, or one year after the date employment ends.

How to Prepare for ICE/What If ICE Comes To Your Business:

- ICE can conduct an audit of I-9's at any time to ensure that the Federal Immigration Statutes are being followed. If ICE notes any discrepancies in your documentation, you could be subject to an order to stop hiring employees, civil and criminal fines and penalties, or a raid by ICE agents. Unless you are a recalcitrant employer, the law allows three work days to produce I-9 forms, so do not provide documents without talking to a lawyer in advance. Always be cordial, but firm, with any ICE Investigator should they unexpectedly appear at your work.

Specifically state to them that you intend on fully responding to their information request, and cooperate with their investigation, but want an opportunity to discuss your rights with an attorney before allowing them to review your documentation.

- If ICE finds any employees are not eligible to work, they will give you 10 days to present valid work authorization for the employees in question. If you are unable to provide documentation by that time, you will be instructed to end their employment. You can also ask for more time to allow the employee to talk to a lawyer before the grace period is over.

- Train staff what to do in the event of a raid: instruct staff not to talk or interact with ICE agents and to direct them to you (the employer), do not run for the exits as this can implicate guilt, employees are not required to hand over any IDs or papers to ICE as this could be used against them later, employees can also protect themselves by asking for an attorney.

- ICE agents are permitted to enter any public areas of your business, including waiting areas, parking lots, etc. No one can enter a private area of the business without permission or a warrant.

- Make sure you are watching ICE to ensure they are complying with what is written in the warrant (if one is presented to you) and do not help agents round up employees.

- If possible, record or video what ICE agents do at your workplace. Immediately after the raid, record as many details as you can

remember (how many agents were present and the names, name of the person who lead the investigation, what did they instruct you do to, did they mistreat or provide false information, where did they search, etc.)



Digital image. ABC News. N.p., 10 Jan. 2018. Web. 11 July 2018. <<https://www.nbcnews.com/news/us-news/immigration-agents-raid-7-eleven-stores-nationwide-arrest-21-people-n836531>>



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EMPLOYER BEWARE: Necessity of Wage and Hour Law Compliance



Alicyn Craig, a partner with the law firm of McCusker, Anselmi, Rosen and Carvelli, has been representing the interests of retail service stations for nearly two decades, from environmental investigations and remediation's, employment matters, premises liability, and wage and hour claims to the transactional aspects of the business, such as leases, purchases, franchise agreements and the like

Scenario 1: Your business is doing well. You have a stream of regular customers, you're in a great location, and you are well-staffed. Life is good. Then, one day, as you are sitting in your office, contentedly smiling at your kingdom, there is a knock on the door. It's a Department of Labor investigator. One of your employees has filed a complaint alleging that you have not been paying overtime wages. The investigator demands that you immediately provide all records demonstrating that you have been paying your employees correctly. You panic. You know you have the information somewhere. Maybe some is on the computer, other information is in your second draw, and other records are in the safe. As you are looking, the thought runs through your mind, who is complaining? Are they on payroll or did they substitute for one of your attendants and you paid cash. You can't remember if you recorded that time somewhere? Now what?

Scenario 2: Or maybe your employees banded together and have hired an attorney. You are served with a Summons and Complaint. YOU – and not just your company – are named as a defendant. Your employees are alleging that no time records are kept; that their time is tracked by the card they put in the pump to open the till. You know they share that card with other attendants but you don't have any records to demonstrate their real hours worked because sometimes you pay in cash. It's your word against theirs. Now what?

Unfortunately, these are both true stories, and these employers faced steep consequences to the tune of hundreds of thousands or even millions of dollars. The federal Fair Labor Standards Act (FLSA) along with New Jersey's Wage and Hour laws were enacted to protect workers from abuses that were occurring during the Industrial Revolution

and Great Depression. The statutes remain very employee-friendly and provide great benefits to employees that seek to enforce them against non-compliant employers:

- Employees must be paid time and a half for over-time hours;
- An employee is not only entitled to recover – in either a DOL investigation or lawsuit – not just the unpaid over-time wages, but two times that amount as a penalty against the employer for non-compliance;
- In a lawsuit, a winning employee is entitled to be reimbursed by the employer for all of his or her attorneys' fees, even if they win only \$1.

As you can see, non-compliance can be very costly, especially if a number of employees band together. More and more employees – particularly gas station attendants – are learning of these big monetary recoveries on other instances and seek out attorneys who are more than interested to help, given their entitlement to attorneys' fees even if a minimal amount is won. In other words, there is no real downside for them.

Additionally, these laws require that the employer – not the employee – maintain adequate records to demonstrate hours worked. This means that every hour of every employee needs to be recorded – this includes every person, whether they are a regular employee, a seasonal worker, or a son who comes in for one day to cover for his father. A common complaint of station owners is the difficulty of maintaining employees, especially gas attendants, and so they will allow things like others covering shifts or cash payments, just to keep the employees. While there may be other issues related to these practices, such as immigration and taxation, you still need to accurately keep track of everyone's time.

So, what can you do? First, learn the laws. Learn how they impact your business and how to comply with them. Second, have an audit performed of your internal record-keeping practices and develop proper procedures for accounting for all time worked by whom and when. As such, we are offering a seminar for NJGCA Members to discuss these ever important topics and to provide strategies to avoid these complaints or at least put you in the best position to defend against them.

Topics we will cover:

- What is the FLSA and NJ Wage and Hour Law?
- What are their requirements?
- How do those requirements apply to service stations?
- Strategies to maintain compliant records.

- What to do if you ever receive a complaint.

Alicyn Craig, a partner with the law firm of McCusker, Anselmi, Rosen and Carvelli, has been representing the interests of retail service stations for nearly two decades, from environmental investigations and remediation's, employment matters, premises liability, and wage and hour claims to the transactional aspects of the business, such as leases, purchases, and franchise agreements. MARC Law is an NJGCA MBP.

NJGCA Seminar with MARC Law

NJGCA is hosting MARC LAW for the Wage and Hour Law Compliance Seminar at two locations – Please pick one and Join us to make sure you are in compliance!!

Tuesday, August 21st, 2018: 3:00 pm to 6:00 pm

**Where: McCusker, Anselmi, Rosen & Carvelli Law Offices
210 Park Avenue, Suite 301
Florham Park, NJ 07932**

OR

Wednesday, August 22nd, 2018: 3:00 pm to 6:00 pm

**Where: NJGCA Office
4900 Rt 33 West, Suite 100
Wall Township, NJ 07753**

Please RSVP to Debbie@njgca.org or call 732-256-9646

If You Own a Gas Station: Please Note These Friendly Reminders!

a. **Class A/B Operator Training is due by October 13th, 2018:** You must have a Class A/B Operator designated for your location by this date.

b. Class C Operator training is also required by October 13th, 2018: By end of Summer NJGCA will have a new program for your Class C Operator Training!

c. **New Pressure Vent Caps are required by December 31st, 2018:** When you have your annual testing performed at your gas station; please make sure they are replacing your pressure vent cap with the new Enhanced Vapor Recovery Vent Caps

d. **Underground Storage Tank Registrations:** AVOID \$15,000 Penalty:

i. Beginning June 30th, 2018 – Union County was required to send in the **annual** renewal fee of \$50.00 prior to June 30th, 2018.

ii. **Note:** You must also go online to download and complete the “New” UST Registration Facility Questionnaire and submit it along with your payment and a copy of your “Entire” tank insurance policy to NJDEP for renewal.

iii. **UST Renewals by County**

- a. Union County: 6/30/2018
- b. Hunterdon/Somerset: 9/30/2018
- c. Gloucester/Monmouth: 12/31/2018
- d. Burlington/Mercer: 3/31/2019
- e. Camden/Ocean: 6/30/2019
- f. Atlantic/Cape May/Cumberland/Salem: 9/30/2019
- g. Bergen: 12/31/2019
- h. Passaic/Sussex: 3/30/2020
- i. Hudson/Warren: 6/30/2020
- j. Morris: 9/30/2020
- k. Essex: 12/31/2020
- l. Middlesex: 3/31/2021

e. Make sure your Compliance Testing Company is performing all of the new required testing at your facility to meet the new UST Regulations for October 13, 2018:

- i. New Testing Requirements Include:
 - 1. Containment Testing: Spill Buckets, Containment Sumps and Under Dispenser Containment Devices
 - 2. Overfill Equipment: Must be tested to make sure it is operating correctly
 - 3. Leak Detection Equipment Testing
 - 4. Monthly Walk through Inspections for the Owner/Operator

Operator Training & Grant Money: There is still Grant Money available! Don't miss out! If you have not signed up for the Operator Training Class at Rutgers; we can help you apply for the Grant! It only takes a few minutes and it will save you \$275.00. Why not keep the money in your pocket??

**Note: Grant-funded class dates may be completed before publication date of this newsletter*

**NJGCA has been notified by NJDEP that all Underground Storage Tank Owners/Operators must complete the New Jersey Class A & B Operator Training Course and Testing by International Code Council (ICC).

NOTE: Additional references you should have in your binder!

NJDEP recommends that **you print the new UST Rules** which were implemented on January 16, 2018, **add them to your three ring binder (must be three-hole punched and added) for reference when you take the Class A/B Operator test with ICC.**

Stage II Vapor Recovery Decommissioning: If you are decommissioning our Stage II Vapor Recovery: Please make sure before any work begins that NJDEP is notified 14 days prior to decommissioning work begins! The email address for the notification: **14dayUSTnotice@dep.nj.gov**

- a. The notice must include:
 - i. Your Site Information – Name and Address
 - ii. Contact Information for owner
 - iii. When the decommissioning will take place
 - iv. UST Registration Number and/or Facility ID Number
 - v. Name of Contractor performing the decommissioning
- b. After Decommissioning has been performed:
 - i. Three Test results must be submitted back to NJDEP at the email address above:
 - 1. Pressure Decay Test
 - 2. Pressure Vacuum Valve Test
 - 3. Tie Tank Test

Census Breakdown

By: Eric Blomgren

The U.S. Constitution requires that a census be taken of the population once every ten years, in order to ensure that representation in Congress is as equal as possible. To do so, they set up the US Census Bureau, which has since evolved to collect and report a wide variety of statistics, including on businesses. Every year they publish an update on some of the basic statistics for a wide variety of different types of businesses. Their online records date back to 1998. In April the Bureau published their new stats for 2016. Viewing both the year-to-year trends and the shift over the last 18 years can paint an interesting picture of the ongoing trends affecting the industries which are members of NJGCA.

In 2016 there were 2,373 gasoline stations in the state of New Jersey. This number actually represents a bit of an up-swing in the total number within New Jersey. The recorded low came in 2011, when there 2,328 stations. In 1998 there were 3,085. This represents a 23% total decline in the number of locations. 18,774 people are employed at these locations. 81% of these locations employ fewer than 10 employees.

The gas station category is subdivided into those with convenience stores and those without. This is where we see one of the most notable trends. Currently 41% of gas stations have a c-store. In 1998, that was less than 20%. Meanwhile the number of stations without a c-store (virtually all of which have an auto repair facility) has declined by over 1,000 since 1998. Some of this decline is due to stations converting their bays to c-stores, some is due to repair shops getting rid of their pumps and being counted in a separate category as auto repair only. The average gas station with a c-store has twelve employees at the location, while the average station

without has five.

Standalone mechanical repair shops have experienced a total decline of over 14% since 1998. In 2016 there were 2,707, down from 3,157 in 1998. These shops on average employ just 3.7 workers. Gas stations and auto repair combined employ 28,826 individuals at a payroll of over \$800 million.

The number of standalone convenience stores has dropped 3% over the last 18 years, to 1,413. Auto body shops have dropped from 1,329 to 1,109. Car washes have been one of the few growth areas, with their number increasing 24% to 608. Dedicated auto parts stores have lost 26% of their locations since 1998.

Tire dealers are down over 10%. For comparison, the shift in the retail trade overall has been a 9% decline.

Nationally, there are 111,076 gas stations and 90,954 auto mechanical repair businesses. Over the last ten years, there has been a 5% national decline in the number of gas stations, but an over 8% drop in NJ. For auto repair, the national decline has been 3.3%, but 6.6% in NJ. These numbers further prove just how difficult it is to do business in this state.

What's also important to note is that these numbers represent the number of locations operating at the time of the census, they don't include all the business entities that had to close and sell to another company, meaning the actual overturn has been far higher than what these numbers might imply.



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Pumped Up: Island's Last Remaining Gas Station Reopens for the Long Haul

This article, authored by Daniel Nee, was originally published by Shorebeat on April 29, 2018 and can be found at www.lavallette-seaside.shorebeat.com

A day after it reopened for business, customers began tricking back into the entrance at Kelly's Sea-Bay Sunoco station in Lavallette Friday.

The reopening came after 44 days of construction to install two new, 10,000 gallon fuel tanks at the station. The task included pumping more than 2.5 million gallons of water from the ground (digging 15-feet into the ground a block from the ocean, on a barrier island, has its challenges) and the collaboration of several work crews as well as help from the borough's building department. But the story of the new tanks is not so much a story about a gas station, but a significant investment into the Lavallette community.

"We moved 600 tons of dirt, we added two 10,000 gallon storage tanks, and when we reopened, it was just amazing," said Kelly, who has owned the station - the last remaining between Island Beach State Park and Point Pleasant - for 35 years. Before he purchased the station, it was owned directly by Sunoco Corporation.

The red-tape horror stories that complicate many similar projects wasn't an issue in town, and being closed for 44 days has brought the station's staff and community even closer together, Kelly said.

"The Borough of Lavallette's construction officials were amazing," Kelly said. "All they kept telling me was, 'we want to help you, we want to get you open.'"

"Anywhere we went in the last 44 days, every person we met asked when we would reopen," he continued. "So we really do think people will appreciate us even more. and we appreciate our customers

Kelly said he believes the \$300,000 investment is well-worth it in Lavallette, where a strong mix of borough residents, local business owners and summer visitors have forged the type of relationship that is one rarely seen since the mom-and-pop service stations of the past began to close. As Shorebeat was taking a few photos, a van from Garden State Modular Homes, a dedicated commercial customer, pulled up, with the company's owner expressing his congratulations to Kelly - and filling up his tank.

"It's funny because you can't see it - everything I did is underground, right there," Kelly said, pointing to a construction project whose only signs are fresh concrete in the tank area.

For Kelly, the best part about reopening is welcoming his customers back and getting things back to normal around the business.

"I'm very used to keeping the station super-clean, and it was difficult for me to work in dirt and dust, hammering and concrete all around, every day," Kelly said. "I was so happy to plant flowers today, sweep up and get the place clean." •



Kelly's Sea-Bay Sunoco in Lavallette, NJ Photo: Daniel Nee/Shorebeat



Kelly's Sea-Bay Sunoco in Lavallette, NJ Photo: Daniel Nee/Shorebeat

THE NJGCA MEMBERSHIP FAIRNESS DOCTRINE

1. ONLY NJGCA locations may receive assistance, information, or benefits. Locations that are not registered and do not pay dues are not eligible to receive assistance, information or benefits. This will apply even if the owner is a dues-paying member in another location.

2. Locations not maintaining dues in good standing must pay all delinquent dues (back to the date delinquency occurred) prior to receiving any assistance, information or benefits from NJGCA.

3. Locations that have never been members of NJGCA, must pay dues back to the date when ownership of the location began, prior to receiving any assistance, information or benefits from NJGCA.

****Note: Locations taking advantage of Right of First Refusal must pay dues back to:**

**Exxon - 9/15/2008
Shell - 2/1/2009**



Save TODAY with NJGCA Member Benefit Partners!

THE NJGCA MEMBER BENEFIT PARTNER PROGRAM

NJGCA has been working hard to bring you and your business value through our Member Benefit Partners (MBPs). Hopefully, you are already taking advantage of many money-saving plans offered by our Member Benefit Partners. Our 2018 Member Benefit Partner Brochure should have arrived and can be viewed on our website, and this year we introduced four new Member Benefit Partners. They are listed in blue and marked with asterisks below. We are excited about the great opportunities that you have to save money with these partners!

Here is a list of our current MBPs:

ABLE-TECH - Computers, Financial Management, Video Security Systems

****ACCESS ONE**** - ATM Services

AFFINITY FEDERAL CREDIT UNION - Business Banking Services, Financing, Mortgages

ALFA-TRONICS - Pump & Tank Monitoring Services, Dispenser Security Specialists

AMATO INSURANCE AGENCY - Business, Garage Liability, Home and Auto Insurance

AMERITRUST - Workers Compensation Insurance (formerly Meadowbrook Insurance Group)

ASSOCIATION MASTER TRUST (AMT) - Health Coverage

ATS ENVIRONMENTAL SERVICES - Tank & Vapor Testing, NJDEP Compliance

AUTOPART INTERNATIONAL - Premium Parts Supplier

AUTOMOTIVE TRAINING INSTITUTE (ATI) - Education for a More Profitable Business

BELLOMO FUELS - Gasoline and Diesel Supplier

BRENNAN LAW - Environmental, Petroleum and Real Estate Law Specialists

CBIZ INSURANCE - Business, Garage Liability, Home and Auto Insurance

C-3 TECHNOLOGIES - Tank and Vapor Testing, NJDEP Compliance

****CHIESA SHAHINIAN & GIANTOMASI PC**** - Legal Services

COLE, SCHOTZ, MEISEL, FORMAN & LEONARD - Legal Services

CONSUMERS OIL CORP. - Gasoline and Diesel Supplier

CROMPCO - Tank & Vapor Testing, NJDEP Compliance

DANA TANK INSURANCE SPECIALISTS - Underground Storage Tank Insurance

ENERGY MARKETING PARTNERS, INC. - Gasoline and Diesel Supplier

ENVIRONMENTAL ALLIANCE, INC. - Environmental Remediation & LSRP Services

GILL ENERGY - Gasoline and Diesel Supplier

HAROLD LEVINSON ASSOCIATES - Convenience Store Distributor

HOUGH PETROLEUM - Gasoline, Diesel, Motor Oil & Lubricants Supplier

LAW OFFICES OF KENNETH L. BAUM - Legal Services

LENDING CAPITAL - Commercial Financing

LIBERTY / EWING OIL - Gasoline and Diesel Suppliers

LISKO ENVIRONMENTAL - Environmental Remediation & LSRP Services

MARC LAW - Legal Services

MERCHANT PRO EXPRESS - Credit Card Processing & Consulting

MITCHELL1 - Shop Management System, OEM Information

P.F.I. INC. / NORTHWEST PETROLEUM - Gasoline and Diesel Supplier

PALISADES FUEL - Gasoline and Diesel Supplier

****PASHMAN STEIN WALDER HAYDEN**** - Legal Services

PEAK ENVIRONMENTAL - Environmental Remediation & LSRP Services

PEAPACK GLADSTONE BANK - Full Service Commercial Banking

PPC LUBRICANTS/CASTROL OIL - Motor Oil and Lubricant Supplier

PRESTIGE ENVIRONMENTAL - Environmental Remediation & LSRP Services

QUICK & FRESH - Convenience Store Distributor

****SAFETY-KLEEN**** - Motor Oil and Lubricant Supplier & Environmental Solutions

****SALOMONE BROTHERS, INC**** - Tank and Pump Replacement, Compliance Testing

SERVICE STATION VENDING EQUIPMENT - Service Station Vending, Air & Vacuum Systems

SIMPAY - Payroll and ATM Services

SPARK CONTRACTORS - Tank and Pump Replacement & Generator Installation & Service

TMP ENERGY SOLUTIONS - Discounted Electricity and Natural Gas

TRINITY SOLAR - Solar and Generator Power



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