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# ON THE ROAD

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

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## Message From Executive Director Sal Risalvato

### *To Catch a Thief!*

I am sure you all have an abundance of horror stories involving dishonest employees and - yes - even dishonest customers. I'll bet the stories are riveting and in some instances may even be funny, but we all have them. One of the things I love about my job is the fun I have relaying past experiences to you from my days in your shoes.

Just balancing the shift was a miracle, and when the shift did balance there was always the thought of "what did my employee finagle so that he could pocket some cash without me finding out". Anybody out there ever audit the oil inventory and find empty bottles?

Then of course when the shift was short--which was almost always the case--I always had a sense of bewilderment. "Did my employee steal a few bucks, or did he just make a stupid mistake"? After all it wasn't as if these kids were good at math and could be relied upon to make accurate change! I never wanted to believe that a seemingly nice kid was pulling the wool over my eyes while politely stealing with a smile.

Since we are discussing security in this issue, and especially how useful security cameras have become, I couldn't resist relaying several stories of events at my Texaco station back in the late 90s. I was compelled to install security cameras back when the technology was very expensive, and not very good.....but it worked!

For almost 6 months in 1995 I was experiencing a strange phenomenon. Every 2-3 mornings the man that opened my gas station reported that the \$100 bank was short when he opened that morning. Not every day, and not in any pattern. Sometimes it was once a week, sometimes it was twice a week, and every now and then it happened two days in a row. The amount missing was always different too. One day only \$5 would be missing, and sometimes \$20-\$30 would be missing.

My morning attendant reported this happening too often and I was getting frustrated. Of course I started with the obvious and I began scolding the attendants that closed up at night. "Please be certain that the bank has \$100 in the cash drawer before you lock up"! I was scolding too much. These kids were certainly smart enough to verify the bank was correct, and they weren't stupid enough to steal the money themselves knowing the morning attendant would report it missing.

"Someone must be coming in overnight and stealing the money and making it look like the night attendants were

at fault", I kept thinking. "But how can I prove it"?

One Wednesday in October my morning attendant worked a double shift because the attendant scheduled to close had called in sick. He closed the station and made the \$100 bank to start the next day with. When he opened the next morning \$25 was missing from the bank. Certainly he didn't steal it since he would have been responsible for the previous shift too. This proved my theory that someone was entering at night and stealing the money.

I called my alarm company and they set about installing a clock with a hidden camera in the front office. They ran wires and installed a special time lapse recorder in an office trailer I worked from on the side of the building. I was leaving for a wedding in Pennsylvania on Friday and would be gone for the weekend. I did not tell my employees that I was installing the camera. They all thought the alarm guy was making repairs to the alarm system and never figured he was there to install cameras.

Well it worked! The very first night that the clock camera was installed, it recorded an intruder entering the office at 2am. The thief unlocked the door, shut off the alarm, took cash from the drawer, stuck it in his pocket, reset the alarm, and locked the door. Unfortunately, because the alarm guy set the video to record a whole week on one VCR tape, (he wanted to demonstrate how the system worked) the quality was so poor that the face of the intruder was unrecognizable.

The discovery set the wheels in motion for me to conduct surveillance for the next four nights. I notified the police that I would be parked in my dad's car in the back of my parking lot and would call from my cell as soon as the thief entered the office. They advised me to mark the bills in the bank to use as further evidence in court.

On the 4th night of surveillance, I entered my front office immediately after closing so that I could mark the bills. While I was still behind the counter I heard the driveway bell ring. I ducked below the counter and in a few seconds heard the key go in the door. The door opened and the thief attempted to shut the alarm but it was already off because I had disarmed it when I entered. I lunged out and grabbed the thief. To my surprise it was a former employee who I never would have suspected was dishonest. He had made a copy of the key, and of course knew the alarm code. Yes, I prosecuted. The thefts stopped. The camera worked. The entire episode was recorded. The staff laughed for years watching the video

of me crouched behind the counter and then lunging to grab the thief by the throat.

The clock camera helped me another time as I sat in my office watching a customer on my monitor. A man had broken down the night before on Route 23. I had his car towed and then drove him to a nearby motel for the night. In the morning I picked him up and he waited in the front office while my mechanic replaced his water pump.

I was working at my desk and happened to look up at the monitor in time to notice that the customer had opened his briefcase and was filling it with the collectible Texaco trucks that we sold every year at Christmastime. He managed to fit 5 of them in his briefcase. Hmmmm...I just witnessed this guy (who I had helped the night before by driving him to a motel) steal about \$150 worth of my toy inventory!

I called the police and they arrested him. He came back later for his car and I wouldn't accept his credit card. I made him walk two miles to a bank to get cash before I released his car to him.

Oh.....I can't forget to mention the time a customer stopped in my office to tell me that when his wife brought the car in two weeks earlier that she returned home without a hubcap and he accused my mechanic of forgetting to place it back on the wheel after the brakes were replaced. I called the mechanic in to the office and he said the car came in without the hubcap and that he never took one off.

I took the angry husband in to my private office and reached up for the VCR tape that recorded the activity for the date that his wife had been in. Two different cameras from different angles had recorded his wife pulling in the driveway with the hubcap missing. Yes, I received an apology, but I never saw his wife again.

Do I have more stories? Yes. Some are funny. The cameras I installed on the building and some of the events that were recorded made me laugh at times, but mostly helped me solve mysteries that never would have been solved without them. The technology that exists today is far superior and much less expensive than the system I had installed 18 years ago. If you don't have security cameras installed at your location, I strongly suggest that you install them soon. You may also be contributing to your community by installing cameras. How many times has a crime been solved by police using recorded activities from a gas station camera? How much abduction of children or young women has been solved because the corner gas station had a security camera that recorded the abduction? Installing security cameras is added protection for you, and just may be added protection for your community. ■



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# U. S. Department of Labor Q&A

Your Questions, Their Answers!



*Member questions are submitted to Debbie Hill who is the NJGCA Director of Member Services, and then forwarded to Joseph Petrecca of the USDOL. Joe's answers are published below.*

**Member Question:** *In the past Car Dealers used a "Flat Rate" pay schedule. For example: A technician working for the Car Dealer is paid \$20.00 Flat Rate for every hour billed. If vehicle repair is quoted at 4 hours then the technician would be paid \$20.00 for each hour the job is billed. If the same technician completes the job done in 2 hours he is still paid 4 hours. However; if the job takes 6 hours, (2 more hours than what it is being billed) then the technician is still only paid for the 4 hours that was billed. Is this system still being used by Car Dealers? Can Mom and Pop repair shops utilize this same pay system?*

**Petrecca:** In the scenario given above; the employee is paid a "Flat Rate" of \$20.00 for a 4 hour job or \$80.00. If the job took 6 hours to complete the mechanic would still be paid in excess of the minimum wage of \$7.25 per hour. There would be no violation under the Fair Labor Standards Act.

The member should keep in mind that the mechanic is still subject to overtime if he/she works over 40 hours in any work week. Overtime for someone working at flat rate or a job rate would be treated the same as if they were salaried employees.

**Note\*\***There is an overtime exemption that applies to mechanics employed in an automobile dealership. **That exemption does not apply to mechanics working elsewhere.** The exemption does not exclude a mechanic from the requirement that he/she be paid at least the applicable minimum wage for all their hours of work.

**Member Follow-up Question:** *Does that mean that a dealership paying Flat Rate does not have to pay overtime? Please also clarify if the independent shop can pay a Flat Rate?*

**Petrecca:** The reason mechanics working in the Automobile, Truck, Farm Implement, Boat, or Aircraft dealerships selling to the final purchaser do not have to receive overtime pay has nothing to do with how they are paid. The Fair Labor Standards Act specifically exempts from overtime salespersons, parts persons and mechanics under section 213(b)10 of the Act. **The exemption applies to the industry not to mechanics, parts persons, or salespersons in other industries.**

Again, small businesses and independents can pay Flat Rate per job or per day or per week but the mechanic still must be paid at a rate that is at or above the minimum wage of \$7.25 per hour and must be paid overtime at the time and one-half his or her regular rate of pay.

**Sal's Note:** NJGCA was unaware that Dealerships are exempt from paying overtime to their mechanics. We agreed with the answer to the original question since it makes sense that an employee being paid Flat Rate must be paid at least for the actual hours worked and that overtime applies if the employee works more than 40 hours AND the Flat Rate does not equal the proper wage including overtime. Certainly if the hours worked were less than 40 hours then the Flat Rate must at least equal the minimum wage.

We looked up the Fair Labor Standards Act (FLSA) and went to the section that was cited. NJGCA agrees that the exemption is clearly stated. However, why is there an exemption? Doesn't this exemption create a disadvantage for independent repair shops?

Executive Director, Sal Risalvato was shocked to learn this and wanted to be sure that we understood it correctly.

**Risalvato Question:** *If a car dealership mechanic rate of pay is \$20.00 per hour and he work 50 hours in a work week, is it ok to pay him \$1,000? Overtime would require 10 hours be paid at the rate of \$30 per hour making the weekly wage \$1,100*

**Petrecca:** Why there is an overtime exemption for certain employees of an automobile dealership is a question that I cannot answer with any certainty, other than to say that Congress wrote it into the law in 1938.

In the example you cited above, the answer would be that if the dealership paid the mechanic at or above the federal minimum wage for his 50 hours work, the dealership would not be in violation of the Fair Labor Standards Act. Payment of \$1,000 for 50 hours would certainly be over the current minimum wage, and the dealership is exempt from paying these mechanics overtime wages. ■

# APPLAUSE & ACKNOWLEDGEMENT

## **NJGCA welcomes Membership Director Greg Cannon**

We are pleased to announce the addition of Greg Cannon to Team NJGCA!

In April, just as we bid a fond and heartfelt farewell to Phil Apruzzi, the Association quickly welcomed Greg as our new Membership Director.

Though he's been with us only a short time, Greg has quickly immersed himself in his new role. In fact, many of you reading this may have already spoken with Greg regarding your membership or issues you're currently experiencing at your establishments.

We are happy to have him as part of our team and hope you will join us in welcoming Greg to the Association! If you have any questions concerning membership or services provided by our Member Benefit Partners, feel free to reach out to him at [greg@njgca.org](mailto:greg@njgca.org) or 973-376-0066 x209.



## **Think Plow First – A Word of Caution**

**By Keith Krehel**

A lot of people will be shocked and disappointed when they attempt to have a plow installed on their new or late model truck. Many late model trucks and SUV's, despite their size, may not accommodate any plow at all or at least one of the size you would expect or need. I have listed some things to consider when choosing a truck that may be used for plowing:

**Gross Vehicle Weight (GVW)** – This is the maximum the vehicle can safely weigh including all loads; passengers, cargo, and equipment along with the weight of the vehicle. Is there enough “extra weight” built into the vehicle to accept a plow package? Are you limiting your selection to a small plow? Hummers are a good example of this.

**Front Axle Weight (critical)** – Is there enough “reserve capacity” with the front axle to accommodate the extra load of a plow hanging over the front axle? Please note some vehicles may have optional heavy duty axles available, so if you're buying new, you may be able to “step up” to a heavier front end to safely accommodate the weight of a plow package. If you're buying a used truck then be sure that the existing front axle can safely accommodate the weight of a plow.

**Power Steering Assist** – Yes, I'm serious, some late model vehicles are equipped with electric power assist steering as opposed to the old hydraulic type. The manufacturer may not recommend *any* plow be installed on these vehicles. You may be surprised what vehicles are currently not recommending a plow.

**Engine** – Bigger is not always better, again you may be surprised that the big heavy diesel engine that you want may actually haunt you when choosing a plow. While it may be a natural to “push snow” the extra weight it places on the front axle may actually prevent you from installing a plow worthy of the truck and limit your selection to a smaller, lighter plow, sort of like a football player riding a tricycle.

**Wheel Base** – As strange as it seems, a longer wheel base model of the same SUV may prevent the manufacturer from approving a plow installation. It may have the same engine, transmission, etc, but the extra weight and load associated with the length, may put it “over the top”, preventing a plow installation.

**Transmission** – Depending on what you're purchasing, you may have a choice between two automatic transmissions. I recommend the heavier one for plowing anything other than residential driveways. Notice, I said “automatic”. Using a manual transmission for plowing parking lots is, in my opinion, “cruel and unusual punishment” and while not illegal, should be avoided. By the way, my first plow was a 1962 International Scout with a manual transmission, and a manual angle plow, so I speak from experience.

Keep in mind there may be plows that will readily fit a vehicle, but are not recommended by either the vehicle manufacturer, and/or the plow manufacturer. Installing a plow on a non-approved vehicle could void warranties or worse. I strongly recommend anyone considering purchasing a vehicle that may be used for plowing to consider checking with a reputable snowplow dealer what plows, if any, can be installed prior to purchase. Krehel Automotive is the BOSS plow distributor for Northern New Jersey, so feel free to contact me if you have any questions.

***Keith Krehel, president of Krehel Automotive Repair, Inc., in Clifton, N.J., is a 30-year veteran of the snow industry and has been repairing, modifying and occasionally resurrecting snow plow equipment even longer. He can be reached at [krehelauto@aol.com](mailto:krehelauto@aol.com)***





# Important Issues impacting your business!

By Eric Blomgren

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

### Zone Pricing

NJGCA has been working to build support for legislation that will ban the practice of zone pricing, the enemy of hundreds of dealers throughout the state. A-2729, sponsored by Assemblyman Pat Diegnan (D-Middlesex) will finally prevent the big oil companies and mega distributors from discriminating in the DTW prices they charge for the same product to different customers. Many times this practice costs dealers and consumers over thirty cents a gallon. We have worked out a few amendments to be added to the legislation in order to make the law stronger and ensure that it does not hurt the small distributors, who are the people NJGCA advises you to do business with whenever possible. The Legislature won't be in session again until September. We plan to use the summer to build support with legislators so that this bill can be moved quickly in the fall.

### Right to Repair

There has not been any movement for New Jersey's 'Right to Repair' bill, A-352 sponsored by Asm. Reed Gusciora (D-Mercer), but there has been tremendous progress in Massachusetts. As you know, 'Right to Repair' is a movement to ensure car owners and independent repairers have access at a fair market price to purchase the same diagnostic and repair information, and diagnostic scan tools that manufacturers provide to their franchise car dealerships. After several failed attempts in the Massachusetts Legislature, the 'Massachusetts Right to Repair Coalition' decided to take the issue directly to the people. They gathered well over 100,000 individual signatures from voters and have successfully added the issue on the ballot to be decided by the people this November. One poll showed the issue had the support of 87% of the public! In light of the fact that this reform seemed unstoppable, the Massachusetts State Automobile Dealers Association agreed to a compromise that would move the bill through the Legislature instead of being passed by the voters. The compromise bill would delay the implementation of 'Right to Repair' until 2017 while providing additional protections to car dealers. The State Senate has passed Right to Repair; however it continues to languish in the lower house. As a result, on July 2nd the remaining 16,000 signatures were delivered to the Secretary of State to ensure that the issue will be on the November ballot. Negotiations are continuing about having this enacted legislatively, but clearly the people of Massachusetts may become the first in the nation to have the Right to Repair. Even though New Jersey has come the closest to passing 'Right to Repair', it has long been NJGCA's feeling that once another state enacts 'Right to Repair' and the sky doesn't fall, as the auto manufacturers have claimed, then the

dominoes will fall and it will become far easier to finally get it passed in New Jersey and elsewhere. Success in Massachusetts also paints a clear picture of how to get this accomplished in New Jersey. Unfortunately, NJ does not have a similar process to get an issue added to the ballot, which means getting the job done here will rely even more heavily on grassroots efforts by repairers to raise awareness and relay stories of how the lack of 'Right to Repair' has hurt you and your customers.

### Gift Card Bills

Two years ago the 'Escheat Law' was changed allowing the state to declare any balance remaining on a gift card after two years of dormancy as unclaimed. The state would then confiscate any money left on the gift card after it had been unused for two years. Gift card retailers would also have to record zip codes of every person who purchased a gift card. The state was sued to prevent the law from taking effect and several of the biggest gift card providers in the state said they would no longer sell gift cards in NJ. In March the Assembly voted for a bill that would repeal these changes, which ended up going nowhere. Then, just before going on summer break, the Legislature passed S-1928 almost unanimously. This compromise bill is a watered down version of the original repeal. Instead of gift cards being considered inactive after 2 years of 'no activity', it will now take 5 years, at which point the state will take 60% of the money instead of 100%. Additionally, beginning in September of this year, anytime there is less than \$5 left on a gift card, a customer may ask the business that is honoring the gift card to pay the remaining balance in cash. It will remain illegal for anyone to charge inactivity fees on gift cards, and the only fees that can be placed on them are activation fees or replacement fees. One of the most onerous aspects of the law, the section requiring the collection of zip codes, has not been removed but has instead been delayed for another 4 years. While this new bill is not an ideal fix, it is much better than doing nothing. Governor Christie has signed the bill into law.

### Minimum Wage

Despite continued sluggishness in the economy and a stubbornly high unemployment rate, several legislators pushed legislation to increase the state's minimum wage to \$8.50 an hour. The bill would also create a provision that would automatically increase the minimum wage every year based on increases in the Consumer Price Index. On May 24th the Assembly passed the measure over the objections of NJGCA and the entire business community, with every Republican and only one Democrat opposed. If the bill were to become law, then New Jersey would have the nation's third highest minimum wage. While they had intended to get the bill passed by the end of June, it stalled in the Senate. Senate President Steve Sweeney (D-Gloucester) has promised to take the issue up again in the fall. Governor Christie has indicated that he might be willing to agree to an increase in the wage, but he will not agree to the automatic adjustments.

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## Tobacco

Much of the action on tobacco has come from out of state. 23 states (including NJ) have introduced legislation to raise the taxes on some form of tobacco products. So far only three states have been able to follow through: Illinois, Maryland, and Vermont. In one state the decision was actually put in the hands of the people. Californian's voted against Proposition 29, which would have raised taxes on cigarettes by \$1 per pack. It was narrowly defeated at the polls in June, which is especially significant coming from a liberal state like California. In April, the village of Haverstraw, in Rockland County, New York, introduced a ban that prohibited stores from advertising or even displaying any form of tobacco product. Anti-tobacco advocates claim that the mere sight of tobacco products encourages children to start smoking. Customers would have to specifically ask for tobacco products in order to buy them or to even know a retailer sells them. In late June, two tobacco companies filed suit against the village claiming this ban violates the 1st Amendment's protection of the freedom of speech. In New Jersey, there are a few bills dealing with tobacco taxes, all of them currently stalled. A-2906 increases the retailer's annual license fees from \$50 to \$200 and makes the penalties for violations more severe by increasing fines and suspending a violator's license to sell both tobacco and lottery tickets. S-1887/A-2772 seeks to increase the taxes on non-cigarette tobacco products in order to bring them into line with the sky high taxes on tobacco. This would amount to an effective tripling of the tax rate on these products. NJGCA remains opposed to these bills and will keep you updated.

## The Affordable Care Act (ObamaCare)

On June 28th, the US Supreme Court upheld the constitutionality of President Obama's massive healthcare reform bill. Chief Justice John Roberts surprised almost everyone when he joined with the Court's 4 liberal justices in deciding that the entire law, including the controversial mandate requiring everyone to either buy health insurance or pay a tax, is allowable under the Constitution. The Court's 3 other conservatives and traditional swing justice Anthony Kennedy dissented, saying that the mandate was unconstitutional and that without the mandate, the entire law should be thrown out. Roberts did make sure to specifically state that the power to mandate the purchase of a product was not a part of the Commerce Clause, which has long been used to justify the expansion of the role of government over the private sector. This will hopefully create stronger checks on big government expansion going forward. It seems as though the totality of the ACA will in fact be implemented as planned, although Republicans have promised to fight to repeal and replace the bill if they are able win the White House and control of the Senate in the November elections.

## E15

After 3 years, the EPA has given its final approval for the sale of gasoline with 15% ethanol content to passenger vehicles model year 2001 and later. The first stations will likely start selling E15 in the Midwest soon. Due to the logistics, it will probably be a while longer before we see E15 here in New Jersey in any meaningful amounts. However, once the logistics have been settled and the consumer has gotten a bit more educated, E15 will likely be very attractive to motorists. Ethanol is currently

cheaper than gasoline. Also, its octane content is higher. This means that at the rack refiners will be able to use a gasoline base with a lower octane content than they currently do in order to produce the 87 octane fuel you currently buy. The cheaper ethanol combined with the lower octane base gasoline means that 87 octane E15 could be sold between 10 and 15 cents cheaper than regular gas is currently priced. NJGCA remains concerned that retailers may be sued if customers driving older cars fill up with E15 and then claim that it damaged their vehicle. This is especially a concern in New Jersey, since all gasoline is pumped by station employees and misfueling can't be blamed on the customers themselves. There are currently bipartisan bills in Congress that would protect stations as long as they were correctly following EPA regulations. These protections will likely need to be passed before we see E15 being sold on a large scale.

## Strategic Petroleum Reserve

NJGCA continues to oppose any release of oil from the nation's Strategic Petroleum Reserve when there is not a true supply emergency. President Obama tried this last summer when there was a price spike, and it proved to be largely ineffective. There were rumors that he was going to try it again this summer in conjunction with releases from reserves in other western nations, but the declining price of oil over the last few weeks has allowed the market to do the job without artificial government interference. Republicans and some Democrats in the US House voted through a bill that would have required any release of oil from the SPR by the President to be matched with an expansion of domestic oil leasing. Though it is highly unlikely to become law, such a provision would better help the nation's long term energy security.

## Bath Salts

Congress has finally passed legislation to enact a federal ban on the sale of so called "bath salts" in the US. Though the name makes it sound like an innocuous product, we now know how destructive these synthetic drugs are. They have been linked in recent months a variety of deranged and gruesome attacks on innocent people. These drugs, often sold at convenience stores and gas stations with names like "K-2" and "Spice", were first made illegal in New Jersey over a year ago. NJGCA sent a Wildfire Alert email to all our members letting them know to immediately stop selling these products, and thankfully most did. NJGCA will continue supporting law enforcement to eradicate these substances from retailer's shelves, and continue to alert members of the potential to receive fines and be put in jail.

## Property Taxes

One of the biggest challenges to living in or running a business in New Jersey is property taxes. Two years ago the Governor and the Legislature came together to institute a cap on property taxes of 2%, with a few exemptions. While not perfect, this plan has been able to slow, but not stop, the growth of property taxes in New Jersey. Unfortunately, many towns have not wanted to make the cuts necessary to slow the growth of government and prevent property taxes from marching higher. This has led to many towns which don't want to cut costs to try and get around the cap by instituting user fees for services that were previously

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covered by property taxes, such as trash collection or police and fire services. S-1914 from Senate President Steve Sweeney (D-Gloucester) would prevent these towns from sucking more money from your pockets and force them to share services and cut bloated salaries and benefits. It passed the state Senate on May 31st by a 31-0 vote. NJGCA supports the efforts to deter property tax increases.

### FY 2013 Budget and Tax Cuts

In late June, the Legislature passed a budget for the state covering July 1, 2012-June 30, 2013 by appropriating \$32 billion along strict party lines, with all Democrats voting for it and all Republicans voting against it. On June 29th the Governor signed the budget after vetoing \$361 million worth of spending. The budget also included \$347.5 million in business tax cuts, with such provisions as increasing the ability of business owners to offset their personal income taxes with business losses, a switch to basing the corporation business tax on a single sales factor, and phasing out the Transitional Energy Facility Assessment. The main issue during debate over the budget was how to cut taxes. It is worth noting what a dramatic shift it is that the main debate in a New Jersey budget coming out of Trenton is how to cut our taxes. The Governor originally wanted an across the board 10% income tax cut for every single taxpayer. The Democrats wanted to focus on homeowners and let them credit a portion of their property tax against their income taxes. They also want to delay making the cut until they see if the projected revenues for the state are accurate. If in January revenues are below expectation, rather than making further cuts in bloated state government they will simply deny everyone a tax cut. They also propose to pay for this cut and other programs with yet another 'millionaire's tax'. This is the third time they have passed a millionaire's tax since Governor Christie was inaugurated, and it marks the third time that the Governor has vetoed it. Not satisfied with the plan the Democrats proposed, the Governor on June 30th used his power to call a special session of the Legislature to force them to come back to Trenton to work on tax relief that will actually help the state's people and the state's business climate. As of this writing there has been no resolution in the legislature. The Governor spoke to the assembled Legislators making the point that if his revenue projections were "good enough for their added spending, why aren't they good for the people's property tax cut?" After the speech, Legislative leaders decided not to vote at all on the Governor's plan.

### Teacher Tenure Reform

In late June the Legislature finally acted on education reform. The TEACHNJ Act was a compromise bill between education reform advocates and the teacher's union. As a result, the final product was watered down from the original bill, but it still makes some important changes to the teacher tenure system in New Jersey. Originally advocates were pushing to the end the system of 'last in first out' which means that if teachers have to be laid off, then the only factor that would matter was how long they had worked there. This often means that the best, most energetic teachers who were newly hired would lose their jobs, while less effective teachers remained simply because they had more seniority. This bill does however provide the first changes to the state's tenure system in a century. It will increase the number of years needed to gain tenure from 3 to 4, and will grade

teachers on a 4 point scale. If a teacher is rated as ineffective for 2 years in a row, they may lose their tenure, something that will be determined in a matter of months instead of years. Though teachers aren't the only reason for poor student performance, bringing about these reforms (which are common sense in the private sector) is a step in the right direction. NJGCA supports continued efforts to reform education and produce higher quality employees with better skills.

### NJGCA PAC

As we continue to fight for the issues that matter to you in Trenton, we need your support to be successful. As we build support for our issues, we must make sure that our allies are supported and that we show them that we are speaking with the backing of thousands of small businesses. We ask that you please make a donation to the NJGCA Political Action Committee. Even \$100 will be helpful in our attempts to fight for issues like Zone Pricing and Right to Repair, and to prevent the state from repealing Below Cost Selling laws or begin selling lottery tickets over the internet. Mail your checks made out to the NJGCA PAC to our office at 66 Morris Avenue, Suite 1E, Springfield, NJ 07081. Thank you. ■

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## The Need For Video Surveillance

by Dan Goff

**Able-Tech Information Management Services & NJGCA Member Benefit Partner**

Who would have thought that Video Systems would become an essential part of business, both as a means of protection and as a tool for growth? In the past, video's role only came into play to review a robbery or accident. This served owners well for preventing or prosecuting thieves, and protecting them against liability litigation.

Video cameras and recorders act as your ever-present extra set of eyes, always watching, observing everything. You might look away, be distracted, or simply ignore minor events, but the cameras see and save every detail. A replay or printout of an incident is usually enough to settle any argument over what really happened.

### [But how can video help increase profits?](#)

Protection is a major consideration for installing cameras, but most retailers overlook how video can contribute to their profits. Anything that can help your bottom line is worth installing or upgrading.

**Consider video to be a valuable training asset.** You can monitor employee activity, appearance, and attitude, either by next day replay or via remote access to your system. When you're absent, employees may be taking excessive breaks, ignoring their tasks, using their phones, treating customers improperly, and in extreme cases engaging in criminal acts. Constructive review of video with a worker can help to improve that worker. Employees who are aware of your presence are less likely to misbehave, and an employee who views their own actions may actually be surprised, by recognizing poor performance or behavior that they had never considered poor previously.

A subtle way to accomplish this and get the conversation started with your employee would be to include a printout of the event with their paycheck. *One such incident clearly showed a cashier talking with friends that were constantly stopping by to visit, while also showing a person walking out of the store with a six pack totally un-noticed by the cashier. What if the cashier wasn't chatting between sales? What if the cashier was behind the counter and paying attention to the customers in the store? Would a thief have been able to simply walk out without paying for a six pack of beer?*

Positive behavior can also be discovered and used later for training. Consider this experience: *A husband confronted the owner about his wife being mistreated 2 days prior. They went into the office, and a replay (with sound) showed his drunken wife was the one being abusive. Apology from husband accepted, cashier complimented for discretion.*

**Consumer buying patterns** can be tracked. Watching where customers move through the store, you can place "impulse" items in high traffic zones. Some systems have the ability to count people entering and buying, then providing statistical analysis. To the dark side, you can also check for shoplifting. Many cameras can be set to trigger an alert if motion occurs in sensitive areas, or around items that experience high shrink.

**Inventory shrink** can be controlled by linking your cash register to the video recorder. You can confirm proper prices are rung up for items. Better systems can "read" transaction data and flag you of unusual events such as no-sales, voids, refunds, and leaving the cash drawer open.

Monitoring the cashiers in one C-store provides this excellent example of how effective cameras can be: *Video printout with receipt tape shows a cashier scanning the product, then voiding the sale, resulting in "no-sale". The customer received change, and left with the product! A review of physical inventory reports showed shortages were equal to voids for the month. The ex-cashier is now on a pay garnish plan when she gets out of jail.*



**A camera in the receiving areas will keep tabs on vendors.** Some surveys suggest up to 40% of inventory shortages can be traced to vendors. Watching for short-counts, theft of other items in outgoing boxes, substitutions, “sweet-hearting”, kickbacks to managers and failure to rotate perishable stock are a few examples of problematic vendors. Here is an example one of my customers gave me when exclaiming the effectiveness of the cameras that monitored his deliveries: *A chip vendor brings in a delivery and checks it in with the assistant manager. The vendor points to each row of bags, counting out loud “3, 6, 9, 12, 18, 21, 24”. Then the invoice is signed & paid. The guy purposely skipped “15” in the count, shorting the store 3 bags! The chip vendor is no longer selling chips, and the owner received a free case of product.*

**Repair shops can benefit** in similar ways. Cash register transactions can be monitored for proper processing. Cars entering and leaving service bays can be confirmed to closed invoices. Even parts deliveries and returns can be monitored. Tow trucks can be equipped with mobile camera/recorder units. Have you ever had a customer complain about a missing hub cap, or damage that they claim wasn’t there when they dropped their car off? Cameras recording activity in the bays have been known to resolve these kinds of disputes.

### What are some system basics?

The video recorder and cameras are the foundation of a good system. The performance of each must be matched to the other, and to the mission requirements. Image quality and storage capacity are key features. In addition, 2 types of cabling can be employed: traditional coax cable, and computer-style networking, also referred to as “ip video”.

Camera selection is driven by 3 main factors: resolution (image quality), lens (fixed-length or zoom), and frame rate (the number of images per second). Other camera features are tailored to special situations, including high-contrast resolution, weatherproofing, vandal-proofing, infra-red lighting, thermal imaging, remote-control pan/tilt/zoom, integrated audio and wireless transmission.

Cameras come in 3 basic configurations: traditional “box” cameras, domes, and bullet. Box cameras have a detachable lens, which provide great flexibility in setup. Domes offer more protection to the camera, plus a certain “covert” quality, since a tinted dome conceals where it is aimed. Bullet cameras are sealed for outdoor use.

Modern cameras rate resolution in megapixels. Most standard cameras using coax cabling are less than 1/3 megapixel, with newer ip-video units offering 1 to 10 megapixels. Resolutions above 1.2 megapixels are also classified “high-definition”, or H-D.

The biggest distinction in lens choice is fixed-length or zoom. Zoom lenses cost slightly more, but can be “fine-tuned” to the specific area being viewed.

Frame rates are important in providing smooth motion. 4 frames per second is considered the minimum for jitter-free viewing. Many cameras can provide up to 30 frames per second, but this is utilized mostly by casino-type facilities where maximum detail is required. Higher frame rates will consume massive amounts of storage on the recorder.

Video recorders are available as self-contained devices or software-based computers. The recorder must be compatible with cameras, so resolution and frame rate are critical, plus the number of cameras. Recording is stored on computer-style hard drives (as opposed to older “tape” recorders), and storage size can be estimated based on number of cameras, resolution, frame rate, and desired number of days to save. Self-contained recorders are usually built for 4, 8, or 16 cameras and have limited storage. Software-based computers, referred to as “video management systems”, can be easily expanded for more cameras or enhanced features.



Recorder choices are also marked by other features, some of which could be critical to your mission. Features to consider include motion detection, interfaces with cash registers to record and search transaction data, automated alerting of unusual activity, digital zoom, license plate capturing, video analytics (counting of people or vehicles), and remote access from computers or cell phones.

An important option that merits inclusion with every system is audio monitoring. The capability to match actual words with images of an incident is priceless. Customer complaints about staff now become clear by eliminating the “he said, she said” factor. You can listen to how employees speak to customers and train them more effectively. There is, of course, the aspect of hearing what people gossip about when you’re away, but to a serious businessperson that novelty wears out quickly. From a legal standpoint, audio recording is ok provided the microphones are in public areas and you have proper signage on all doors.

### How much video do I need?

**In order to define your video system, you need to define your mission.** The more you plan to use video in making decisions on improving your business, the more you will invest. However, the more you utilize your video system, the faster your return on investment.

**For basic protection,** a simple system should suffice. The cameras can be lower resolution, prioritizing coverage for doors, cashier area, and building perimeter or parking lot. Less than 8 cameras is typical. The recorder should have at least 2 weeks storage.

**If you plan on monitoring employees and customers,** to improve training and marketing, more camera views are necessary. Draw a map of the site, and plan camera positions to avoid blind spots and determine lens coverage. Selecting higher resolution cameras, while more expensive, may end up costing less because a single camera can be positioned with a wide view, then digitally zoomed to smaller areas and still provide enough detail. A 1.2 or 3.0 megapixel camera could take the place of 2 or 3 standard cameras.

**Video recorder options** should be reviewed carefully, both for current need and future expectations:

- **Audio monitoring.** Most important in the cashier area. Many audio kits include a base station, allowing managers in the office to listen to activity out front. Some systems also have 2-way intercom ability.
- **Cash register interface.** Simple devices provide an overlay of the receipt tape on a camera view. Avoid these, as they will obscure the video image and don’t permit searching for keywords. The better devices stream the text characters and store them as a computer data file. The best interfaces include programming that creates a log of unusual events, such as voids, no-sales, and refunds. You can then review a daily list of events, open each event and review the action.
- **Storage upgrades.** Many recorders can add storage, but check if hard drives can be upgraded onsite or if the unit must be returned to the factory. Some recorders also accept external hard drives, and owners will “archive” an entire month or two.
- **Analytics.** Marketing strategy should be fact-based. Analytics give the recorder an intelligence to count people or vehicles, including the direction they’re moving. Reports on site traffic can be coupled with sales data for powerful reports. This option is typically added as a software module on computer-based systems. The better analytic programming may also require special “stereo” cameras.
- **Remote access.** Most recorders have a port for connecting a network cable to your internet gateway. Some systems can be viewed using your computer’s internet browser, other require installing special software. Some recorders also have cellphone apps, but we consider this a “novelty” feature with limited practical benefit., due to small displays and slow download speeds.

**IP video vs coax cable.** On smaller installations, coax cable is the most cost-effective choice. IP video is better-suited for large and high-performance systems. If you require more than 16 cameras and want megapixel image quality, ip video is the obvious route. Some installers save cost by using existing computer cabling. Sharing



network cabling may cause a severe slowdown of your computers, because ip video consumes a lot of network capacity.

**Power supply.** Cameras are sensitive to inconsistent voltage, so don't cut corners here. Pass up the transformer "cubes" for self-contained power supply boxes matched to the cameras. Battery backup for 45 minutes should be included.

Be aware that many wall-mounted power boxes are not UL-listed, and require a licensed electrician for connecting to your house power. A box hooked up by a video technician may not meet electrical code and could expose you to liability.

[Can I install my own cameras?](#)

Simply put, you get what you pay for. Low-end video systems are offered as DIY kits, with cameras, recorder, power cubes, and pre-cut cables. They provide very low resolution images, and are typically "no-name" products. If something goes wrong, repair parts are unavailable and tech support is next to impossible. Recording could stop without warning, leaving you with nothing at a time when you need to review a critical event. Seeking an experienced professional always provides the best performance and peace of mind.

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## A Tale of Two Decisions



Two recent federal court decisions involving lessee dealers' efforts to forestall nonrenewal following their suppliers' withdrawal from direct delivery drive home the limited, but in one case sufficient, protection provided by the Petroleum Marketing Practices Act.

In *GTO Investments, Inc. v. Buchanan Energy*, 2012 WL 714802 (N.D.Ill.2012), following Mobil's sale of some of its formerly direct-supply stations in Illinois to a distributor, the distributor presented the impacted lessee dealers with renewal three-year lease and franchise agreements, which left blank the amount of rent that the dealers would be obligated to pay for the second and third years of the contractual term.

When one dealer complained, he was allegedly told that the unspecified monthly rent amounts imposed by the distributor "could be \$20,000 or \$30,000 or \$40,000, it is up to us. Take it or leave it." The dealer refused to sign, and subsequently received a notice of nonrenewal.

In granting the dealer a preliminary injunction prohibiting nonrenewal until a full trial could be heard on the merits, Judge Gottschall emphasized that, although the PMPA does not prohibit franchisors from offering an agreement on a "take-it-or-leave-it" basis, it does forbid them from insisting upon "coercive renewal agreements" offered in bad faith or as a pretext for nonrenewal.

Judge Gottschall found that the distributor's take-it-or-leave-it offer did not pass muster because of the uncertainty it created, which rendered the dealer's franchise virtually unsalable.

As further proof of the distributor's bad faith, Judge Gottschall pointed to evidence that the distributor was pricing gasoline to the plaintiff and other of its lessee dealers above the retail prices that it was charging at its competing, company-operated stations. That evidence, the judge said, "corroborates [the plaintiff's] position that [its supplier] is forcing it out of business by imposing the terms of the Proposed Lease."

The complaining dealers in *BP West Coast Products, LLC v. Crossroad Petroleum, Inc.*, case nos. 12-cv-665 and 12-cv-887 (S.D.Cal. 2012), saw no such success. In that case, over 100 Southern California dealers faced nonrenewal as a result of BP's decision, made over a year earlier, not to renew its underlying lease for the stations that it subleased to the dealers.

Rejecting the dealers' request for a temporary restraining order prohibiting the owner of the underlying properties from entering into a new lease agreement with another petroleum

marketer, Judge Sammartino held that she lacked the power under the PMPA to enjoin the underlying property owner because it was not the dealers' direct franchisor, and thus was not subject to the PMPA's requirements.

Judge Sammartino stated that she did not doubt that the dealers "may suffer financial hardship by the loss of their franchises" because many of them "have invested substantial resources into their service stations, and the stations are a primary source of income for many of these individuals and their families." Nevertheless, the court found that its authority was limited by the scope of the PMPA.

These decisions are indicative of the breadth of the litigation which has resulted from the market turmoil caused by the major refiners' decisions to discontinue direct-supply relationships. In some cases, the PMPA provides a remedy and in others it does not. The specific circumstances of each case must be carefully examined. ■

*eMail: [pgunst@agtlawyers.com](mailto:pgunst@agtlawyers.com)*

*To access the latest articles by the Service Station Dealer's legal counsel, please visit the "Service Station Dealers: Legal Issues" section of the Astrachan Gunst Thomas Rubin, P.C. website at:*

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## SECURITY

## SMARTS

By Dan Goff

**Able-Tech Information Management Services & NJGCA Member Benefits Partner**

Every day in every business, owners are exposed to situations that may compromise their security. Security breaches can impact you in many ways, sometimes right away, sometimes in the future. Making your business secure relates to preventing any loss, be it money, data, inventory, credit rating, trade secrets, or privacy

This simple question-and-answer forum is designed as a wake-up call. Let's see how security-savvy you really are!

In future articles, we'll present more questions & answers, case histories, and new developments, all geared to raise your awareness and avoid loss.

The answers are on page 20. We will also have expanded answers and additional articles on the NJGCA website.

1. Antivirus programs protect you \_\_\_\_\_ % of the time.

- A. 100% B. 98% C: 87% D. 75%

2. True or False: It's ok to let my techs buy parts using my trade discount, as long as they pay the parts store themselves.

3. Ignoring or entering the wrong zip code on a credit card terminal causes what?

- A. Nothing, it's just gathering marketing data.  
B. Raises your card fees  
C. Could result in a chargeback

4. A cashier's drawer has coins mixed up.

- A. Ask the cashier to be neater  
B. Compare the number of voids and no-sales to other cashiers  
C. Restock the change safe

5. A customer asks for 15 different lottery tickets, then changes his mind and leaves. The cashier should:

- A. Check all the tickets before putting them back  
B. Ask the customer why he changed his mind  
C. Alert the manager/owner

6. A customer is wearing baggy pants, popular attire for shoplifters. The most likely target is:

- A. Cigarettes  
B. Energy drinks  
C. Cold medicine

7. Two vendors arrive at the same time

- A. Ask one to wait while you check in the first delivery  
B. Have another employee check in the other vendor  
C. Ask one to come back later

8. Your cellphone was left at another store, and they called you to return it

- A. Change all passwords on the accounts accessed with the phone  
B. Alert all people on your contact list to ignore requests for information  
C. Have your phone scanned for malicious programs

9. A weekly employee is taking 1 item off the shelf every day. How short will your inventory count be at the end of the month?

- A. 30  
B. 28  
C. 22  
D. 20

10. A customer noticed a ¼ inch hole below the passenger doorhandle, but nothing was disturbed inside the car.

- A. Repair the hole, a thief was probably interrupted  
B. Alert the customer their home is a burgler's target  
C. Check if fuel was siphoned  
D. Change the EZ-Pass account #

# THE HORROR HIGHLIGHT

*Don't let this happen to you!*

## ***Do you know what you're buying?***

By Debbie Hill

Are you purchasing a gas station? Don't let this happen to you! Recently a member called me for help after he purchased another service station. The business he purchased included: gas, automobile repair, and a convenience store. The purchaser thought he was getting a great deal for the money. He paid over \$1.5 million. All parts of the business were profitable and making money. So what happened?

Several months after he purchased the business he hired a contractor to perform the annual testing on the tanks and vapor recovery stage II, which had come due after the purchase was complete. The contractor arrived on site and began testing all systems. The Tank Tightness test passed. The Pressure Decay test passed. The Interstitial Monitor test failed! After investigating further and pulling out all of the probes on the interstitial system, the contractor discovered the reason for the failure. All three gas tanks had more than **30 inches of water** in the interstitial portion of the tanks! Upon further investigation, it was also discovered that the probes for each of the 3 tanks had been purposely raised above the water line to avoid detection. This was done by the previous owner to keep the alarm from constantly sounding every few minutes. This discovery meant that these tanks did not have a valid form of leak detection, and were in clear violation of NJDEP regulations. Although the Automatic Tank Gauge (ATG) system was performing the appropriate tests, it was not getting a valid reading because the probes were purposely distorted. The water was pumped out. Within hours the water had once again filled the interstitial space of the tank. A serious problem existed.

Taking responsible action, the contractor notified NJDEP of their findings. NJDEP visited the site quickly, examined the situation and then imposed a "Delivery Ban" and immediately closed the facility.

The new property owner argued that the integrity of the inner tank was still intact. However, NJDEP responded that besides the tank not being properly operated as registered, and originally intended as a double wall system, the integrity of the inner wall also could be at risk. The discovery of the water also changes the view of the insurance company providing coverage for a cleanup should there be a release. Technically the insurance company could deny paying claims since fraud was involved in deceiving them when coverage was bound. They relied on facts that included proper test reports that assured the integrity of the outer tank walls. The tests they relied on were false, and these tanks had to be replaced.

The new owner called NJGCA to provide advice and assistance. How could I help? I contacted NJDEP and requested the ban be removed while the new owner received bids from tank replacement contractors, expecting that new tanks could be in place within 6 months. I was unsuccessful. What could I do?

I advised him to make immediate calls to notify his attorney, his insurance company, and certainly the previous owner. Since he now is aware of the situation he has the responsibility to act immediately, take all precautions, and resolve the matter. The tanks would have to remain closed and he needed to notify all who may be involved.

NJGCA did more investigation and found the contractor who had performed the prior year's compliance testing for the previous owner. I learned that the contractor had reported the problem multiple times over the past few years when they performed their tests. They had notes and notices showing that the previous owner had been informed of the water problem. Their notes even showed that they found the purposeful altering of the interstitial probes in order to avoid detecting the water that was present.

What happens now? The new owner has closed the gasoline portion of the business and is undergoing a complete remove and replacement of the facility's tanks and his attorney is working to recover money from the previous owners.

Should this situation have been avoided? Absolutely YES!

Had a proper environmental inspection been performed prior to the real estate closing this would have been avoided. A proper Phase I and II study performed by a licensed environmental consultant, and an inspection of all UST, Vapor Recovery, and ATS Monitoring systems, MUST be completed BEFORE you purchase any gas station property.

A few thousand spent to prevent this situation could save hundreds of thousands of dollars in remediation and headaches. NJGCA has several trusted environmental consultants that are LSRPs, and also we can make a recommendation for a trusted company to inspect and test your systems as required by law.

**I look forward to receiving any of your comments or horror stories that can be used to help other NJGCA members avoid the same mistakes**

**If you have any questions and need help – call me at 973-376-0066 or email [Debbie@njgca.org](mailto:Debbie@njgca.org) ■**

# Doctor shortage the bigger problem for N.J. health care

By Marcus Rayner

The U.S. Supreme Court has decided the constitutionality of the Affordable Care Act, more commonly known as "Obamacare." The law's constitutionality has sparked discussions and debate over the past three years as we vet the best way to keep ourselves healthy. But irrespective of your position on the mandates and regulations that comprise it, New Jersey has a health care crisis all its own — one that has the potential to affect how its residents access specialized medical care in the very near future, and one that the court's decision isn't likely to affect.

New Jersey's crisis is a shortage of doctors. And the hemorrhaging will affect us all. Ask around and you're likely to hear frustration about the amount of time it takes to schedule a visit with an OB-GYN. Unfortunately that is becoming the norm. The New Jersey Council of Teaching Hospitals reports that there is already a 12 percent gap between physician supply and demand. New Jersey's medical schools graduated 860 newly minted physicians in 2009; only 370 stayed in the state. By 2020, New Jersey is expected to be short an additional 3,000 physicians needed to care for its population.

And these shortages are most profound in obstetrics, cardiovascular specialties and family medicine. In short, women will bear the brunt.

There are many reasons New Jersey is less attractive to physicians. Our high cost of living doesn't help. But the reality is that, while other states (particularly those in the South and West) have adapted to physicians' market changes, New Jersey has not. New doctors, saddled with student loans, must take their trade to a market in which they can at least break even for their first few years in practice. In this way, doctors aren't much different from other professionals.

The most significant expenditure they leave

behind in New Jersey is the staggeringly high cost of medical liability premiums. And as New Jersey's OB-GYN premiums approach the highest in the country, there is little question why obstetricians are particularly hard-hit by New Jersey's health care crisis.

Physicians have repeatedly told us that defensive medicine and the risk of being named in a frivolous lawsuit affects the way they run their practice and tests their commitment to New Jersey, where lawsuits can be filed against them with little merit or consequence. It's a key reason many New Jersey OB-GYNs have stopped delivering babies altogether and contributes to our high Caesarean section rate, currently second in the nation.

Other states have been in our situation and addressed these market changes. In 2003, Texas stood on the brink of a profound medical crisis. The number of newly licensed physicians dropped with each passing year, and 150 of its 254 counties did not have a single obstetrician; 120 did not even have a pediatrician.

But a package of medical liability reforms enacted later that year delivered startling results: 60 percent more doctors are being licensed post-reforms than before. Specialized medicine has become increasingly available with each passing year. An appointment with an orthopedic surgeon doesn't require a waiting list. And Texans now enjoy greater availability of medical providers. With doctors' potential overhead costs reduced, Texas and other reforming states lured New Jersey's own physician pool out from under us. And, as a result of Texas' changes, the number of obstetricians practicing in underserved rural areas increased by 27 percent.

We need to do a better job of keeping New Jersey's medical school graduates in the state that groomed them. Legislators are advocating a task force to assess just how deep the Garden State's doctor shortage will grow by 2020. This is a start, but it is not enough. Ask lawmakers to support medical liability reform. Otherwise, we will continue to educate other states' doctors at the expense of our own access to health care. And no Supreme Court decision will get us out of this looming mess.

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



## STATION SECURITY

*Protecting your dispensers, tanks, and inventory from thieves*

Ralf Hillesland & Matthew Senni | Alfa-tronics, Inc | [www.alfatronics.us](http://www.alfatronics.us)

An often overlooked aspect of your business is your sites security. We have all heard the stories of fuel theft and credit card skimmers but only a few of us have dealt with this problem directly. Often times we hear these stories and think that these things only happen in states like California or Florida. Well don't kid yourself, these security breaches occur right here in New Jersey and they result in serious financial loss.



**CUSTOM RIG WITH 55 GALLON DRUM AND SMALL PUMP USED TO STEAL FUEL.**

In the United States, over 8 billion dollars' worth of fuel was stolen in 2008. Much of this enormous amount was taken directly from gas stations. This theft occurs often and the thieves have several clever ways of draining you dry. The first and most common technique is to breach the dispenser door and manipulate the pulser in order to cause the fuel to flow freely. The fuel will not register on the pump and the thieves can then fill up for free. Diesel pumps are a prime target since truckers can steal hundreds of gallons at a time. Thieves are even attacking your fills directly. Using custom designed vehicles, they are able to park directly over the fill and using a small pump, steal hundreds of gallons.

Credit card skimmers are the newest high tech way that thieves are putting your business at risk. These skimmers can be easily made or purchased from the internet for a couple hundred dollars. They are



**A THIEF HAS TAMPERED WITH THE PUMP AND HAS GAS FREE FLOWING. HE IS FILLING CONTAINERS TO TAKE WITH HIM.**

placed in your dispenser, often designed to look like they belong there, and steal your customer's personal information. Many skimmers have been found at NJ sites and have caused serious problem for gas stations and their customers. Once word gets out that a skimmer was found at your gas station, you can bet your customers won't be back.

It's time to protect your investment and assure the safety of your business and of your customers. There are several ways to avoid these terrible situations and to not become a victim of theft. The first is to replace the standard locks that are on your pumps. These locks are common throughout the country with thousands of standard keys in existence. A high quality lock with a custom key made exclusively for your business such as the ones made by COMPX are the best way to go. These locks are designed to be tamper proof and come with keys that cannot be copied. Another terrific product from COMPX is the "Tank Commander". This is a specially designed cover for your fill that can withstand over 80 blows from a 5 lb. sledgehammer. It can be locked with the same key used on your pumps or with a high quality combination lock.

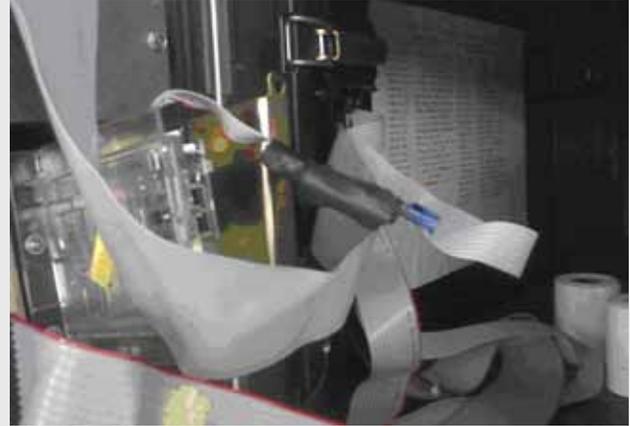
While quality locks are the most practical way to protect your site there are also high tech devices that take



A HOME MADE SKIMMER DEVICE.

security to a whole new level. Alarm systems for your dispensers such as the Flint-Lok System are an excellent upgrade to your site. These systems are designed to not only sound an alarm when someone attempts to open a dispenser door but can also notify you via your cell phone of the break in. The most impressive thing about the Flint-Lok System is that it will shut the pump down and insure that the thief cannot get a single drop of precious fuel. Security cameras are also a crucial way to keep an eye on your business. Several quality cameras placed at key locations can make the difference when it comes to identifying the thief.

Theft at gas stations is on the rise and with the high price of fuel; thieves will stop at nothing to get their hands on it. Take the time to secure your site and insure that you and your customers are protected. A small investment now could save you thousands of dollars later. Please feel free to contact a quality certified contractor such as Alfa-Tronics to help you with all your security needs. ■



(ABOVE AND BELOW) DIFFERENT SKIMMER DEVICES INSIDE GAS PUMPS. THEY ARE DESIGNED TO LOOK LIKE THEY BELONG THERE AND OFTEN GO UNDETECTED UNTIL QUALIFIED TECH FINDS THEM.



## ADVERTISE WITH US!

On The Road is a quarterly newsletter reaching gasoline stations, convenience stores, and auto repair shops throughout New Jersey. This newsletter is sent to a focused market that requires your products and services.

If you receive this newsletter and are interested in advertising, please contact Greg at (973) 376-0066.

# WHOPPER DIVIDEND JUST PAID TO NJGCA MEMBERS!

NJGCA members in good standing as of December 31, 2011 who participated in the NJGCA/AMT Health Coverage Program received a **HUGE 3.3% DIVIDEND** based on Health Care premiums that were paid in 2011.

The dividend was sent as a credit that appeared on the July 2012 Healthcare premium invoice. The average dividend received by NJGCA members was over \$1000. Members having more employees covered under the AMT plan and therefore having paid more premiums received even bigger dividends, many received over \$2000, and many received over \$3000.

The NJGCA/AMT Health Coverage Program is set up so that plan holders receive the savings that other health insurance companies would otherwise pay as profits to their shareholders. The NJGCA/AMT program is grandfathered under the laws of the State of New Jersey and forbids anyone from joining the plan that is not a member of one of the 13 Associations that comprise AMT.

NJGCA members who do not purchase Health Care Coverage for themselves and their employees are missing out on savings that cannot be obtained through other health Insurance companies!

Remember, New Jersey Laws prohibit participation in the AMT Health Coverage Plan if your business is not a member of NJGCA. Do you think the members that received a \$1000 or a \$3000 dividend found it was worth it to belong to NJGCA?

Membership in a strong trade association is one of the best investments you can make!

Contact Greg Cannon [greg@njgca.org](mailto:greg@njgca.org) or call 973-376-0066 to learn how your business can participate in the NJGCA/AMT program and save \$\$.

## **Answers to Security Questions From Page 15**

1. C: 87%. NO antivirus is 100% effective. It is up to owners to train employees on appropriate computer usage, and to take action immediately upon noticing any change in performance. Secondary malware scanners are available that won't conflict with your primary antivirus.
2. False. All purchases made to your account, especially using your sales tax ID, become your responsibility to provide proof of resale. In the event of an audit, you will be held responsible for "unreported income" on the purchases made to your account.
3. B: Raises card fees. The zip code is used to verify the billing address stored on the magnetic stripe. If the zip code is different, you will be charged a rate for an unqualified credit card, typically 3.5 – 5.0 %.
4. B: Check for excessive voids and no-sales. Mixed coins are a way to track voided sales that the cashier still collects money from customers. The cashier will count the misplaced coins to determine how much cash to remove from the drawer (pennies = \$1, nickels = \$5, etc). A spot-check of the drawer could also discover a cash overage.
5. C: Alert the owner/manager. This could be a common scam, where the customer waits for the cashier to turn away and switches the stack of new tickets for a stack of used ones, leaving a single new ticket on top. The scammer may not have been able to make the switch, but it's still suspicious behavior and management should take action.
6. C: Cold medicine. Some groups are using ingredients in certain medicine to produce harder drugs.
7. C: Ask the other vendor to come back. Some vendor will try to "double-team" you, creating distractions and pressuring you to rush, so they can short-ship you.
8. B & C: Some opportunists, including competition, are "borrowing cellphones and downloading all the data before returning it. They then use that data for their own gain, such as spamming your contacts, gaining account numbers, or installing "keylogger" programs that transmit every entry you make to them.
9. C: 22 items short. A 30-day month, less 4 weekends (8 days) = 22 days
10. B: Their home may be a burgler's target. Thieves are breaking into cars with GPS, and checking the address for the GPS "home" setting. They now know nobody's there and how long they have to go through the house, or they will watch that car for the next opportunity.

# Save TODAY with NJGCA Member Benefit Partners!

## MBP TESTIMONIAL

TMP Energy Solutions can Save You Money

*submitted by*

*NJGCA Headquarters*

The NJGCA Member Benefits Partner (MBP) Program has featured TMP Energy Solutions. In the previous issue of On The Road we published a testimonial from Member Tom Sadowski of Sadowski Shell. Tom gave us permission to publish a tracking of his electric bills at his gas station in Nutley demonstrating a total savings of \$370.18 over a 3 month period.

Who can give a better testimonial? We here at NJGCA can! We tracked the electricity consumption and charges here at the NJGCA headquarters for the entire building. We examined the 12 month period prior to signing on to the TMP Energy Plan, and compared the same for the 12 month period after we began participating in the TMP Energy Plan. What did we discover? What did we save? **\$4303.04**

You are passing up an easy way to save real \$\$ if you are not enrolled in the TMP Energy Plan! Call NJGCA headquarters and speak to Greg, He will get you enrolled in the plan immediately. [greg@njgca.org](mailto:greg@njgca.org) or 973-376-0066

## THE NJGCA MEMBER BENEFIT PARTNER PROGRAM

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

Here is a list of our current MBPs:

**ASSOCIATION MASTER TRUST (AMT) – Health Coverage**  
**MEADOWBROOK INSURANCE GROUP – Workers Compensation**  
**THE AMATO INSURANCE AGENCY – Garage Liability, Auto, Homeowners, Flood, Disability, Income Protection**  
**DANA TANK INSURANCE SPECIALISTS – Tank Insurance**  
**FIRST DATA CORPORATION – Credit Card Processing & Consulting**  
**AFFINITY FEDERAL CREDIT UNION – Credit Union**  
**ABLE-TECH – Industry Specific Business Consulting**  
**ENVIRONMENTAL ALLIANCE, INC. – Environmental Remediation Services**  
**ATS ENVIRONMENTAL SERVICES – Tank & Vapor Testing, NJDEP Compliance**  
**PH2 SOLUTIONS – Quick Diagnostic Emissions Tools**  
**AUTOBOSS USA – Scanners, Wheel Alignment Equipment**  
**SERVICE STATION VENDING EQUIPMENT – Air & Vacuum Systems**  
**TMP ENERGY SOLUTIONS – Discounted Electricity and Natural Gas**  
**KOPA – Efficient Energy Lighting Solutions**  
**UNIFIRST – Uniform service and station supplies**

# THE ENERGY EXAMINER

FROM TRADITIONAL RESOURCES TO ALTERNATIVE ENERGY INNOVATIONS

By Nick De Palma



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. You may also visit [www.njgca.org/energy-examiner](http://www.njgca.org/energy-examiner) for more details.

**FOSSIL FUELS** | *The long-reigning king of the energy/transportation industry, fossil fuels such as gasoline and diesel are the fuel of choice in powering our automobiles. Rising governmental regulations, however, are making fossil fuels less attractive, forcing engineers to invest in new technologies. Undoubtedly, fossil fuels will continue to play a big role in our future transportation energy needs, but new advances will change the way we design and operate internal combustion engines in tomorrow's vehicles.*

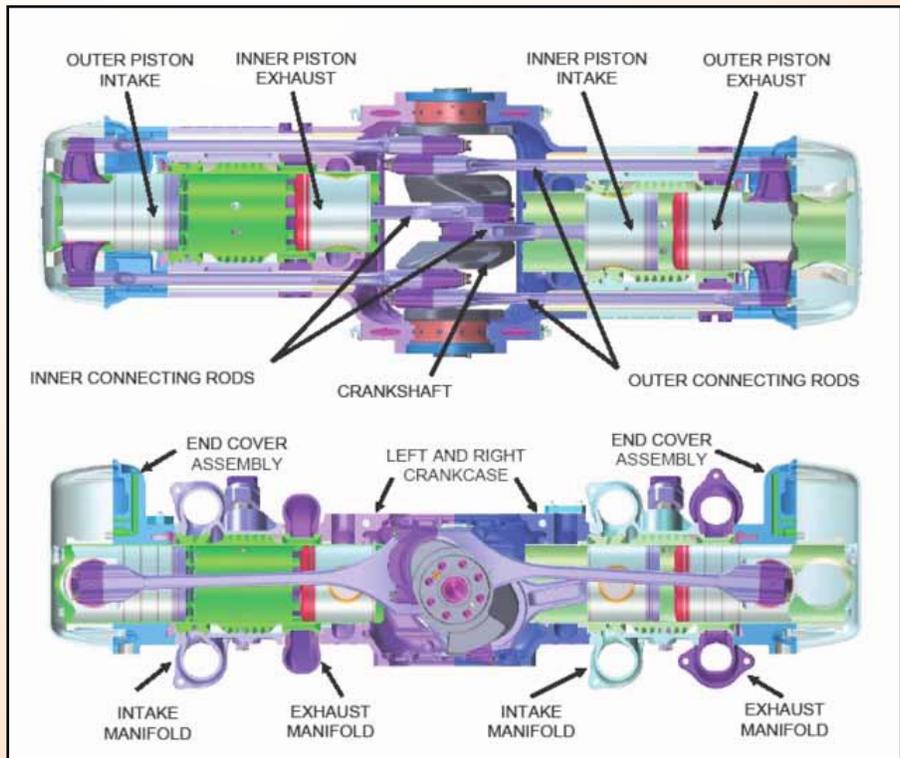
## UPDATE: NEW ENGINE CONFIGURATIONS GAINS ATTENTION, EFFICIENCY

The internal combustion engine (ICE) is a 100 year old technology that doesn't know when (or how) to quit. Despite rising government mandates and tough environmental regulations, ICE advancements always seem to find their way to market and filter throughout the automotive landscape.

Since our last update, news developments only underscore that ICEs will be part of the automotive transportation environment for years to come.

In past editions, we have reported on EcoMotors International ([www.ecomotors.com](http://www.ecomotors.com)) and their new patented powertrain design, dubbed the "Opposed Piston Opposed Cylinder" (OPOC) engine. You will recall that, at first glance, this engine configuration seems to mimic a horizontally opposed (also known as a "boxer" or "flat") engine layout.

However, while a traditional boxer engine has a head at the end of the cylinder, an OPOC motor eliminates the cylinder-head and valve-train. Another piston is then used in place of the cylinder-head, recycling the mechanical movement from a combustion stroke to make the engine more efficient. You can see the layout in the diagram to the right.



*Image courtesy of EcoMotors International*

The OPOC engine has incredible power-density thanks to its lightweight construction, design simplicity, compact layout, reduced friction, and lower emissions. What's more, the engine has the capability to operate on diesel fuel, ethanol, or traditional gasoline. The design is modular, meaning that if more power is needed, a second (or third, or fourth, etc) module can be added by mating the unit to a common crank shaft. Engineers believe that, depending on the application, the engine will improve fuel efficiency over traditional powerplant designs by 15 to 50 percent; a significant decline in fuel consumption.

Recently, the advances at EcoMotors have gained quite a bit of attention from the media and industry watchers. Former Ford powertrain engineer, John Coletti, has recently been appointed as President and Chief Operating Officer. Gearheads and car enthusiasts will recognize Coletti as the former head of Ford's legendary SVT skunkworks division.

Manufacturers want in on the new engine design for its reduced fuel consumption and emissions. Chinese auto-parts maker, Zhongding Holdings, and US truck-maker, Navistar, are working with EcoMotors. Zhongding hopes to use the technology to make electric-power generators. Navistar, who is continually searching for ways to increase fuel economy on its trucks and RVs, wants to develop a road-going version of the motor for both powertrain and motor home generator applications.

The company secured a \$32.5 million investment to further the engine's development. Among the investors is Microsoft founder, Bill Gates, who has publicly thrown his support behind EcoMotors. Gates was impressed enough by what he saw to back the venture. The new infusion of funds will be used to push a gasoline and CNG variant of the OPOC motor to market.

Many observers were surprised that Gates' invested in fossil-fuel engine development over other alternatives such as electric or hydrogen. However, it's possible that Gates' is a pragmatist in his desire to increase fuel economy, reduce engine emissions, and conserve world fuel supplies. As a global philanthropist, Gates' has a long record of charity work in areas like Africa and Southeast Asia. Arguably, he recognizes that to serve the energy transportation demands of individuals living in these areas, and directly improve their standards of living, existing gasoline and diesel installations must be exploited. Backing an engine technology that conserves fuel and lowers emissions may only underscore the premise that fossil fuels will continue to be part of tomorrow's energy landscape.

\*\*\* ENERGY EXAMINER \*\*\*

**ETHANOL/BIOFUELS/BIODIESEL** | *Currently available, ethanol, biofuel, and biodiesel are widely used by consumers around the country. Ethanol is now used in ordinary gasoline in the form of E10 (and soon E15) which is a motor fuel blend made up of 90% gasoline and 10% ethanol (the mixture will soon increase to 85% gasoline and 15% ethanol). Ethanol is also found in E85, a motor fuel composed of 85% ethanol and 15% gasoline. At its most basic level, ethanol is a form of biofuel; that is it is a liquid primarily composed on alcohol derived from biomass.*

### **UPDATE: NEW PROCESS IMPROVES ENERGY RECOVERY PROCESS FOR BIOFUEL**

The most recent issue of Environmental Science and Technology Journal outlines a new biofuel manufacturing process that produces energy more than 20 times higher than existing methods

Created by microbiologists and researchers at Michigan State University, the new process uses microbes to make both biofuel and hydrogen. The process is dependent on bioelectro-chemical systems known as microbial electrolysis cells, or MECs. During the bacterial breakdown and fermentation, agricultural waste is turned into ethanol. However, Michigan's approach is unique because a second bacterium is used to then remove all the waste-byproduct (non-ethanol substances) created during the fermentation process.

Although using microbes to create biofuel is not a novel discovery, the approached used by Michigan is innovative since there is a higher level of recoverable energy. In biofuel production, the term "energy recovery" basically means minimizing the amount of energy used (or lost) to produce the fuel when compared to the amount of energy inherent in the final product. Thinking about it in another way, "energy recovery" is like converting the chemical energy in gasoline to the mechanical energy in generator to the electrical energy that powers the lights in your camper or RV. In each step – from chemical to mechanical to electrical – some "energy" is lost. So when the generator is making electricity from gasoline, it produces heat which is lost and lowers the process's "efficiency". However, if the heat from the generator is recovered – or if it is somehow captured in the final product produced – then the level of efficiency rises.

What the researchers in Michigan have been able to do is "increase" that efficiency. Though earlier processes using feedstock for biofuels had a maximum energy recovery of 3.5 percent, the new process increases

the recovery to 35 to 40 percent. The key to this is the second strain of bacterium, which not only eats the non-ethanol byproducts from the fermentation process, but also produces electricity. The electricity from the second strain, however, isn't harnessed directly as electricity. Rather, the electricity is used to create hydrogen; further increasing the efficiency of the process.

Gemma Reguera, the microbiologist who developed the system, states that, "When the MEC generates hydrogen, it actually doubles the energy recoveries. We increased energy recovery to 73 percent. So the potential is definitely there to make this platform attractive for processing agricultural wastes." Reguera hopes to eventually scale up production for commercial applications.

\*\*\* ENERGY EXAMINER \*\*\*

**ELECTRICITY & ELECTRIC POWERED VEHICLES** | *Modern advances in battery innovation are making it possible to bring electric vehicles to market. Though a handful of fully-electric vehicles are on the market today, researchers are continuing to work on improving battery longevity and creating processes that improve vehicle charging times.*

### **UPDATE: USING VEHICLE TIRES TO CHARGE YOUR ELECTRIC CAR**

New electric vehicles (EVs) like the Chevrolet Volt and Nissan Leaf are making large strides in delivering dependable EVs to the market. However, in terms of sheer scope, the electric car segment is still in its relative infancy. Part of the debate in increasing the number of consumers willing to trade in conventional vehicles for electric cars is dependent on where and how a vehicle is charged.

Many EV owners use their vehicles solely for commuting and other, local tasks. These vehicles aren't yet used for long-distance commuting due to a limited number of charging points and the amount of time it takes to fully charge a battery.

However new approaches are being developed to help extend a vehicle's range and preserve battery life. Recently, NJGCA has brought you news of "wireless charging" systems, whereby ground-anchored panels at your station (or in your garage, parking spot at work, etc) wireless transmit electricity over short ranges to a "collector-type" panel underneath your car. The process is innovative, but still needs further development.

A Japanese company, however, is taking the process a step further by charging your vehicle through your tires. Known as the Electric Vehicle on Electrified Roadway (EVER) project, this new approach allows a driver to charge his or her EV **while driving**.

This method would essentially electrify a roadway by placing metal panels under 4 inches of concrete. Through wireless field technology (much like other forms of wireless charging), the panels would emit electricity to steel belts that act as a receiver inside the vehicle's tires. The motorist is then able to recharge the EV's batteries (or sustain the charge) as they drive.

The development process is only just beginning, and many obstacles need to be overcome to see the technology become commercially viable. For example, assuming that higher voltage can safely be transmitted, many roads would have to be retrofitted to incorporate the technology. However, if the Japanese team is able to build on their initial success, it could help alleviate the range anxiety that many EV drivers experience.

\*\*\* ENERGY EXAMINER \*\*\*

**HYBRIDS** | *As a relatively inexpensive means of increasing an automobile's fuel economy, vehicles with hybrid-powertrains have moved from niche-status to the mainstream. The number of models offering hybrid technology is only growing, especially as parts and materials become more affordable. Plug-in Hybrid Electric Vehicles (PHEV), an additional intermediate step toward full vehicle electrification, are blurring the lines even further between traditional vehicles and EVs. This is easily among the fastest growing, fuel-saving technologies today and auto technicians will need to be knowledgeable on how these vehicles can be safely repaired.*

### **UPDATE: LITHIUM ION BATTERY PRICES EXPECTED TO FALL**

Hybrid vehicles (as well as PHEV and full-EVs) depend heavily on battery technology. When hybrids were first introduced to the market, they relied primarily on battery packs made from nickel-metal hydride (Ni-MH). Today, the industry has moved primarily to using more-compact and power-dense lithium ion (Li-ion) batteries.

Though battery technology – and the materials batteries are made from – continues to evolve, most experts agree that Li-ion batteries will become the work-horse of the hybrid (as well as PHEV and EV) market

segments for the next decade or more.

With this in mind, and assuming geopolitics or global conflict do not intervene, most analysts predict that the price of Li-ion batteries will fall dramatically by 2020, and may decline even further by 2025. Today, complete Li-ion battery packs used in automotive applications cost anywhere from \$500 to \$600 per kilowatt hour. By 2020, the price per kilowatt hour is expected to fall to roughly \$200, and fall even further to \$160 by 2025.

To put this into perspective, consider how battery packs affect the price of hybrids, PHEVs and EV vehicles currently on the market. The 16 kilowatt hour battery pack in the Chevrolet Volt costs \$8,000 today. If prices fall as experts believe, in 2025 the same battery pack will cost roughly \$2600 in today's dollars.

The anticipated fall in prices is due to a few different reasons. First, as an emerging industry and a growing vehicle segment, there are a number of up front costs that have to be accounted for. As those fixed costs and initial investments are amortized, prices will begin to fall. Secondly, standardizing and improving the manufacturing processes will improve battery production. This will allow battery plants to crank out a higher number of batteries while increasing overall manufacturing efficiency, lowering costs further.

Also included in this prediction are advancements in the batteries themselves. As engineers are able to increase battery power-density, it will help cut the price per unit even further.

Taken altogether, the decline in battery costs will only help make hybrids, PHEVs, and EVs cheaper to build and more attractive for consumers to buy. Hybrids alone, however, will arguably reap the biggest benefit from price reductions since they use fewer battery packs than PHEVs and EVs. Automakers currently have 35 hybrid models for sale today; double the number available in 2008. A price drop will only help hasten the spread of hybrid technology as manufacturers balance consumer demand with government fuel and emission mandates.

\*\*\* ENERGY EXAMINER \*\*\*

**HYDROGEN/HYDROGEN FUEL CELL** | *Hydrogen is the most abundant elements in the universe and has long been an attractive power-source for automotive engineers. Two types of hydrogen powered vehicles exist: an internal combustion engine fueled by hydrogen or a fuel cell powered car driven by a hydrogen reaction.*

#### **UPDATE: PUSH FOR MASS-MARKET HYDROGEN FUEL CELLS 'DELAYED' TO 2020**

Though carmakers are still committed to hydrogen fuel-cell vehicles, a number of cost considerations and technological hurdles are impacting the timetable for mass production.

Hydrogen fuel cell vehicles offer an impressive 500 mile range and only take 5-10 minutes to refuel; making them more attractive than many current electric vehicles. A number of manufacturers, including General Motors, Daimler, and Toyota, keep investing in the technology. Yet, while most believed that the first retail-passenger car sales would begin in the 2015 timeframe, many analysts now believe that the start-date may realistically be closer to 2020.

Part of the reason for this delay is directly related to a limited hydrogen infrastructure and the need to ramp up hydrogen production. Without both elements in place, large-scale hydrogen fuel cell manufacturing isn't possible.

To combat this dilemma, some private and public entities are attempting to increase the availability of hydrogen. For instance, California is pushing to have 68 hydrogen stations open by 2015, mostly in the Los Angeles, San Diego, and San Francisco areas. In Europe, German officials have set aside hundreds of millions of dollars for a similar effort.

\*\*\* ENERGY EXAMINER \*\*\*

**NATURAL GAS/PROPANE** | *Natural gas vehicles (NGV) are not a new phenomenon. Many company and industrial fleets are powered by natural gas. For vehicle use, two different versions of this natural gas exist: compressed natural gas (CNG) or liquefied natural gas (LNG and also known as propane autogas). Both are clean burning and are efficient alternatives to gasoline and diesel. As a motor fuel, natural gas powered vehicles are incredibly popular and account for over 12 million vehicles on the road world-wide. CNG and LNG are typically cheaper than gasoline and other motor fuels while delivering better profit margins.*

#### **UPDATE: FRACKING AT BAKKEN HELPS INCREASE U.S. NATURAL GAS SUPPLIES**

Over the last few years, the Bakken oil and gas fields have made a lot of headlines. Recently, however, the nation's abundance of natural gas inventories is owed in part to ongoing operations in that area.

The Bakken fields, an underground geological rock formation located in parts of Montana and North Dakota, is rich in oil and natural gas deposits. Estimates of recoverable oil range from 3 to 18 billion barrels. Though the existence of oil and natural gas deposits has been known since the early 1950s, recovering these resources was not technologically possible until very recently.

Starting in 2008, a new hydraulic rock fracturing technology was developed to make many un-obtainable Bakken deposits recoverable. More commonly known as “fracking”, this process exploits natural fractures in rock layer formations to liberate natural gas and oil. In doing so, pressurized fluid is pumped underground in areas known to have fractures. The fluid forces the fractures to open wider, allowing the gas or oil to escape and be pumped to the surface. Later, fluids containing small plastic beads are pumped into the fractures to keep them open and the hydrocarbons flowing. In utilizing this procedure, engineers and energy companies mimic what is found in nature – underground fractures that open under geological pressure to allow oil or natural gas to escape. Production numbers at Bakken have been so successful that some industry veterans believe that the reserves are underrated.

This technology makes drilling in areas once thought unreachable possible. However, the process isn't without controversy. Many environmental groups claim that the process of fracturing – including drilling down into subterranean rock formations and widening existing fissures – can lead to the contamination of drinking water in underground aquifers. Opponents state that as natural gas or oil travel to the surface, the back flow of hydrocarbons pollutes drinking water and the surrounding areas. Defenders of process state that energy companies have taken steps to mitigate such risks. Since the rock formations where hydrocarbons reside are usually much deeper than ground water and aquifers, many companies use conduits to prevent any oil or natural gas that is pumped out from contaminating water supplies.

Despite the controversy, industry experts credit the Bakken Formation with helping to increase domestic energy production. This increase has permitted residential and commercial natural gas prices to decline, making it a more attractive transpiration fuel.

\*\*\* ENERGY EXAMINER \*\*\*

**NUCLEAR/WIND/SOLAR** | *Among alternative energies, nuclear, wind, solar, and geothermal technologies have accounted for a small, yet growing slice of America's energy landscape. A proven resource, nuclear power is considered an “old” technology, but is reliable, incredibly efficient, and produces few emissions. In harnessing renewable resources, Wind and Solar technologies have become more popular in recent years. Though these alternatives has unique disadvantages, each may contribute significantly toward solving tomorrow's energy needs.*

#### **UPDATE: SOLAR PANEL PRICES CONTINUE TO DROP, SQUEEZE PANEL-SUPPLIERS**

A new study in the journal Environmental Science & Technology suggests that larger wind turbine produce higher amounts of energy with a smaller environmental impact.

The study was conducted by Swiss researchers, who believe that the findings may spur the construction of larger wind turbines. Experts believe that by 2020, 10 percent of global electrical production will come from wind farms.

The study states that the increase in efficiency comes from two main reasons: First, today's turbine manufacturers have years of knowledge and expertise to build turbines with great efficiency. Secondly, material and design technology has evolved to allow turbine blades to grow – and harness more power – without adding weight to the structure.

Together, researchers believe that these factors will mean more energy can be produced from operational turbines without increasing the amount of energy expended to produce, transport, and construct turbine towers, creating a higher net-gain of pollution-free energy. ■

**PLEASE PATRONIZE  
OUR ADVERTISERS!**

# The Membership Memo

By Greg Cannon



**mem·ber·ship (noun)**

mémber ship

**1. being member of something**

*the state or condition of belonging to a group such as a social class, team, club, organization, **association** or any mathematical set that is considered collectively.*

Hi, my name is Greg Cannon. I am the new Membership Director here at NJGCA. I will try as best as I can to serve you as well as my predecessor Phil Apruzzi has in the past.

You are all members of one of the oldest and well regarded Associations ever assembled in New Jersey. I have learned this by studying the history and accomplishments of NJGCA during my short tenure. I am impressed with the benefits that NJGCA has put in place to assist members and help them save money. I urge you all to use your membership! Membership in this 76 year old organization is truly an investment. Let me repeat that. Membership in NJGCA is an investment; not a purchase. An investment gives you a return. NJGCA has so many Member Benefit Partner (MBP) programs in place that you actually receive a return on your dues investment.

I have come across many members who save far more than the cost of their annual dues. Are you aware that this month alone many of our members received over \$1000 just because they participate in the AMT Health Coverage program for NJGCA members only? Some received over \$2000!

I am not sure that as an organization we have helped you take advantage of benefits that others can't get because they don't belong to NJGCA. I am still learning my way around here at my new job, and I am confused when I learn that there are members still not taking advantage of the benefits that we offer. Why isn't everyone trying to get the maximum **Return on Investment?**

We are in the business of helping you stay in business by representing you in Trenton, and keeping you current with new information in the petroleum, convenience store, and auto repair businesses. Our ear is constantly to the ground listening for harmful legislation or regulations affecting your business. We are always on ALERT for potential problems..... AND .....we help you save money. Pennies turn into dollars! I am here to help and I am determined to do so.

If you have questions, or maybe you're just frustrated ... give me a call. I'll help you be certain that you're making good business decisions when you consider participation in one of the many NJGCA MBP programs. Programs such as Workers Compensation, Health and Liability coverage, credit card processing, payroll, uniforms, and energy savings are only a few. If you're thinking about shopping prices, call me first to compare. USE YOUR MEMBERSHIP!

And one last thing ... if you know another owner like yourself that isn't a member of NJGCA yet, please have them give us call too, so they can discover the value of an investment in a membership just like you did. Greater membership means greater strength for our association. I am sure you have heard of "Strength in Numbers"!

Remember...membership in a strong trade association is one of the best investments you can make!

Thanks. I look forward to hearing from you. Be well.

Greg Cannon – Membership Director – 973-376-0066  
[greg@njgca.org](mailto:greg@njgca.org)

## LETTER TO THE EXECUTIVE DIRECTOR - Part 1

June 9, 2012

Subject: Metro SC Inspection License

Sal,

I just wanted to drop an email to you about my MVC hearing today. I wanted to let you know what a huge asset Debbie Hill is to your organization. She is a wonderful person and knows her sh\_\_t. (Please pardon my French) I am grateful for all the help you and Debbie give to my business. Every time I call and need help, someone at NJGCA always responds to guide me. Debbie works very hard for all of the members. The information that NJGCA provides is invaluable. I am sure Debbie will fill you in on all the details from today's hearing. So again thanks for all you do.

Barry McFadden  
Metro Service Center - Audubon, NJ

# THE LEGISLATOR SPOTLIGHT

By Eric Blomgren

NJGCA has seen many legislative successes over the past few years. We'd like to take some time to tell you a little bit more about the men and women who have been instrumental in helping your small business prosper.

## Assemblyman John Burzichelli



The Honorable John J. Burzichelli was first elected to the New Jersey General Assembly in 2001. Asm. Burzichelli, a Democrat, represents the 3rd Legislative District alongside Assemblywoman Celeste Riley. The 3rd is a South Jersey district comprising towns in Gloucester County and Cumberland County, as well as all of Salem County.

Assemblyman Burzichelli is a leader in the General Assembly, holding the honorary title of Deputy Speaker and serving as

Chair of the Appropriations Committee, one of the most powerful positions in the Legislature. He also serves as Vice-Chair of the Regulatory & Gaming Committee (which deals with the state lottery in addition to other issues) and is a member of the Budget Committee. In addition to his Assembly service, he served as Mayor of Paulsboro from 1996-2011.

In a Legislature seemingly dominated by lawyers and government employees, Assemblyman Burzichelli stands out as a small business owner. He works as Managing Partner of Hill Studio and Scenic in Paulsboro, which works with the motion picture, commercial, and still photograph industries. Asm. Burzichelli's experience running a small business gives him an important perspective as a legislator. He is also a former President of the Greater Paulsboro Chamber of Commerce.

NJGCA and Assemblyman Burzichelli had a bit of a rocky relationship at the start of Sal's tenure as Executive Director. In 2008 Asm. Burzichelli introduced A-2904, a bill that would have completely eliminated the state's prohibition on 'Below Cost Selling' of gasoline. NJGCA adamantly opposed this bill and with the support of our

membership, and help from our friends at FMANJ, was able to block the bill from passing. Once the fight was over, Asm Burzichelli let us know that he still favored moving in that direction. However, he very sincerely and genuinely told NJGCA that he did not want to promote anything that would hurt small business owners. He talked with us about his own experiences as a small businessman. He promised that when he pursued this effort again he would work closely with us as he came up with potential ideas. In the interim he was extremely supportive of our efforts to get 'Right of First Refusal' passed in time, a bill that has resulted in several hundred dealers being given the opportunity to purchase the property they were leasing from the Oil Companies. Throughout his time in the Assembly he has also been a leading fighter for property tax relief, an issue critical to every business and homeowner in the state.

In 2010 he resumed pursuing the issue of 'Below Cost Selling', this time as a co-sponsor of A-3133, a bill allowing consumers to use loyalty cards for discounts on gasoline purchases, which in some instances would lead to the sale of gasoline below cost. Over the course of the next year, Assemblyman Burzichelli promoted negotiations between NJGCA and our opponents who advocated for rewards at grocery stores, regardless of whether they resulted in gas being sold below cost. He helped referee the interests of NJGCA and our opponents, always working to make sure that the interests of consumers and small business owners were protected. When necessary, he encouraged our opponents to accept a compromise that would benefit our customers while still protecting small gasoline retailers from being run out of business by the big chains. Ultimately the compromise bill received the backing of both sides of the debate, passed both houses of the Legislature unanimously, and was signed into law by Governor Christie in January.

We at NJGCA wanted to spotlight Assemblyman Burzichelli not because he has always agreed with us 100% on every issue, but because he has been agreeable to work with us on the issues that matter. He is always willing to hear our case, understand the issue, make necessary compromises, and accomplish his goals without hurting the small business owners who are members of NJGCA. We wish more members of the Legislature were the same way, and we look forward to continue working with him. ■



# New Jersey's doctors are on treacherous ground

By AnnMarie McDonald

Few people deny that the earth is getting warmer. And few people deny that New Jersey's exodus of doctors (the so-called "[Medical Brain-Drain](#)") will affect New Jerseyans' access to healthcare.

There are likely many reasons behind this phenomenon, as the [Department of Health and Senior Services Summit \(S173\)](#), if enacted, hopes to uncover. High cost of living and a lack of tax incentives are frequently cited, as are the costs of liability of insurance ([click here for one New Jersey's medical student's story](#)).

And with respect to the [number of claims filed against physicians](#) each year, New Jersey is an outlier among states.

Comparing New Jersey to Ohio, for instance, is revealing: despite having a population which exceeds New Jersey's by two and a half million, the Garden state had 630 medical liability claims in 2011 to Ohio's 287. New Jersey even

managed to surpass Texas, which has nearly three times the number of residents, in the number of medical liability claims last year (Texas had 550 claims in 2011, in case you were wondering).

"A physician shortage crisis is right around the corner in New Jersey if we do not take immediate steps to change course," [J. Richard Goldstein, president and CEO of the New Jersey Council of Teaching Hospitals](#), said in a 2010 news release. "National health reform, while laudable and needed, will only work to accelerate the time when there simply will not be enough doctors to serve New Jersey's adults and children."

Should [meaningful medical liability reforms continue to stagnate](#), despite Dr. Goldstein's warnings, New Jersey will continue to educate other states' physicians, at the cost [access to care](#) for New Jersey's residents.

**AnnMarie McDonald is the Communications Director at the New Jersey Lawsuit Reform Alliance. For more information, visit our website at [www.njlra.org](http://www.njlra.org).**

## LETTER TO THE EXECUTIVE DIRECTOR - Part II

Dear Sal,

It was a long time since you arranged for a meeting to take the first step towards the fight for Right Of First Refusal. After years of a hard fought fight with Exxon it has become a reality for most of the New Jersey Exxon dealers. Our dream is to own our business. Some of us were with Exxon over two decades.

The full hearted effort by NJGCA lobbying in Trenton and with help from Senator Cardinale the law became a reality.

I started working in my location in 1985 as a gas attendant making \$5.50 an hour. In 1993 I became the dealer. I just had my closing and became the proud owner of my property. I have worked very hard to stay in business, since it is a motor fuel only location.

I would like to take this opportunity to thank NJGCA. My special thanks to you Sal for assisting me with my personal issues related to purchase of my property.

A few weeks ago, I called you seeking some advice related to important issues.

Unfortunately, you were not in your office and were out of town attending a conference in Washington D.C. I explained my concerns to Phil and he contacted you. That night around 9 pm when my phone rang, I could not

believe it was you on the line!

It was Sal, calling from Washington to discuss my concerns and apologized to me for not calling sooner.

I was really touched by this action. I do not think you even know me personally other than by my name since we have spoken on a few phone conversations. This action speaks for your true character. You really believe in helping dealer's needs, regardless of being a member or not. You never even asked me if I am a member of NJGCA but were eager to help. Your intention is to help all the New Jersey Exxon Dealers and their families do well with the purchase of their properties.

I am sure we all spent our life savings during the last few months to purchase our business from Exxon. But it is very important that those of us who are non members should join NJGCA as future members and unite under one umbrella to take care of our future needs. The emails we received from NJGCA is very valuable in the past and I am sure it will continue to be in the future.

I would like to thank Sal, Phil and Debbie for the support they gave me in achieving my goal.

Thanks a lot,

**Sri Nathan  
Exxon Station - South Brunswick, NJ**



## Getting Away With Fraud



A recent Illinois trial court opinion, *R.J. Management Co. v. BP Products North America Inc.*, focused on the risk inherent in purchasing service station locations from major refiners seeking to exit from downstream distribution.

By 2005, BP was finding the going rough at its company-owned and operated fuel stations and convenience stores. One of its executives complained:

The fuel's price positioning is not right. Sales not high enough. Offer not right. Cost too high. Overcapitalized. And there isn't enough rent in the chain to share. The business model is broken. The question is what is the way out.

BP's "way out" in the Chicago and Northwest Indiana markets was to assemble a series of property packages in 2006 to 2008 to sell off its locations, subject to a requirement that the stations continue to resell BP products.

The plaintiffs in the *R.J. Management* case were disgruntled purchasers of many of the locations. They charged BP with fraud, particularly with respect to BP's initial 2006 sales.

In a lengthy and detailed opinion, the Illinois state court trial judge agreed with the plaintiffs – up to a point.

The court's opinion focused on BP's partial disclosures concerning the profitability of gasoline sales at the locations. BP provided the plaintiffs and other prospective purchasers with the stations' volume histories, but failed to provide any margin information, instead directing the purchasers to industry average margins computed by the National Association of Convenience Stores ("NACS").

The court found that BP's implied suggestion that the station's margins could be gauged by a comparison to industry averages was "a misleading half-truth" because BP's actual margins were "significantly below" the industry average margins.

The court found convincing expert testimony presented by the plaintiffs to demonstrate that BP's "half-truth" was substantial and was intended to induce a false belief in the plaintiffs concerning the stations' profitability.

The expert demonstrated that BP's own profit and loss statements, when they were recast to reflect the expenses that a purchaser would necessarily incur, showed that the stations would operate at a loss. This, in fact, is what occurred.

The court rejected BP's defense that it was not in its best interest

to intentionally place purchasers in a losing position because of the continued franchise relationship that would exist among the parties. The court pointed out that almost half of BP's fuel sales in the Chicago market were made to the very independent operators whose competition had driven down the margins at the stations that BP wished to sell. The court concluded:

A strong inference of fraudulent intent is drawn from BP's concealment of its fuel margins where the volumes that BP achieved and reported [to prospective purchasers] were the result of pricing its fuel to compete with some of the very hypermarket competitors that BP was supplying.

Unfortunately for the plaintiffs, they could not overcome the court's conclusion that they had failed to prove that they had actually relied to their detriment on BP's "half-truth."

First, the court observed that "common sense dictates that when the seller of a business is unwilling to open its financial records ... it is usually because the seller has something to hide." Here, the court said, "the plaintiffs are not neophytes or newcomers" but were experienced marketers who had reason to suspect that BP's volume figures had been achieved through low margin sales.

Second, the plaintiffs continued to purchase additional stations from BP over a period of three years, even after encountering substantial decreases in volume when they started operating the locations that they had purchased in the initial round of stations sales. This confirmed to the court that the plaintiffs "were not lulled into believing that BP achieved its volumes at the NACS industry average margin" because they had evidence to the contrary.

Of course, the trial court's opinion must survive appeal. The opinion is significant, however, because – on the one hand – it brands as fraudulent tactics like those used by BP to effect service station sales; but – on the other hand – it demonstrates how difficult it is to obtain a judicial remedy for such misconduct.

The lesson appears to be that, when dealing with refiners eager to exit downstream distribution, caveat emptor – let the buyer beware. ■

*eMail: [pgunst@agtlawyers.com](mailto:pgunst@agtlawyers.com)*

*To access the latest articles by the Service Station Dealer's legal counsel, please visit the "Service Station Dealers: Legal Issues" section of the Astrachan Gunst Thomas Rubin, P.C. website at:*

*<http://www.agtlawyers.com/resources/petroleum.html>*

# THE NJGCA PAC

[www.njgcapac.org](http://www.njgcapac.org)

DEFENDING  
OUR  
MEMBERS.



PROTECTING  
YOUR  
INTERESTS.

## ANSWER THE CALL & CONTRIBUTE TODAY!!

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

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

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

**To truly understand the importance of supporting our allies, consider our successes in Trenton:**

We defeated **BELOW COST SELLING**

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

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

We defended your small business against the false accusations of Attorney General Anne Milgram

We gained wide support to move New Jersey to an all PIF Inspection System and close the CIF lanes

...and MUCH MORE!!

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

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

PLEASE SEND YOUR CONTRIBUTIONS TO:

**NJGCA PAC**

**66 Morris Avenue**

**Springfield, NJ 07081**

*Please make your donation payable to NJGCA PAC*

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

## **HOUSE ACCOUNT FRAUD**

**By Debbie Hill**

Before beginning work at NJGCA in 2007, I owned and operated a service station for 18 years with my brother. I was always thinking of ways that our business was vulnerable to theft. Security cameras; got em, passwords for computer access; yes, all money locked in the drop safe at the end of every shift; of course!

No matter how hard I tried to stay ahead of employee theft, I was always amazed to find a new scheme they had going.

While doing the daily paperwork one day, I noticed that my copy of a house account receipt was blank, and the amount of the sale was not recorded. I recognized that this was happening too often, so I began to think it may be more than a mere oversight by the attendant on duty. I was very busy so I simply asked my employees to be more careful, knowing that I would have to keep my eye on the situation. My customer was a long time house account, so I called to see if he remembered his purchase amount. He did. The attendant also remembered and agreed with the amount of the sale. My daily books balanced.

I began to notice that this was happening at least once every week. I simply thought my employee was being lazy, and spoke to him again about taking his time to make sure that all house account receipts were completed properly and signed by the customer.

One day while I was at the pump island saying hello to a house account customer, I glanced at the pump and noticed the amount of their gasoline purchase while

helping the next car waiting. Later that day, while doing the daily paperwork, I came across the receipt for the house charge customer I had greeted earlier. I noticed that the sale amount on the receipt was different than the amount I had seen on the dispenser. The hand written amount was \$5.00 more than I had noticed earlier, and it was signed by the customer.

“Could this be an error?” I thought. \$5.00 is not a lot of money, but now I started examining the receipts of other house accounts more carefully. I noticed that another house account receipt had been altered, adding a few more dollars to the actual sale. My intuition was right. An employee was scamming our customers.

It had become easy for him to steal money. These customers have been patronizing us for nearly 20 years, and they trusted me and my employees. They often signed the sales receipt before the sale was complete and the amount recorded. A dishonest employee could simply add a couple bucks to the receipt and put the cash difference in his pocket. The daily books would still balance, while my employee was pocketing extra cash for himself. Who knows how much or how often he was doing this before finally being caught by me. Needless to say, my employee was fired.

I thought that this was a good experience to relay to NJGCA members since we are discussing other security issues. NJGCA is hoping to include more security tips in upcoming editions of *On the Road*, and has asked Dan Goff of Abletech to share information in a series of articles. Dan has helped many NJGCA members as well as other gasoline retail-convenience store-auto repair small business owners manage their business with computer software, bookkeeping systems, and security monitoring systems. ■

## ***LETTER TO THE EXECUTIVE DIRECTOR - Part III***

6/26/12

Sal,

I just have to let you know this is now the 3rd time Debbie Hill has been there when I either had a question or concern involving my Service Station.

I have had other insurance companies looking into my insurance concern for the past 2 weeks with no avail. When I finally decided to call Debbie and ask for advice, she not only helped me, but completely resolved my problem within 24 hours.

After her discussions with the insurance company, I was reinstated.

Debbie always goes beyond the call of duty for your organization and its members. She is an awesome asset to the NJGCA. I would recommend any member to enlist Debbie as your first choice when you have concerns or questions.

**AGAIN--THIS IS ANOTHER REASON TO BELONG TO NJGCA!!!**

Tom Favorito  
Tom's Service Center - Bogota, NJ

# Member Spotlight: Wayne Ferrarini

By Nick De Palma

## Tell us a bit about yourself.

I grew up in Hasbrouck Heights (Bergen County) and continue to live there today. I graduated high school in 1974 and married my wife, Gayle, in 1979. We have two children, my son Michael and my daughter Nicole.

## How did you get involved in this business?

When I was a young man, I worked locally as a mechanic. I was self taught and as my skills grew, I wanted to open my own shop. In 1986, I had the opportunity to lease a Sunoco station in Elmwood Park and I've been in the business since.

## You're no longer at that Sunoco location – What happened?

A lot changed since I started at that location. For one thing, it became a lot more difficult to compete in the gasoline business, especially as the government heaped more regulations and mandates on us. For another, my relationship with Sunoco soured. I offered to purchase the location a number of times, but we couldn't reach an agreement. When my last contract was about to expire,

they wanted to raise my rent pretty high. After I crunched all the numbers, it didn't make any sense to stay. Around that time, the post office down the road from me closed and the property was for sale. A few smaller lots right next to it were also on the market. The timing was right; so my family and I took a chance, bought the lots, and combined them. We kept the post office, tore the other structures, and built it all into a nice repair shop.

## How has it worked out so far?

We opened in early 2009 and don't regret the decision one bit. In fact, I wish I had done it sooner. This is a family business – my wife, son, and daughter all work with me. We employ 8 people and offer towing services, mechanical repair, and motor vehicle inspection. Owning your location puts you firmly in charge, so you can do what's right for your family and employees. It was tough to give up the gasoline business, but it was the right move. I do miss seeing my regular customers each week when they'd stop



*NJGCA Member Wayne Ferrarini (center), son Michael Ferrarini (right), and employee Joe Sladky (left).*

in for gas, but the profits on gas were slim at best and there are a lot of regulations to follow. Doing just repairs allows me to hone in and focus my efforts on one area. Besides, the margins are better doing repairs and you also don't have to pay as much for insurance and related expenses.

## Are you involved in your community?

Yes. We're a member of the Chamber of Commerce, which is a great organization. We also do fundraising for Tomorrow's Children, give to our local fire, ambulance, and police departments, and are always looking at other ways to give back. I've been very fortunate in my life to be blessed with a great family and successful business. Being involved in community efforts like these is a great way to network and learn about your customers.

## You recently won a business award -- Tell us about it.

It was such a surprise, but, our station was a semi-finalist for the 2011 New Jersey Family Business of the Year Award! The award was sponsored by New Jersey Monthly magazine and we attended a wonderful event in October 2011 to highlight our business and those of the other nominees. It was so nice, it almost seemed like we were at a wedding. My entire family was there to receive the award and I couldn't be prouder. Aside from the award itself, we also received a proclamation from Governor Christie and Lt. Governor Guadagno, a letter congratulating us from the Governor, and had a small write up typed up on the history of our business since 1986.

## Who nominated you for the award?

Honestly, I don't know! The nominations themselves are anonymous, but I must have helped a customer who really appreciated whatever I did for her or him to have taken the trouble of officially nominating us. That just goes to



show you that you have to treat each and every customer with courtesy and respect because you never know who is patronizing your business.

### **We're in a difficult business climate. What are you doing to cope with the economic reality out there?**

There's no doubt that things are tough and customers have less money to patronize your business. I've been very fortunate to have enough work to keep me busy since we opened up this location, but it wasn't out of sheer customer devotion. I believe that it's the little details that keep people come back. The Industry has changed a lot in the last 20 years and there isn't the same kind of patron-loyalty like there once was. The regular customers we have notice things like freshly painted walls, flower beds, flags, clean bathrooms, and general appearance. Years ago, you may not have had to worry about those things, but today they are vital. In our case, I believe curb-appeal has been a major contributing factor to our accomplishments. Our shop is clean and organized. We have a big waiting room that is bright and welcoming. We have an area set aside for children to play with the toys and games we put out. We also offer free wireless internet, a coffee bar, a vending machine, television, and enough comfortable seating and magazines to keep patrons occupied. As small as that may seem, those things leave an impression, so that the next time you drop your car off for service, you don't feel as though you're "trapped" and are going to be bored. In fact, we've noticed more people are waiting for their cars to get repaired. They sit down, have a cup of coffee, catch up with work through our wireless internet connection, and don't feel deprived. I also feel that it's this kind of "environment" that encourages walk-ins to stop by for service.

### **You're in the NJ State Inspection Program. What's your take on the recent changes these past three years?**

I've done inspections for years and always thought it was a great convenience to offer customers. But these recent changes haven't been good for business or for motorists. First off, I was upset about the new equipment situation. I

had to pay the whole amount up front and waited months for it to arrive. Then there's the fact that the equipment doesn't seem to work consistently. Secondly, though safety inspections may have seemed like a nuisance to drivers, it kept unsafe cars off the roads. Today, I can't refuse someone a sticker because of bald tires, broken tail lamps, or poor brakes -- I can only fail them for emissions or a document infraction. You won't believe the things I see come in here, and I have no choice but to let them roll out the door. I think this was a big mistake; MVC should reinstate safety inspections so we can keep these cars from endangering people out on the road.

### **Do you have any tips for fellow business owners on how to run a successful business?**

Think before you act! Remember that your actions don't just affect you, but other owners in the industry. My biggest pet peeve is shop owners who constantly oversell customers on repairs they arguably don't need. Even unsophisticated vehicle owners can spot this and they know instinctually that you're trying to get one over on them. Why run the risk of losing that customer because you're pushing them into a repair they know they don't need? All you're doing is continuing to spread that old stereotype of mechanics pushing unnecessary repairs. That comes back to hurt everyone.

### **Any comments on NJGCA?**

Honestly, I really like the changes I've seen the last few years. I used to feel as though the Association was distant and was there just to collect my dues. If I had a problem, I wasn't fully confident they were helpful to sort it out. But today it's different. Sal's much more proactive and he's done a good job of righting many of those wrongs. It is a more professional organization and I appreciate that. ■



# Going "Green" Can Save You Green



The New Jersey Green Automotive Repair Program (NJGARP) was launched to encourage auto repair facilities to implement environmentally-friendly business practices and recognize those that have gone beyond mere surface changes and earned certification as "green" businesses. NJGCA is a committed supporter of the "green" initiative and the

NJGARP program.

## It Costs Nothing To Conduct A Self-Assessment

NJGCA invites auto repair shops throughout the State to download the "green" checklist from [www.njgreenautorepair.org](http://www.njgreenautorepair.org) and complete a FREE self-assessment. It will be the most valuable two-hours you'll ever spend looking in virtually every corner of your facility's operations.

**If you choose to pursue certification for your shop, please submit the Application and required fee (detailed on the Application Packet at [www.njgreenautorepair.org](http://www.njgreenautorepair.org)) so we can schedule an on-site review as soon as possible.**

Following the on-site review, and depending upon the number of points actually scored by your facility on the "green" checklist, the Council will either award "green certification" or inform you of the reason(s) why certification cannot be awarded.

### Benefits of Green Certification:

- Cost savings
- New revenue streams
- Facility marketing opportunities
- Positive community relations

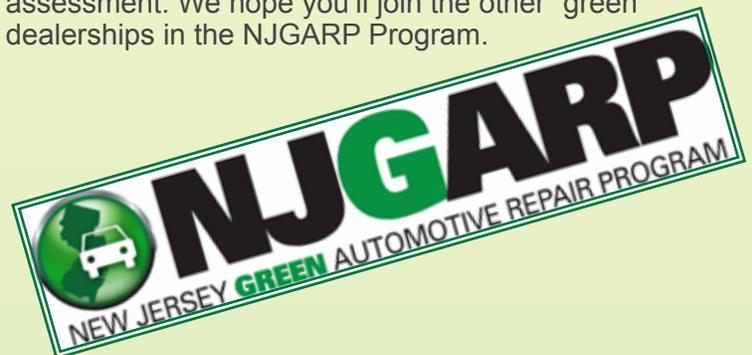
Operating a "green" facility can open up ways to save money and even generate new revenue streams for your repair shop. In some cases, facilities have used waste motor oil to heat their facilities in the colder months, thereby substantially cutting their heating costs. There are also numerous recycling opportunities for everything from catalytic converters to scrap metal, and everything in between.

We can show State and federal officials that self-regulation can positively impact the environment if we can show that more and more automotive repair

facilities are "green" certified.

"Green" certification can also help with a facility's public relations, as studies show that many consumers are more apt to conduct business with a company they view as "environmentally friendly" when other factors, such as price and customer service are equal.

Please visit the Program's Website ([www.njgreenautorepair.org](http://www.njgreenautorepair.org)) for more information and to download the "green" checklist for your FREE self-assessment. We hope you'll join the other "green" dealerships in the NJGARP Program.



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## **TRAINING CLASS SCHEDULE**

**-ALL CLASSES WILL BE HELD AT NJGCA HEADQUARTERS-  
66 Morris Avenue - Springfield, NJ 07081 (Union County)**

### **NEW JERSEY EMISSION INSPECTOR TRAINING**

In order to be licensed as a Motor Vehicle Emission 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 a understanding of inspection related issues including EPA, Regulations, Safety, Diesel, Customer Service and the New Jersey State Specific Curriculum. This specially tailored NJGCA Inspector course fulfills all State requirements.

**Class Date:** Wednesday, August 8, 2012

**Arrive:** 7:00am

**Lunch Served:** 12:00pm (Pizza and Soda)

**NJMVC test:** 1:30pm

#### **Class Fee:**

**NJGCA Members** - \$250.00

**Non-members** - \$300.00

"Manuals Included" - Payment is due upon registration. We accept credit cards.

**PLUS:** License Fee of \$50.00 - Bring a check made payable to NJMVC

To register, contact Debbie Hill at [debbie@njgca.org](mailto:debbie@njgca.org) or 973-376-0066