

# ON THE ROAD

THE OFFICIAL COMMUNICATION OF THE NEW JERSEY GASOLINE C-STORE AUTOMOTIVE ASSOCIATION  
[www.NJGCA.org](http://www.NJGCA.org)

## THE BEST AND WORST OF 2010

THE ANNUAL NJGCA YEAR-IN-REVIEW, WITH A SNEAK PEEK AT WHAT'S AHEAD IN 2011

### THE NORTHEAST 2010 TRADESHOW EDITION



### THE BATTLE TO SAVE SAFETY INSPECTIONS



### SAFETY IS THE LAW!



**WANT TO AVOID THESE SCENES? STAY IN COMPLIANCE & KEEP YOUR CAR SAFE!**

In August 2010, the New Jersey Motor Vehicle Commission reinstated safety inspections from the Vehicle Inspection Program. However, the law **REQUIRES** you to maintain your vehicle in safe driving condition. It is your responsibility to make sure your vehicle is mechanically safe or you can be ticketed by law enforcement officers.

**DON'T GET A TICKET! AVOID EXPENSIVE FINES!**

**A VEHICLE IS UNSAFE AND WILL BE TICKETED FOR VIOLATING THE FOLLOWING NJ MOTOR VEHICLE STATUTES:**

- **Brake Tires (N.J.S. 39:3-22)** - Tire will be considered unsafe if it has any ply or cord exposed, any bumps, bulges, holes, or other defects in the tread, or even tread less than one inch thick from above the edge of the tire.
- **Brake (N.J.S. 39:3-47)** - Every motor vehicle shall be equipped with brakes adequate to control the movement of the vehicle, including the ability to stop and hold the vehicle in place, through two separate and independent brake and pedal systems.
- **Working Headlights and/or Taillights (N.J.S. 39:3-48)** - All lamps, reflectors, and other lighting devices shall be kept clean and in good working order.
- **Windshield or Cracked Windshield (N.J.S. 39:3-51)** - The person shall drive a motor vehicle with any cracks, signs, pieces, or holes or other non-insignificant material upon the front windshield or front passenger and driver-side windows.
- **Seatbelts (N.J.S. 39:3-49)** - Every motor vehicle shall be equipped with a belt each front a distance of not less than 200 feet, and only when necessary to ensure safe operation.
- **Windshield Wipers (N.J.S. 39:3-70)** - Every motor vehicle having a windshield shall be equipped with at least one wiper in good working order for clearing rain, snow, or other matter from the windshield so as to prevent clear vision for the driver.
- **Auto Vehicle (N.J.S. 39:3-64)** - It shall be unlawful to use a motorcycle or other vehicle as a passenger or property shall not be driven, moved, or parked on a highway.

Each violation carries a minimum fine of \$47.00! Don't get cited multiple times for the same violation!

To pledge to keep our roads safe and prevent future accidents, this certified NJGCA Member will offer you a **FREE SAFETY INSPECTION**. Your auto mechanic will offer you a non-binding advisory, outlining all safety violations that should be addressed.

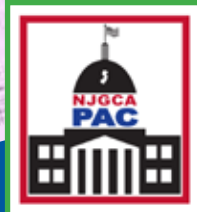
Take advantage of this to protect yourself, your family, and help keep New Jersey roads safe!



The New Jersey Privatization Task Force

Report to Governor Chris Christie

May 31, 2010



### ELECTION 2010



**VOTER GUIDE**  
DEFEND YOUR SMALL BUSINESS & CONTRIBUTE TO THE NJGCA PAC!



— — — — —

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# MESSAGE FROM NJGCA EXECUTIVE DIRECTOR SAL RISALVATO

## MARGINS TODAY, MARGINS YESTERDAY



Several months ago one of our members who is a distributor of gasoline products stopped by my office to say hello. In our conversation Lou Ramsay praised a recent Road Warrior message that I had sent regarding the razor thin margins that retailers make on a gallon of gas. I began spewing my history in the gasoline business from 33 years ago. While I was revisiting history, I asked Lou if he remembered when the Federal Government capped the amount of profit

that was legally permitted on a gallon of gas. Lou had a hard time remembering the circumstances, but I remembered them well. The thought process prompted me to write and share my experience with all of you. Recalling this story has been fun, and brought an unpleasant reminder of how dangerously close I came to getting arrested on several occasions. Keep reading!

I was a college kid hoping to be a chef and somehow ended up as a kid owning an Exxon Station. Then again somehow I began getting involved in politics as an advocate for free enterprise and small business, specifically gas station and auto repair shops. The story begins with my struggle to survive because of 2-3 cent profit margins on gas. When the Iran oil embargo of 1979 created the nation's second energy crisis in 5 years, my customers had to line up for 2 miles on the shoulder of Route 17 to wait for gas. I found myself making 30 cents a gallon overnight. I was the first gas station to raise my price to 99.9 cents per gallon; which was as high as my meter would go.

Profits poured in. I was making so much money I thought that maybe I should give some of it back. Yes I was a stupid kid.

It didn't take long before the government stepped in and limited how much profit a retailer was allowed to make. Hearings were held in Washington D.C., and the U.S. Department of Energy ruled that no retailer across the country could make more than 15.4 cents per gallon profit. I testified at the hearings in Washington feeling extremely intimidated by oil companies and government bureaucrats. It was the first of many trips to Washington over the next 30 years.

One amusing experience happened on the plane while traveling from LaGuardia Airport to Washington to oppose the proposed regulations. I was accompanied by 4 colleagues who also owned gas stations in NJ. We found ourselves on the same Eastern Airlines flight as 4 gasoline

retailers from Connecticut, also traveling to testify at the Department of Energy Hearings to oppose proposed caps on profit. Coincidentally seated a few rows behind us was the New York City Commissioner of Consumer Affairs who was also scheduled to testify. We recognized Bruce Ratner immediately because he had been demonizing gasoline retailers all over the news for weeks, calling us greedy and gougers. Ratner was traveling with two others and had a very large briefcase of charts that we assumed he would be using to illustrate his position that gasoline dealers were gouging the public.

When we exited the plane, the dealers from New Jersey distracted Commissioner Ratner by engaging him in confrontational dialogue about his outrageous claims in the media. While we distracted him, the dealers from Connecticut swiped his charts and scrambled off the plane.

The next day at the hearings, Commissioner Ratner fumbled thru his presentation while trying to demonstrate that gasoline retailers were gouging the motoring public. I never saw the briefcase with his charts after it was whisked off the plane, but I will tell you I have had many laughs over the years recalling the incident.

The new regulations set forth by the Department of Energy were just not fair. Somehow I felt violated. I suffered with slim profit margins when competition forced me to lower my price, yet when the market permitted me to make more; the government stopped me from taking advantage of this! Outrageous! What happened to Free Enterprise? What happened to Capitalism?

Immediately the State of New Jersey began enforcing these new Federal Regulations. Teams of auditors were assembled that were making daily audits along the highways. Gas stations that raised the price higher than others became immediate targets. Sadly, the auditors themselves did not understand the new regulations. Gas station owners also remained confused and found themselves the victims of the terror brought on by officials from the NJ Department of Energy. The NJ DOE was headed by a man named Joel Jacobsen. He and I had a few very serious and very public fights in the newspapers during the following months. I was too young and too stupid to realize the furor I was creating. I am not sure I would have the same guts today as I did when I was 22 years old.

I had studied the new regulations and found a provision that allowed for "banking" profit margins. The banking provision permitted a retailer to calculate the unrealized profit margin since 1974, and deposit this difference in a

theoretical “bank”. The difference between what would have been allowed under previous regulations and what was actually charged at the pumps created a gas station owner’s “bank”. Sound confusing? Yes it was, and many retailers certainly were confused.

The first gas shortage in 1974 brought similar regulations that were never repealed, and limited a retailer’s profit margin to 10 cents. However, once the 1974 gas shortage ended, and gas lines disappeared, competition kicked in again and retailers found themselves mired in a marketplace barely making 3 cents a gallon. Having a ten cent cap on margins was meaningless, as competition drove profit margins well below that.

The new 1979 regulations allowed retailers to add any profit that was “banked” during the previous 5 years to be recouped at any time. Since my first day in business in April 1978 I was barely able to profit more than 4 cents a gallon. Since the previous regulations allowed me to make 10 cents, I actually “banked” 6 cents a gallon for over a year.

I quickly organized several meetings around the state to inform gasoline dealers how to calculate their banks. What we weren’t prepared for was the fact that all of the newly assembled auditors that the state hired didn’t have a clue how to interpret the new regulations.

I began meeting with other retailers in different gas stations every morning. We were on the lookout for auditors that would arrive and flash their badges. We would surround the auditor to make certain that they did their job properly. It was very evident that they were more clueless than we originally suspected.

One day an auditor arrived while we were gathered at an Exxon station in Paramus. The auditor jumped in his car and took off. We jumped in our cars and gave chase. Before we left the Exxon station, I called a reporter that I had gotten to know at the Bergen Record. There were no cell phones back then, but using pay phones to communicate, he eventually caught up with us as we continued chasing the auditor from gas station to gas station. I think we had 3 cars and a tow truck that followed the auditor all day, never allowing him any time alone in a location that would enable him to terrorize one of our colleagues.

At the end of the day we followed the auditor directly to the DOE offices in Newark where we were met by a wall of security guards and were almost arrested. All the time the reporter was following in his car and recording every move for a story he wrote the following day.

A week later enough retailers were sufficiently angry that I

was demanding more answers from energy Commissioner Joel Jacobsen. Not receiving sufficient answers, and constantly trying to defend against auditors that were not knowledgeable, I was forced to take drastic action.

Now please remember I was a kid with more balls than brains, so I was prone to doing stupid things. How I was able to get over a hundred other gas station owners to go along with my craziness I still can’t figure out.

I hatched a ridiculous plan to blockade the George Washington Bridge with our service vehicles and tow trucks. Thankfully a few older and wiser men talked me out of it, or I surely would have been arrested. Why? Because I came very close to getting arrested implementing my alternate plan.

My alternate plan was to blockade Route 17 in Rutherford at an Exxon company operated gas station with an unbranded name of A-LERT. The Exxon company op was directly across the highway from a Mobil dealer that was paying more for gas than Exxon was charging at the A-LERT station.

We were angry that the government limited how much we could make on a gallon of gas. We were angry that auditors were harassing us and threatening heavy fines, and we were angry that Exxon and other major oil companies still took advantage of us with predatory pricing strategies at their company operated stores.

Success! Over a hundred tow trucks gathered one morning in the Alexanders parking lot at the intersection of Routes 4 and 17. I had alerted the press that we were blockading the highway but I did not tell them exactly where. I didn’t want a reporter tipping off the cops before we arrived. We crawled at about 5 miles per hour blocking both lanes of route 17 for over 10 miles until we arrived in Rutherford. Then we simply shut down our trucks and parked them blocking all 3 lanes of the highway. We stormed the A-LERT station and scared the pants off the attendants. In a matter of minutes the police had arrived and I did some quick talking to avoid arrest.

I agreed we would end the blockade if the police would escort us the remainder of the way to Newark where we would demand to meet with Energy Commissioner Jacobsen. In return I would not have to spend the night in the Bergen County jail.

An hour later we arrived in Newark and were not welcomed by Jacobsen. Some of us were permitted upstairs to meet with the Commissioner where we aired our complaints. Did any of this help? A little. Although the regulations remained in effect, auditors barely made any visits to gas stations trying to levy fines and gain publicity to show the public that

they were fighting us evil gas station operators.

In a few months, the gas lines disappeared and regulations limiting profit margins were meaningless as competition once again drove margins back down to 3 cents.

Thirty years later nothing has changed. The marketplace is still a mess. Retailers claw each others eyes out trying to gain volume, and bigger retailers use their size advantage to drive the little guys out of business. I have learned that this is the normal course of how a capitalistic system works. Unfortunately only the strong survive. Margins in most retail businesses suffer similarly. Just like we experience higher margins on some products and services, so too do other businesses. I don't have any answers. I can only recap

stories such as this and help you understand some of the history as I have experienced it.

I enjoyed recalling this story and I hope you have enjoyed reading about it. Several newspaper articles and pictures about these events are included below and on the next page. It is a little bit of history. ■



## ***Ire fueled, dealers dog gas auditor for 2 hours***

**By Paul Richter**  
Staff Writer

The service station operators said they were only trying to make sure the government auditor did his job right. The auditor said they were trying to harass him — and spent two hours running red lights, screeching in and out of parking lots, and racing up and down North Jersey highways trying to elude their convoy of tow-trucks and cars.

The episode ended at the Newark office of Charles Richman, New Jersey's deputy energy commissioner and the auditor's boss. Richman scolded the retailers and warned them there would be legal action "if they didn't mend their ways."

Auditor Riaz Palet's job is to cruise New Jersey highways, seeing that the gas prices at the pumps don't exceed government ceilings.

He and nine other Energy Department auditors, along with more than 100 employees of county divisions of weights and measures, swoop in on stations when their prices are excessive. The stations can be ordered to close down, or slapped with big fines, or both.

"These guys come in and harass the owners, scaring us with talk about regulations that they don't even understand, and give them fines," said Sal Risalvato, an official of the Greater New Jersey Service Station Association and one of yesterday's pursuers.

### **Auditor recognized**

Late yesterday morning, six gas station operators, all officials of the organization, were meeting at a Paramus Exxon station when they noticed an unmarked green Dodge driven by the auditor. They recognized the slight, clipboard-carrying Palet as the man who had charged some other North Jersey station operators with excessive prices.

"We decided this guy wasn't going to get the drop on any station owners," said Risalvato, a broad-shouldered 250-pounder who joined the chase in his copper-colored Cadillac. "It was his job to be there, but it was our duty to see he did it right."

The six followed Palet as he headed east on Route 4, to a Paramus Amoco station. When the auditor began talking to a station employee, they all clustered around, cautioning the manager and chiding Palet for not having copies of the new federal gas-price regulations that went into effect this week.

Palet left the station in a vain attempt to lose the men, weaving through the Garden State Plaza, and around the congested cloverleaves of Route 4 and 17. He ducked into the Alexander's department store parking lot, threading his way through parking lanes. He tried to leave unseen through its back exit — but was spotted.

### **Back to the station**

Twice he doubled back to the Amoco station, but with the group close to his tail, he didn't stay long. He pulled briefly into a Shell station, then drove away again.

When Palet ate lunch at the Friendly's Ice Cream store in the Garden State Plaza, the entourage joined him at the counter. The auditor spent most of his meal staring at his grilled-cheese sandwich, Risalvato said.

"I thought, this is like something I did when I was a little kid," said Risalvato. "I was laughing."

While in Alexander's Palet called his superiors. Trembling, he warned the station operators that if they didn't leave him alone, he would call the police.

"I don't know why," Risalvato said. "We didn't get physical. We didn't say 'boo' to the guy."

### **Five still followed**

By midafternoon, Palet decided it would be fruitless to continue. He headed to the Newark office, five vehicles still in tow.

One gas retailer held out his arm out the car window, waving a blue handkerchief so the others wouldn't lose sight of them. At the Department of Energy, security guards escorted the group away from Palet's office, to Richman's.

"If this was harassment we'll take legal action," Richman told them. "You scared this guy."

But moments later, inside Richman's office, the deputy commissioner conceded that the inspector should have carried copies of the regulations. He said the service stations would each be mailed copies of the new federal rules listing the owner-operators' responsibilities.

The group was calmed, but not entirely appeased. "We're still going to be on the lookout," said one of the men. "The people who write these regulations barely understand them, so how can these guys?"

*Taken from the  
Bergen Record -  
Friday, August 3, 1979*

# SAL'S SCRAPBOOK

A LOOK TO THE PAST...  
TO ADVOCATE FOR THE FUTURE!



*The Star-Ledger - July 20, 1979: State Commission of Energy Joel Jacobson listens to the complaints of gas dealers.*



*New Jersey Gas dealers staged a rally down Route 17 to Newark Thursday to protest Department of Energy practices. Here, the protests have traffic blocked in Maywood.*



*The Star-Ledger - August 10, 1979: Gas station owners and operators chant outside the State Office Building in Newark for an audience with Joel Jacobson, state energy commissioner.*



*Rutherford Police Lt. Louis Eberspecher taking information from picketing gas station owners at an Exxon-owned Alert station on Route 17 yesterday. Dealers want company-owned stations outlawed because they can undersell dealer-run stations. No arrests were made during 20-minute blockage by members of the Greater New Jersey Service Station Association.*

# Great News for NJGCA Members

## Group Health Coverage through NJGCA and Association Master Trust

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

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

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



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## Safety is the Law!

Whether you are a Private Inspection Facility or a Mechanical Repair Shop, you may reap benefits from a poster that was recently produced by **NJGCA**.

Since the summer of 2010 many Private Inspection Facilities and Repair Shops have complained that their repair business has dropped off.

Some of this can be due to the fact that the State of New Jersey eliminated "Safety Inspections". Since this happened, there seems to be mass confusion for the consumer. Some consumers who heard the "Safety" Inspection was eliminated wrongly believed that all "Inspections" have been eliminated. Numbers show a decrease in all inspections at both the Centralized Inspection Lanes and the Private Inspection Stations.

While consumers are mystified by this process and are not sure what to do, most are unaware of the recent changes.

Since most of our members continued to include a "Free Safety Inspection" on vehicles in their shops, our Executive Director, Sal Risalvato, directed the staff to produce a poster that could help "educate the consumer".

The poster is titled "Safety is the Law!"

The poster presents various New Jersey safety statutes, why you must keep your vehicle in safe running order and how you can be fined for failing to do so. The poster highlights items like: Unsafe Tires; Faulty Brakes; Non-Working Headlights; Tinted Window; Malfunctioning Horn; and Broken Windshield Wipers.

Along with the poster, NJGCA produced a handout to be given to your customers. The handout reinforces the poster, lists the offenses that a motorist maybe cited for, and drives home the point that even without mandatory Safety

Inspections it is the DRIVER'S RESPONSIBILITY to keep the vehicle in safe condition. It also points out how to avoid costly fines issued by police officers and how to keep our roads safe for themselves and their families.

NJGCA territory managers have been given a supply of these posters to distribute to our members. You should be receiving your poster and package of hand outs very soon. Immediately

HANG your poster in your waiting area. Take advantage of the poster to educate your customer!

You can go to our website to view the poster and handout. If you have any comments – please contact Debbie Hill at [debbie@njgca.org](mailto:debbie@njgca.org) or call 973-376-0066. ■



**-MEMBER QUOTE ON SAFETY IS THE LAW POSTER-**  
*You guys are great. I will put it right beneath the counter this will smack them right in the face. Great job guys.*  
**-Tony Ceglia, Morris Plains Automotive - Morris Plain, NJ**



**-MEMBER QUOTE ON SAFETY IS THE LAW POSTER-**  
*NJGCA, under Sal's leadership, is doing a fantastic job. The poster and brochures are just another example of the work NJGCA is doing. Thanks guys!*  
**-Fred Sackman, Sacks Shell - Morris Plain, NJ**





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

By Jim McCabe

### New Diesel Tax Collection

For those of you that are currently licensed as motor fuel retailers, there is a new license that will be issued in 2011 that will make you a licensed motor fuel retail dealer. Your old license will flip over to the new license automatically **unless** you receive a special notice from the Division of Taxation that states your license will not be converted. The new license you receive will expire on the same date that your current license would expire. Please make sure you check expiration dates; **this isn't a license renewal!** If you are an LPG dealer, you **must** file an MFA-3 form to change your status and refuse the license conversion.

Beginning in 2011 diesel taxes will be collected the same way gasoline taxes are collected. You will **not** need a separate license if you wish to sell diesel or other special fuels. Your license will expire on December 31, 2010, but you **must** file your final Seller User of Special Fuels Report before January 20, 2011 for any diesel or special fuel sold in December. You must file an MFA-10 form one time to pay taxes on any left over, untaxed diesel or special fuels you have left in your tanks. The form is due no later than January 31st, 2011. Those taxes are due in June, but if you pay the amount when you submit the form (before 1/31/11), you will receive a 10% discount. Even if you have no untaxed diesel left, you still must send a MFA-10 form, just mark "zero" in the appropriate spaces. **Make sure to take your dead storage space into account!** Don't get taxed on fuel you don't have.

### Weights and Measures

NJGCA has successfully stalled A-2831, which would allow Consumer Affairs employees to perform the duties of Weights and Measures officials. Assemblyman Moriarty met with NJGCA and FMANJ and the Retail Merchants Association to learn how A-2831 will affect retailers. Although this bill is likely to re-surface, we believe that significant changes will be made in order to consider any adverse effects on NJGCA members. Why would this bill have been bad news for gasoline retailers? Remember Attorney General Anne Milgram and her witch hunt in 2008? That was a prime example of what happens when untrained individuals, and specifically the zealous officials from the NJ Department of Consumer Affairs try to do the job that the professionals at Weights and Measures are supposed to do. The competent workers at Weights and Measures have always been fair to our members, and we will continue to oppose replacing them with agents from NJ Consumer Affairs.

### Internet Lottery Ticket Sales

Assemblywoman Quijano (D-20) has introduced A-2676, a bill that would allow the public to purchase lottery tickets over the internet and by text messages. It would even allow a user to set up a scheduled purchase of lottery tickets for bi-weekly drawings so they never have to worry about getting to the store to buy a ticket. Many small businesses such as gasoline convenience stores are lottery agents and much of their profits are derived because customers enter their stores to purchase lottery tickets. A-2676 was scheduled for a hearing in early November, but strenuous opposition by NJGCA caused the bill to be held. NJGCA has had a series of meetings with Assemblywoman Quijano in order to convince her that this bill will cause great economic harm to NJGCA members. Proposals have been made to have the State of New Jersey develop additional lottery games such as Keno in order to increase revenues to the state rather than harm small business owners by selling lottery over the internet. NJGCA expects that any legislation that may increase revenues to the state will become hot once the Governor submits his budget to the legislature in February. NJGCA has asked members with convenience stores to log lottery sales and sales of other items in order to prove that internet lottery will hurt their business. Assemblywoman Quijano is anxious to move her proposal if we can't reach a compromise. NJGCA expects legislation to permit internet lottery sales will begin moving in the next few months. NJGCA members that operate convenience stores should contact Eric Blomgren at NJGCA headquarters at 973-376-0066 for more information about how you can do your part to help stop this bill.

### Cash/Credit Pricing

Six different bills have been introduced that will limit the ability of a retailer to sell gasoline and diesel at different prices for cash and credit. Consumers are angry and perceive that higher prices for credit equate to more profits for retailers. Legislators are responding to consumer complaints by introducing new laws that will prohibit or limit cash credit differences. Assemblyman Charles Mainor has led the effort to promote this legislation. A-3191 limits the difference between cash and credit prices on your pumps to 5 cents. Senator Van Drew has sponsored identical legislation in the Senate; S-2363. Several other bills limit the difference between cash and credit to 4%, while several others prohibit a price difference for customers that pay with debit cards.

NJGCA efforts have helped stop any of these bills from moving forward as we have been meeting with legislators to demonstrate the math involved. Price differences between cash and credit are actually a benefit to customers that pay with cash and this legislation would eliminate any benefit that cash customers presently receive. With help from our friends at FMANJ we

continue to oppose passage of cash/credit legislation, and have successfully convinced several sponsors to remove their names from sponsorship. This legislation will become more of an issue if gas prices continue rising and consumers begin shouting louder for the Government to implement controls on every aspect of gasoline pricing.

Efforts by retailers will be needed if NJGCA is unable to contain these bills and they are scheduled for hearings in committee. Retailers must testify to the actual profit earned on gasoline at either cash or credit prices greatly helping our argument to stop any of these laws from being passed.

### **Below Cost Selling and Rebates**

NJGCA has been working to prevent Below Cost Selling in New Jersey. Senator Lesniak introduced legislation (S-484) that would permit motor fuel retailers to sell gasoline below the net cost. Although S-484 has not moved in the Senate, another bill A-3133 has had dangerous activity in the Assembly. A-3133 is co-sponsored by Assemblywoman Celeste Riley and Assemblyman John Burzichelli. A-3133 will permit cross marketing using rewards programs from other retailers such as supermarket chains. Supermarket customers will use the rewards earned on their supermarket loyalty card to purchase gasoline at reduced prices even if the

sale results in selling below cost. NJGCA is working with the Fuel Merchants of NJ to oppose this legislation. The bill was scheduled for a hearing in the Assembly Regulatory Oversight and Gaming Committee last September but was removed after strenuous objection from NJGCA and Fuel Merchants of NJ. Chairman Burzichelli has given NJGCA the opportunity to work out legislation that would be less harmful to retailers. As of this writing several proposals have been made to the New Jersey Food Council that represents the grocers. Presently none of the proposals have been accepted and NJGCA is prepared to fight to kill this legislation should a compromise not be reached. Legislators and consumers will all be in favor of this legislation should the price of gas continue to rise. NJGCA members will be requested to call, and write their legislators asking them to oppose A-3133 as this issue moves forward. Although efforts continue to keep A-3133 from being scheduled for a hearing, movement is likely in the upcoming months. ■

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

## **THE HORROR HIGHLIGHT GAS DELIVERY...ARE YOU GETTING WHAT YOU PAID FOR?!?!**

This year three Monmouth County men were arrested and charged in connection with a scheme in which gasoline tank drivers sold some of their load for a \$1.00 to another station other than the one the load was intended for.

Ultimately the scheme fell apart when the owner of the transport company followed the tanker from picking up the load at the rack to delivery at the gas station. Unbeknown to the owner of the transport company – the driver – only dropped a partial load at the intended recipient. The intended recipient was a customer. However, after dropping the partial load, the driver held back dropping 600 gallons and brought them to another gas station. That station was NOT a customer of the transport company. The driver then sold the retained gallons of gasoline for \$1.00 per gallon and the driver pocketed \$600.00 cash.

Imagine this scheme playing out over and over again. The three Monmouth County men had stolen more than 90,000 gallons of fuel, valued at over \$180,000.00. The transport company was liable to the original gas stations the gas was intended for and faced huge liabilities.

What if this happened to you? Are you checking your deliveries? Are you running numbers? Are you getting the gasoline you are paying for? In order to stop this from happening at your gas station, you MUST be prepared. Common sense tells us that you should check your fuel deliveries and know the gallons prior to delivery and afterwards. If there is a shortage, contact your distributor/gas company immediately.

Heed this warning and prevent this Horror Highlight from becoming a reality at your small business! ■

Any comments please contact: Debbie Hill 973-376-0066 or [debbie@njgca.org](mailto:debbie@njgca.org)

# TRAINING CLASS SCHEDULE

4 CLASS OPTIONS AVAILABLE FOR EARLY 2011

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

## 1. NJ EMISSION INSPECTOR TRAINING CLASS

**DESCRIPTION:** This is the Motor Vehicle Inspector course, plus the state approved training program. NJGCA is offering a SPECIAL ONE DAY Emissions Inspector Class & Final MVC Test.

**CLASS COST (INCLUDING MANUALS):**

- NJGCA Member rates: \$299
- NON-Member rates: \$329

**CLASS SCHEDULE:** Tuesday, February 15th, 2011 at 7:30am

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

## 2. EMISSION REPAIR TECHNICIAN RE-CERTIFICATION CLASS (TWO OPTIONS AVAILABLE)

**DESCRIPTION:** This is the ETEP course that your ERT's need in order to recertify their license.

**OUR CLASS INCLUDES:**

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

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

**CLASS COST (INCLUDING MANUALS):**

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

**TWO CLASS OPTIONS AVAILABLE FOR BOTH DAY AND EVENING SECTIONS**

### **FEBRUARY CLASSES**

**EVENING CLASS SCHEDULE: FEBRUARY 7, 9, 14, 16 AND 21st (Mondays and Wednesdays)**  
7:00pm – 10:00pm

**DAY CLASS SCHEDULE: FEBRUARY 17th and 24th (Two Thursdays) from 8:00am – 4:00pm**

## 3. INITIAL EMISSION REPAIR TECHNICIAN CERTIFICATION CLASS

**DESCRIPTION:** INITIAL ETEP Certification course. This is the entire program, section 1 – 7. This is everything you need to become a licensed Emission Repair Technician.

**OUR CLASS INCLUDES:**

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

Everything to become an Emission Repair Technician!!

**CLASS COST (INCLUDING MANUALS):**

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

**CLASS SCHEDULE:** Classes will be held on eight consecutive Thursdays, from 8:00am to 4:00pm. Classes begin on March 3, 2011 and end on April 21, 2011.

### **TAKE ADVANTAGE OF OUR TRAINING CLASSES!**

**\*\*To Register call Debbie Hill 973-376-0066 x 203 or [debbie@njgca.org](mailto:debbie@njgca.org)\*\***

**A NOTE ON ALL CLASSES: FUTURE DATES WILL BE ADDED UPON REQUEST –**  
**CALL DEBBIE AND LET HER KNOW YOU ARE INTERESTED IN TAKING A CLASS SO**  
**WE MAY KEEP TRACK OF DEMAND!!**

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**New Jersey Gasoline-Convenience-Automotive Association**  
*Serving the Small Businesses that Serve the Motorist!*

**Advocating in Trenton • Educating members • Providing essential small business services  
Enhancing public awareness • Promoting the highest ethical and professional standards**

With a proud 70 year tradition of excellence, NJGCA represents over 1,500 small business owners who serve the motoring public in the gasoline service station, convenience store, and automotive repair industries. Our members also include car washes, tire vendors, car dealerships, automotive parts dealers, financial services companies, fuel distributors, lubricant vendors, business management companies and much more!

NJGCA's mission is to serve small business owners and defend the small business community. We do this by advocating for effective public policies with legislators and state officials in Trenton; offer essential small business services to our members, often at a discounted price to help you reach maximum profitability; inform and educate NJGCA members on industry matters; enhance general awareness and project a positive image of our members to the general public, media, and Legislature; AND to promote the highest levels of ethical standards and professionalism.

**NJGCA is your relentless small business advocate -- Join us and see for yourself! CALL TODAY!!**



**NJGCA | 66 Morris Avenue | Springfield, NJ 07081  
973-376-0066 (O) • 973-376-0766 (F) • info@njgca.org • www.njgca.org**

## SAVE TODAY WITH YOUR NJGCA MEMBER BENEFIT PARTNERS!

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

Here is a list of our current MBPs:

**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

**MERCHANT ADVOCATE** – 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

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[www.atsenviro.com/NJGCA](http://www.atsenviro.com/NJGCA)  
**(973) 376-0066 ext. 203**



# APPLAUSE & CONGRATULATIONS

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



In early-November, NJGCA said a heartfelt goodbye to Don Stohrer, Territory Manager for Monmouth, Mercer, Somerset Counties. Don joined NJGCA in July 2008 and has been an invaluable part of our Territory Manager team. As a former station owner who closed his shop in 2003, Don was always quick to advise members based on his own considerable personal experiences and was very well liked by both members and the staff alike.

Don is now working in a management role at a small business service station. We wish him well in his new job and thank him for his years of service to the Association!

In mid-December, NJGCA bid a fond farewell to Government Affairs Assistant, Jim McCabe. Jim began working with us in March 2010 and actually started as an intern in our office in 2007. Though only with us for a short amount of time, Jim was a big part of our effort to stop the elimination of Safety Inspections, combat many below cost selling initiatives, and more.



Jim has now moved on to work for Assemblywoman Caroline Cassagrande as her new Legislative Director, where he will undoubtedly become an important asset to the Assemblywoman. We'd like to thank Jim for being part of the NJGCA family and congratulate him on his new job!

We are happy to announce the addition of Eric Blomgren to the NJGCA Staff! Even as we say goodbye to Jim McCabe, we are happy to welcome Eric as our new Government Affairs Assistant. Eric is a senior at Montclair State University where he is studying Political Science. Prior to joining NJGCA, Eric worked as an intern in Governor Christie's office and volunteered his time on many political campaigns.

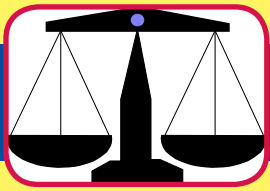
Though he has only just started with us, Eric is already becoming acquainted with the many issues NJGCA is fighting in Trenton, including the Internet Lottery Bill. Eric has also taken the early initiative to revive our college intern program.

We hope you will join us in welcoming Eric. If you have any legislative related questions, feel free to reach out to him at [eric@njgca.org](mailto:eric@njgca.org) or 973-376-0066 x208.



Months ago, NJGCA asked our members to donate toy tanker trucks, cars, planes and other gasoline-brand specific items to our headquarters. The response has been overwhelming and we gratefully thank all of you who have donated these items. The toys are to be used for a display that we hope to have up in the very near future. If anyone else would like to donate a gasoline-branded toy to include in the display, please feel free to stop by in person or mail it to NJGCA Headquarters at 66 Morris Ave, Springfield, NJ 07081.





When Lehigh Petroleum, a large interstate distributor, secured the right to negotiate with the New York Thruway to supply a group of existing Thruway service station locations, it approached the dealer operators with big promises and assurances.

At a meeting called by Lehigh, it conducted a slide show for the dealers that trumpeted its commitment to “partner with our Dealers for long-term, mutually beneficial success.” Following the slide show, however, it presented the dealers – who previously enjoyed full PMPA rights under standard franchise agreements – with Trial Franchise and Lease Agreements having only a 4-month duration.

Within months, Lehigh ended its franchise relationship with two of the dealers who leased five Thruway stations, but who had executed the Trial Franchise and Lease Agreements. Lehigh provided no advance written notice of termination, and immediately entered into new franchise agreements with other parties.

The terminated dealers filed suit in federal court, charging that Lehigh had violated the PMPA by failing to offer them three-year franchise agreements, and by failing to provide them with the statutorily required written notice of termination. The court’s decision on the parties’ cross-motions for summary judgment is *Jimico Enterprises, Inc. v. Lehigh Gas Corp.*, 2010 WL 2985962 (N.D.N.Y. 2010).

Although the court found that Lehigh had clearly violated the written notice requirements of the PMPA, the relief that was granted the dealers was limited to the 90-day notice period that the dealers should have received.

The court rejected the plaintiffs’ claim to long-term damages because they had signed temporary franchise agreements that replaced their earlier full-term PMPA franchise agreements. The PMPA expressly permits a new franchisor like Lehigh to enter into temporary franchise agreements lasting no more than a year that can be terminated for any or no reason.

By entering into such agreements with Lehigh, the dealers effectively surrendered most – but not all – of their PMPA rights. All that remained to them was the damages resulting from their failure to receive 90-day written notices of termination.

In a subsequent opinion, *Jimico Enterprises, Inc. v. Lehigh*

*Gas Corp.*, 2010 WL 4052926 (N.D.N.Y. 2010), the court quantified the damages that the dealers were entitled to receive. The court found that the dealer who had lost three locations was entitled to judgment in the amount of \$120,461.38, consisting of lost income and lost profits pertaining to the 3-month period plus \$10,000 in punitive damages. The other dealer was awarded \$51,431.38 in damages, representing lost income and profits for the same 90-day period plus \$10,000 in punitive damages.



These damage awards are not nominal, but they represent only a small portion of the damages the dealers would have received had they retained full-term PMPA franchise agreements.

Lehigh’s conduct was egregious. That is confirmed by the court’s award against it of punitive damages, which rarely occurs in PMPA cases. The dealers, however, severely compromised their right to relief by entering into trial franchise agreements in reliance on Lehigh’s empty promises of a long-term, mutually beneficial relationship.

The moral is clear. A dealer must seriously consider all of his or her legal options before entering into a trial franchise relationship. Afterwards, it may be too late. ■

*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>*

**-NJGCA MEMBER QUOTE ON THE WEEKLY ROAD WARRIOR E-NEWSLETTER-**

**“One of the things we are thankful for is your weekly newsletter keeping us up to date and aware of what’s going on!! Please wish everyone at NJGCA a very Happy Thanksgiving from all of us at Waretown Liberty!”**

**-Maryann Pascale, Waretown Liberty**

# 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!***



# “FEEL GOOD” LEGISLATION CAN MAKE YOU “FEEL SICK”

By JIM McCABE



One of my tasks at NJGCA is to monitor the legislation that is introduced in the legislature, and to monitor when legislation has been posted for a hearing in its assigned committee. Sal and I read the relevant bills and monitor the ones that we feel would affect our members in any way. Issues as vague as “Property Tax Reform”, or as specific as “Gas Tax”, always pop up on our radar screen in order for us to decide what issues NJGCA must track in order to support or oppose their passage.

Recently, Sal and I were reviewing a list of introduced bills and were shocked at the amount of “Feel Good” legislation that was being introduced to the New Jersey Legislature. Despite the state’s problems with taxes and regulation, all too often our legislators waste our time and money on bills that commemorate a day or week in the name of a disease. For example, ACR-155 proposes that May 15 – May 21, 2011, be designated as “Emergency Medical Services Week” - a week that will “commend all emergency medical services professionals in New Jersey for their tireless efforts and services to the State.” The emergency medical professionals are indeed heroes who save countless lives every year. But this resolution would require “public officials and the citizens of this State to observe “Emergency Medical Services Week” with appropriate activities and programs.” What are “appropriate activities and programs”? Who is paying for them? And do we really want our emergency medical professionals distracted from doing their jobs for a week? AJR-64 declares November 15th of each year “Patient Advocate Day,” but ACR-161 also declares November 15th as “Neuroblastoma Awareness Day.” Are days allowed to be shared? Would this cause Neuroblastoma Patients and all other Patients to fight over whose

day it really is? And what arbitrary system picks these days? July 4th is Independence Day because on July 4th, 1776, the colonies declared independence from England. But November 15th should be “Neuroblastoma Awareness Day” because that’s where the dart landed? Let’s get serious.

Now let it be said - I enjoy President’s Day, Memorial Day, and Christmas just as much as the next guy. I am not saying that we shouldn’t have days that remember certain events or certain people, and obviously no one is going to argue with a day off from work. But should our elected officials really be wasting the taxpayer’s time and money on singling out days or weeks for certain diseases? When will it end? It’s only a matter of time before people start getting “offended.” October is “Breast Cancer Awareness Month,” but why is there no “Lung Cancer Awareness Month” or “Skin Cancer Awareness Month”? February is “Black History Month,” but there is no “Indian History Month” or “White History Month.” So who decides what can be remembered and what can’t be? Frankly, this “feel good” legislation makes me feel sick.

Now I am certainly not saying that African American shouldn’t celebrate their heritage, certainly no less than any other race should. And I am not saying that we shouldn’t be aware or concerned with any type of cancer or disease. But we don’t need a legislator or a bureaucrat to tell us how to remember or celebrate - we can do that on our own. At the rate our government is going, soon every day will mark another “Awareness Day,” and every week will be an “Advocate Week”. On November 2, the electorate sent a very loud and clear message that they are sick of the waste in our government. Let’s hope that our legislators will actually listen. ■

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# ENVIRONMENTAL REPORT: ARE NJGCA MEMEBERS COMPLYING WITH UST REGS?

BY JONATHAN BERG

During a recent conversation with Sal Risalvato, Executive Director of the New Jersey Gasoline, C-Store, Automotive Association (NJGCA), he posed a question about compliance issues related to regulated Underground Storage Tanks (USTs) that every regulator should be ready and able to answer: "How are my members doing when it comes to compliance with the NJDEP's UST rules"? Believe it or not, the NJDEP is glad he asked.

The answer to that question requires a comparison of compliance rates from when the UST inspection program was launched in 2004 and compliance rates today, particularly how New Jersey's compliance rates compare to other states nation-wide today. The UST regulation compliance status in early 2004 was abysmal. At that time over 70% of the UST facilities were out of compliance. Today New Jersey is a national leader in compliance rates as defined by compliance measurements sent to the United States Environmental Protection Agency (USEPA) by all 50 states.

The USEPA has collected UST compliance data from states since 1988. The measurements have changed significantly over time. To view the USEPA's compendium of "UST Performance Measures" please utilize the following link by entering it in you're your computer's internet browser: <http://www.epa.gov/OUST/cat/camarchv.htm>

Beginning with the report filed for the end of federal fiscal year 2008, New Jersey's UST owners and operators have been national compliance leaders based on the 3 UST Compliance Measures reported by all states:

% in Significant Operational Compliance with Release Prevention Regulations,

% in Significant Operational Compliance with Release Detection Regulations and

% in Significant Operational Compliance with Release Detection and Release Prevention Regulations combined.

For the last measurement period, the 6 months ending 03/31/2010, New Jersey's Release Prevention compliance rate (94%) tied with Alabama's as the highest state compliance rate in the nation. The Release Detection compliance rate (91%) tied with Maryland and Arizona as the 3rd highest state compliance rate in the nation. The combined measure compliance rate was the 3rd highest state compliance rate in the nation.

As UST owners and operators in New Jersey you should be proud of your accomplishments. But wait, there's more good news.

The primary motivation for creation of the New Jersey's UST inspection program was to reduce the number of leaking UST systems. Due to some of the requirements created by the Energy Policy Act of 2005 (a body of federal legislation) the NJDEP has been posting statistical data for the last 2 federal fiscal years regarding the total number of confirmed releases from Federally regulated underground storage tank (UST) systems. To view that information please use the following link by entering it into your computer's internet browser: [http://datamine2.state.nj.us/DEP\\_OPRA/OpraMain/categories?category=Underground+Storage+Tanks](http://datamine2.state.nj.us/DEP_OPRA/OpraMain/categories?category=Underground+Storage+Tanks)

Then click on the "Reports by Category tab", under report categories click on "Site Remediation", then scroll down and click on "Underground Storage Tanks Category".

Then review the "Federal UST Releases FY09" and "Federal UST Releases FY10" reports. The data contained therein reveals that there were 166 leaking UST systems in New Jersey in the 12 month period ending 09/30/09 and 127 leaking UST systems in the 12 month period ending 09/30/10. That means that there was a 23% reduction from one year to the next.

The NJDEP realizes that with only 2 years of data, it is hard to prove any statistical trend, but these initial data sets are encouraging to the UST regulators inside the NJDEP when coupled with the compliance measure data described above. It tells us that UST owners and operators are doing a better job understanding how to best operate their UST system assets. It tells us that UST owners and operators are taking advantage of the compliance assistance tools being offered by stakeholder service organizations like the NJGCA and the NJDEP. Kudos for a job well done.

The NJDEP would like to take this opportunity to thank Sal Risalvato and Debbie Hill for giving us this opportunity to share our perspective with you. ■

*-Jonathan Berg, Supervising Environmental Specialist, Bureau of Hazardous Waste/UST Compliance & Enforcement.*

# THE MEMBERSHIP MEMO:

## DO IT FOR YOU...DO IT FOR YOUR BUSINESS



by Phil Apruzzi

Do you want to do something great for your future and the future of your business? Consider joining the New Jersey Gasoline, C-Store, Automotive Association (NJGCA).

You may ask yourself, why should I join an association such as NJGCA? You probably don't have time to bother with that sort of thing. Our lives are hectic enough already, there just doesn't seem to be enough time. The reality of it is, time spent bettering yourself or your business is time well spent, and membership dues are but a drop in the bucket for what you get out of association membership. Whether you are a mom and pop operation or a large enterprise, association membership benefits everyone. There's no discrimination, the doors are open to everyone.

### Here are some excellent reasons for joining NJGCA

#### Networking

The NJGCA is a growing organization with some 1500 members throughout the state. It not only represents the interests of its members but of every gas station, repair shop, convenience store or other shop related to the motoring public.

The key to belonging to an association is networking with your peers. Not only does it provide the opportunity to meet individuals who share a common interest; it can also spark the beginning of a new friendship. After all, one can never have too many contacts in the petroleum industry. For most people, creating professional relationships is important, and joining a group allows you to have a sense of security and trust.

#### Information & Knowledge

NJGCA provides its members with an extensive amount of information as to what is happening in our industry. NJGCA publishes a quarterly magazine called the "On the Road" that summarizes pertinent issues that have taken place since its last publication. Legislative information, a voting guide and special feature articles are just a few of the articles you will see in the magazine. We also send a weekly email to all members & associates called the "Road Warrior". The issues affecting your business are discussed in depth in real time. If there is a last minute issue that needs to reach our members, we email blast out the "Wild Fire Alert". We leave nothing to chance. Information is knowledge and knowledge is strength.

#### Education

NJGCA has regularly scheduled state approved training classes to meet the educational and certification needs of members and non-members. Our professional educators have trained and certified almost 600 students this past year. Our classes cover inspection re-certification and emissions repair. And the best part is that we

offer lower class pricing for our members.

#### Influence

The NGCA has developed mutually beneficial partnerships with other New Jersey associations such as the Fuel Merchant's Association, AASP/NJ and the Garden State Towmans Association. Together we are able to address major issues with key stakeholders such as state and federal policy-makers. We have also professional relationships with key members of the DOT, DMV, NJ State Police, Weights & Measures and the State Legislature.

#### Credibility

Credibility refers to the objective and subjective components of the believability of a source or message. Traditionally, credibility has two key components: trustworthiness and expertise. A credible person is expert (experienced, qualified, intelligent, skilled) and trustworthy (honest, fair, unselfish, caring). Our credible staff is led by our Executive Director Sal Risalvato. Sal has been in the petroleum business for over 32 years either as a station owner or in a position of influence based on his vast knowledge of the industry. His leadership has influenced our entire staff to be the best at what they do and to be "upfront and credible" when dealing with our members.

#### Financial Benefits

NJGCA continues to offer products and services that save each of our members' money. Our insurance offerings alone will put money in your pocket in the form of reduced premiums and dividends. Our workers compensation program, through Meadowbrook, has returned dividends to our members 35 out of last 37 years. The last two years each participating member received a 7% dividend! **The Association Master Trust (AMT)** health coverage plans can provide you with lower premium offerings and it too has given dividends to all those covered through their plans. **The Amato Agency** provides garage liability coverage as well as income protection, auto, home and disability insurance. This past year, NJGCA negotiated a 10% dividend program with The Amato Agency for those who qualify. And let us not forget **Merchant Advocate**, who will work for you to lower the cost of your credit card processing.

So what are you waiting for? Why do you continue to be on the outside looking in trying to understand what is happening in your industry? And, let's not forget your bottom line. Do your future a favor. Seek out and join the professional association for your business...NJGCA. Call Phil Apruzzi, Membership Director to learn more about NJGCA. What do you have to lose...**Networking, Information & Knowledge, Education, Influence, Credibility, and Financial Benefits?** Call 973-376-0066. Become a part of the NJGCA Family.

# SPOTLIGHT ON DESIGN: HOW TO MAKE YOUR CONVENIENCE STORE A SUCCESS!

BY JASVINDER ARJANI OF BERTIN ENGINEERING



On my way home after a busy work day I am usually in a delicate mood. What makes my stop at your convenience store a pleasant experience? You must have heard time and again to look at what working mothers want and let that drive the store experience: safety; cleanliness; convenience; the mix of products; and a choice for each taste.

There is no template for a successful convenience store. Each site is unique; the local demographics vary, and these variables can change over time. Although there is no right or wrong, there are certain common factors: what should my site look like? what products should I sell? which is the best place to display them? what can attract attention to these products? and what to do to build customer loyalty?

Discipline would be the primary ingredient that I would expect at any store and this should be visible to me in the store employees, product placement and identification, and in its appearance.

Cleanliness, although an element of discipline, is worthy of a separate mention. Demonstrating cleanliness by spending every minute of employee free time in maintaining the store spotless will boost my confidence and will help build customer loyalty. This can also be confirmed by clean architecture and manicured landscaping.

Choice of products and their placement is vital to overall sales. Although demographic pattern could influence this considerably, there are certain products and their packaging sizes that are expected standards. These could be hot and cold beverages; kid friendly food items, over the counter medication, or loaves of bread to take home.

Convenience, as the name suggests, is primary to the shopping experience. Wide circulation aisles; bright lighting, no clutter; efficient transactions.

Major oil companies have tried to create an ideal shopping experience and have formed a corporate image that is consistent, and is consistent in the products they carry. However, independents are able to create an environment that is consumer driven and in some instances is far more advanced than the stores established by the majors. The petroleum marketers are abandoning the old every-store looks for cutting edge designs that are based on hard headed appraisals of what it takes to grab the attention, and the patronage of the customers. These stores are not just better

looking but high impact marketing tools. There are various design tools that have been utilized by these independents: choice of design forms; colors and materials; lighting, product display; demographic profile and employee management amongst others. ■

*This is first in series of articles NJGCA will publish to explore design ideas that have contributed to successful shopping experiences at gasoline stations and convenience stores.*

*Jasvinder Arjani, Architect, Project Manager works at Bertin Engineering that specializes in design and permitting of retail commercial sites including Gasoline Stations and Convenience Stores. Calisto Bertin established the business in 1986 and has worked diligently with oil majors and independents in developing this field for the last 24 years. He has held offices of the National Society of Professional Engineers and Petroleum Equipment Contractors Association. **BERTIN ENGINEERING ASSOCIATES, INC. - Engineering · Surveying · Landscape Architecture · Planning***



## KNOW YOUR TERRITORY MANAGER!



**Henry Darden: Territory Manager for Middlesex, Union, Part of Essex (Southern Half)**

**Cell: 908-247-2992**

**Email: [henry@njgca.org](mailto:henry@njgca.org)**



**Jack Leli: Territory Manager for Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, Salem**

**Cell: 732-995-1637**

**Email: [jack@njgca.org](mailto:jack@njgca.org)**



**Bob Quirk: Territory Manager for Bergen, Hudson, Part of Essex (Northern Half)**

**Cell: 201-214-8836**

**E-mail: [bob@njgca.org](mailto:bob@njgca.org)**



**Frank Stewart: Territory Manager for Morris, Sussex, Warren, Hunterdon, Passaic**

**Cell: 973-234-7403**

**Email: [frank@njgca.org](mailto:frank@njgca.org)**

### **RETIRING? SELLING? WANT TO STAY BUSY?**

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

**Contact Phil Apruzzi at [phil@njgca.org](mailto:phil@njgca.org)**

## **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 Phil at (973) 376-0066.

## LETTERS TO THE *ON THE ROAD* EDITOR

To Debbie and Sal,

With so much going on in our busy days we often forget to say thank you. I just wanted to thank you and everyone from your organization for all the help you have given me over the past few years. It is truly a new organization from when we first became members many years ago. Thank you so much for introducing me to Mike Pepe from ATS. Thanks to you, Mike and Sal I was able to get an extension from the D.E.P. for my tank and pump testing. If I did not go to the trade show I would have never met him. ATS saved me close to \$400.00 in tank and pump testing fees after the installation of my new equipment. Thanks for all the training me and my employees have gotten over the years. Bob Dressler is truly a top notch tech and can relate to teaching to his peers. Thanks for the help on the cash and credit card issues you helped me with, when the state decided to make me an example of "Discount for cash" and the correct signs. Thanks again for when my gas delivery driver dumped regular into my super tank and we went to court with Middlesex County Weights and Measures for defrauding the public. With Sal's help and coaxing and my attorney we paid the lesser of the fines. The Driver was shown to be the guilty one and he did face charges. Thanks again for my Diesel decals you sent me. Once again for all the help over the years. Thanks for all the fighting you do every day with the State and various aspects of the government. Thanks for looking out for us, to save us money and be more professional. Membership to your association is truly priceless.

Thank You,  
Matthew Casiero  
Casiero Enrite

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

### The NJGCA Factoids

The world's **first drive-in movie theater**, built in 1933 near Camden, New Jersey

Former Yankees center fielder **Mickey Mantle** holds the record for most career home runs (18) and RBI (40) in World Series history.

#### MYTH V. FACT

**Myth:** Warmer gasoline expands, while cooler gasoline is denser. Since gasoline is priced by the gallon, buying gas when ground temperatures are cooler means more BTUs per gallon.

**Fact:** According to Consumer Reports, the temperature of gasoline, as it is being pumped from underground tanks into your vehicle, changes very little, if any, during the course of the day. Any more gas you may obtain is negligible.



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**QUOTES FOR THOUGHT**

*“Smell that! That’s gasoline you smell in there. You can’t buy any perfume in the world that smells as sweet.” - William K. Whiteford*

*“If the Administration does nothing, high gasoline prices will continue to increasingly burden our economy, taking millions of dollars out of the hands of families and putting it straight into the pockets of OPEC.” - Byron Dorgan*

*“Unless someone like you cares a whole awful lot, Nothing is going to get better. It’s not.” - Dr. Seuss, from The Lorax*

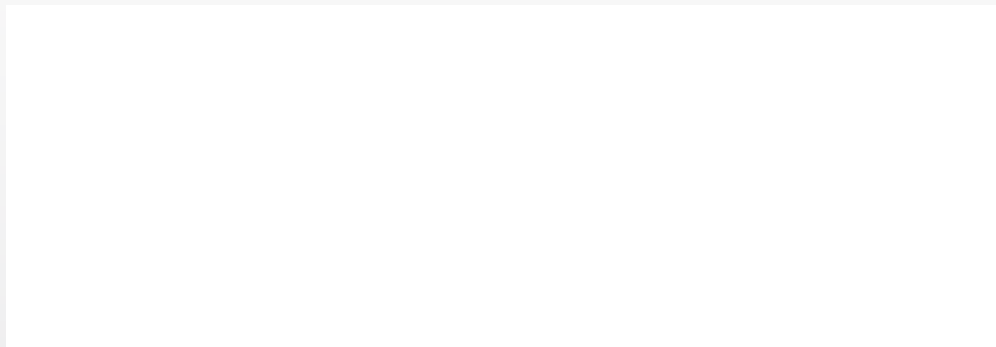
*“I find television very educational. The minute somebody turns it on, I go to the library and read a book.” - Groucho Marx*



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