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Transportation Reauthorization Passes Committee, Funding Questions Remain

On Nov. 9, the Senate Environment and Public Works Committee (EPW) voted 18-0 to approve the Moving Ahead for Progress in the 21st Century (MAP-21) Act, a $109 billion two-year bipartisan surface transportation reauthorization bill. Despite unanimous approval from the committee, MAP-21 cannot advance any further in the Senate without addressing the additional $12 billion that will be needed to offset the decreasing revenues produced by the Highway Trust Fund. Senator Max Baucus, D-Mont., who chairs the Senate Finance Committee as well as EPW's Transportation and Infrastructure Subcommittee, was one of the crafters of the bill and has taken responsibility for finding the additional revenue.

The committee-approved bill would reauthorize the federal-aid highway program and the Transportation Infrastructure Finance and Innovation Act (TIFIA) program for two years, while expediting project delivery and consolidating the number of federal highway programs by two-thirds. The committee approved a number of amendments during the meeting, including limiting the number of DOT performance measures, improving freight rail transport and addressing traffic congestion and other environmental concerns. This bipartisan support for MAP-21 is the first major accomplishment in a long-running debate on how best to approach long-term surface transportation reauthorization.

Meanwhile, Speaker John Boehner, R-Ohio, has promised to introduce an infrastructure bill in the House that would be funded by expanding domestic energy production. In addition, House Transportation and Infrastructure Committee Chairman John Mica, R-Fla., recently introduced a six-year surface transportation reauthorization that would cut funding for highway and transit programs by one-third, a resolution strongly opposed by Senate EPW Committee Chairman Barbara Boxer, D-Calif., and the other architects of MAP-21, which successfully maintains current funding levels. How the Senate and House will address these disparities between the different bills still remains to be seen and could be a major stumbling block to final passage.

Diesel Fuel Shortage Plagues Upper Midwest

A diesel fuel shortage in the upper Midwest is "the worst shortage" folks in the fuel industry can remember, reports the JournalStar.com.

"It's as bad as I've ever seen it," Tom Garner, a 33-year fuel industry veteran at the energy division manager for Farmers Cooperative told the news source. "I've never seen anything like it in my life," added Dick Salem, president of Lincoln Trucking Lightning, who said even the three shortages in the 1970s "was never like this."

The diesel fuel shortage particularly is bad in the Lincoln, Nebraska, area, where one of the two terminals south of Lincoln has not had supply for at least a month, Garner told the news source, noting that on Wednesday last week, neither terminal had diesel.

"We have recently encountered extremely high demand for diesel fuel at our terminals in the northern tier of our system, which is related to the seasonal agricultural harvest, increased regional production of oil and

natural gas, and product outages at other petroleum distribution facilities in the region not owned and operated by Magellan," Bruce Heine, a spokesman for Magellan Midstream Partners, told the news source.

Heine added that diesel runs dry at the terminals for several hours or several days. "In general, we simply have not received adequate supplies from inventory owners to meet the recent demand," he said.

Reasons for the shortage run from increased demand for diesel fuel in the Bakken oilfields to operate heavy equipment, to more export demand and refinery turnaround from summer blends to winter blends.

The newspaper writes that Mike Rud, executive director of the North Dakota Petroleum Marketers Association, told the Bismarck Tribune that a conservative estimate is that about 2 million gallons of diesel fuel are being shipped into Bakken.

However, despite diesel fuel shortages at the terminals, those who need diesel are somewhat managing to meet customer demand.

"I haven't run out at all," Rick Wordekemper, energy division manager of Farmer Cooperative Company, commented. "I've been a little uncomfortable a few times, but it's been fine…We kind of saw this coming early in the harvest, and we stocked up."

House Oversight Committee Chairman Challenges CARB on Role in Setting CAFE Standards

As Chairman of the House Oversight and Government Reform Committee Rep. Darrell Issa, R-Calif., has taken on the state of California as he continues to probe the issuing of greenhouse gas emissions standards by the U.S. Environmental Protection Agency (EPA). Rep. Issa believes that the Obama administration has acted outside of the Administrative Procedures Act in "secretly" negotiating fuel economy standards with the car companies and California.

In a letter dated Nov. 9, addressed to Mary Nichols, Chair of the California Air Resources Board (CARB), Chairman Issa takes her to task for ignoring his request to appear at a Regulatory Affairs, Stimulus Oversight and Government Spending subcommittee hearing that he held on the Oct. 12, 2011. In the letter he claimed,

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Chairman Issa also said he wants to avoid the creation of what he labels as "an unworkable patchwork of regulations that wreak havoc on the industry." In the October subcommittee hearing, administrators from EPA and the National Highway Traffic Safety Administration (NHTSA) were on-hand to answer questions as to whether they were regulating fuel economy when working with CARB, which is a role of the federal government, or regulating greenhouse gas emissions, for which California has obtained a waiver from federal preemption under the Clean Air Act. All of the witnesses answered in the negative and simply stated that they were regulating greenhouse gas emissions. According to a spokesman, CARB is planning on responding to the letter.

OSHA Holds Stakeholder Meeting On Occupational Hearing Loss

With 125,000 reported incidences since 2004, occupational hearing loss continues to be the number one reported injury or illness in the workplace. That number, according to the Occupational Safety and Health Administration (OSHA), does not fully describe the seriousness of the issue since many incidences go unreported. Thus, OSHA has made a commitment to uncovering not only the medical effects of

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permanent hearing loss, but also best practices being used by businesses to prevent injury in the first place. At a Nov. 3 meeting attended by AAIA along with dozens of stakeholders, from lobbyists to medical doctors, OSHA heard presentations regarding methods currently being used by companies to address employee hearing loss.

During the meeting, many stakeholders contended that a significant portion of the workforce does not know how to use (or simply cannot use) generic protective earplugs supplied in most workplaces. Offering educational videos on correct usage and supplying a variety of options in terms of size and shape for preventing hearing loss were a few popular suggestions. Given the fact that personal protective equipment is not always reliable, the future of hearing loss prevention, according to many stakeholders, appears to be in developing innovative engineering controls to help control noise at the source. Europe currently has far less occupational hearing loss because the governments have committed to only buying quiet equipment.

There seemed to be a consensus that OSHA needs to provide information to businesses on the return on investment in purchasing quieter, but often more expensive, equipment. Requiring product labeling pertaining to noise output seemed to receive unanimous support from the group as well. It was stressed by hearing loss experts that machinery needs to be adequately maintained since loud work environments can result from using faulty, outdated equipment.

Information on tools available on occupational hearing loss education can be found at HearForever.org and HearlingLossPrevention.org. In addition, OSHA has a toll free number (1-800-321-OSHA) that businesses can call to report incidents, ask questions about current regulations, or request site visits.

ExxonMobil's Exit Strategy Nears Finish Line

Three years after launching a strategy to divest its company- and dealer-owned sites, ExxonMobil Corp. is heading into the home stretch with news that its New Jersey properties are in the process of being sold.

In June 2008, ExxonMobil Fuels Marketing Co. grabbed headlines with its intention to exit the direct-served retail business in the United States. The move to sell approximately 2,200 sites was fueled by the company's belief that converting the majority of its markets to branded wholesale would be the best path to grow a competitive ExxonMobil.

And now, a little more than three years later, ExxonMobil is selling off its Garden State holdings -- the last market in its strategy to convert its company-owned retail assets to a branded wholesale business, Claire Hassett, of ExxonMobil’s public and government affairs, told CSNews Online.

"We are committed to the presence of our brands throughout the U.S. through our strong distributor network," she explained. "This decision results from ExxonMobil's continual evaluation of all aspects of its business in order to maximize the opportunities for long-term growth for the benefit of our employees, customers and shareholders."

Earlier this year, Ben Soraci, U.S. retail sales director for ExxonMobil Fuels Marketing, told Convenience Store News

that the company's focus was shifting from the backcourt to the forecourt because the fuel brands are ExxonMobil's "bread and butter."

As the company exits the direct-served retail business, ExxonMobil looks to technology and customer loyalty programs to be the tipping point in favor of the Exxon and Mobil brands over the competition, Soraci added.

The latest deal involves 236 ExxonMobil locations in New Jersey. After "careful evaluation," the company reached agreements to sell its stations and associated fleet operations in 13 counties to its existing branded wholesalers, PMG New Jersey II LLC, Lehigh Gas Corp. and NJ Energy Corp., Hassett explained. However, in compliance with New Jersey law, ExxonMobil's first step in the transaction will be to offer eligible dealers a Right of First Refusal and bona fide offer to purchase their sites, she added.

Sites not bought by dealers will be sold to PMG New Jersey II LLC, Lehigh Gas Corp. and NJ Energy Corp., she said.

"These stations will retain the Exxon gasoline brand, allowing consumers to continue to purchase the same high-quality Exxon fuels, and use their ExxonMobil credit cards and Speedpass devices," Hassett said.

Since embarking on this journey, ExxonMobil has entered into several notable deals. 7-Eleven Inc. acquired ExxonMobil's retail interests in 183 Florida sites in Orlando, Southwest Florida, Palm Beach and Broward County, including five unused parcels of land. Bucks Inc. purchased 89 ExxonMobil locations in the Chicago metropolitan area, and Southside Oil LLC took 172 Exxon gasoline stations, mainly in Maryland.

In addition, Global Partners LP purchased 221 Mobil-branded retail gas stations and fuel supply rights in Massachusetts, New Hampshire and Rhode Island from ExxonMobil. The deal included a total of 221 locations, of which 148 are dealer-operated Mobil stations, as well as gasoline and diesel supply rights for an additional 31 Mobil stations owned and operated by independent Mobil dealers.

Obama Urges Tobacco Industry to Stop Label Fight

President Barack Obama has some tough things to say to the tobacco industry in a new White House web video released yesterday for the 36th annual “Great American Smokeout” day, the Associated Press reports. Obama, whom doctors said was tobacco-free after his most recent physical, said the tobacco firms are against the new cigarette labels because “they don’t want to be honest about the consequences.”

While the number of Americans who light up has dropped, 46 million still smoke, Obama said in the video. “The fact is, quitting smoking is hard. …Believe me, I know,” he said. “Tobacco remains the leading cause of preventable early deaths in this country. …We also know that the best way to prevent the health problems that come with smoking is to keep young people from starting in the first place.”

Two years ago, the president signed into law a bill to help prevent young people from smoking. This past June, the U.S. Food and Drug Administration released its new warning labels with graphic images.

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Tobacco companies have filed a lawsuit

The smoke shop re-opened two days later with a fresh stock of contraband cigarettes.

Lang Aftermarket Insight

Used-car drought ignites dealer bay competition "Over the next five years, there will be a rapid reduction in the number of newer used vehicles as a result of the plunge in new car and light trucks sales beginning in 2008. With over one-quarter of dealer profits generated by used-vehicle sales, dealers are facing a bottom-line crunch.

"The only alternative for many dealers will be to aggressively promote service bay business, which presently accounts for about half their profits. Expanding their service bay work, and the profits it generates, will help dealers to compensate for the rapid loss in revenue from lower used-vehicle sales over the next nine years." Visit Lang Aftermarket Insight for the complete analysis.

ADA is law March 15, 2012

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- Voice Guidance - All ATMs must be speech enabled to service the visually impaired consumers.
- Braille Instructions - Braille instructions to initiate the voice guidance feature must be provided.
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- Clear Floor Space - The area around the ATM must equal 48 inches by 48 inches.
- Input Device _ Input controls must be recognizable by touch.
- Numeric Keys - Keypads must be arranged in 12-key ascending or descending layout and the number (5) five key shall be distinguishable by touch.
- Function Keys - Function keys must be raised above surrounding surfaces. (Enter Key; raised circle, Clear Key; left-arrow, Cancel Key;-raised X, Add Value Key;-raised plus-sign, Decreased Value Key; raised minus sign)
- Display Screen - For visibility from a point located 40 inches above the center of the floor in front of the ATM, characters must be in sans serif font, a minimum of 3/16 inches high, and contrast with their background.
- Private action can be brought by a disabled person to enforce compliance. The court can order compliance and award damages and attorney fees.
- The (DOJ) Department of Justice can sue and be awarded civil penalties up to $55,000 for the first offense and $110,000 for subsequent violations.
- ATM industry insiders fear a repeat of the fee sticker lawsuits as advocacy groups find vulnerabilities and file class action lawsuits on behalf of disabled people.

The association is contacting the U.S. Justice Department to determine if there are any exemptions for small business.

FDA Outlines Civil Money Penalty Process for Tobacco Retailers

Last week FDA hosted a tobacco retailing compliance webinar on the process that will soon take place once the FDA has served a civil money penalty complaint against a tobacco retailer.

The webinar touched on four topics important for retailers:

- FDA's authority to issue civil money

penalties
- When may FDA seek a civil money penalty
- What happens if you get a civil money penalty
- Civil money penalty procedures

FDA has begun pursuing civil money penalties (i.e., fines) against retailers who not complying with regulations of the Family Smoking Prevention and Tobacco Control Act.

The two civil money penalty schedules are:
1. One for retailers without an "approved retailer training program" (higher fines)
2. One for retailers with an "approved retailer training program" (lower fines)

FDA is operating under the less onerous schedule (lower fines) until FDA regulations are developed for "approved retailer training programs." No timetable for those FDA regulations was provided.

The first time FDA identifies violation(s) at a retail establishment it will issue a warning letter (without a monetary penalty) describing the violation(s) observed. So far about 1,200 of warning letters have been issued. FDA will then conduct a second (follow-up) compliance check inspection. If it identifies violations during the follow-up check, FDA intends to seek civil money penalties from the retailer via the Civil Money Penalty Process.

During this process, the FDA will open a "federal administrative enforcement action" against the retailer and serve an "Administrative Complaint" (and cover letter) citing the alleged violation(s), the law or regulatory basis for those violation(s) and the civil money penalty (fine) being sought. A copy is sent to the Administrative Law Judge in Washington, D.C. FDA will serve retailers with the complaint via UPS or personal delivery.

Upon receipt, retailers have 30 days to either:
1. Pay the civil money penalty
2. "Answer" the FDA complaint in one of three ways:
   - Request an extension for responding (which is not automatically granted).
   - File an Answer and request a hearing to contest some or all of the allegations
   - File an Answer and ask to discuss settlement options before any hearing is held
1. Do nothing (by not filing an "Answer" or paying the penalty) and a "Court may issue an order requiring full payment of the penalties and respondent (retailer) waives right to a hearing." (In other words, doing nothing is an admission of guilt and you'll be required to pay the penalty.)

FDA strongly urges retailers to be vigilant and meet the 30-day deadline following receipt of a complaint. Requests for extensions are in the hands of an Administrative Law Judge and not the FDA.

During the webinar, FDA noted that the Judge might, for "good cause shown," grant an extension up to 30 additional days to file an "Answer," but if the Judge denies the request, the original 30-day deadline remains in effect. Therefore, it is suggested that retailers make any request for an extension early, and unless and until the extension is granted, prepare the "Answer" as if the extension will be denied while waiting for the Judge's response. The retailer should never assume that an extension is granted unless the retailer receives written acknowledgment of the extension.

By preparing now and well in advance of any compliance issues, retailers can protect themselves from undergoing the FDA's civil money penalty process. While the information above is not legal advice, receiving an FDA Administrative Complaint (or even a Warning Letter) is the first step in a legal proceeding and should be treated as such.

Retailer training programs such as ourscan help retailers assess whether they are in compliance with FDA tobacco retailing requirements.

*Disclaimer: The above information should not be considered legal advice or a complete summary of all information presented during FDA's November 15 webinar. If you have any questions about the material presented by FDA, or any facet of the FDA Civil Money Penalty Process, please seek the advice and counsel of an attorney

Groups File Lawsuit Over Fed's Swipe Fee Reform Rules

Flawed debit card swipe fee reform regulations issued by the Federal Reserve have allowed big banks to continue charging unjustifiably high swipe fees and discouraged price competition among credit card networks, according to a lawsuit filed in federal court today by NACS and NACS member Miller Oil Co., among others.

The regulations, which took effect October 1, have led to an increase in debit card swipe fees in some cases, according to the plaintiffs: NACS, Norfolk-based Miller Oil Co., the Food Marketing Institute, the National Retail Federation and Boscov's Department Store.

"The Federal Reserve Board missed an opportunity to give consumers the relief that they deserve and this needs to be corrected," said NACS President and CEO Hank

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The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 required the Federal Reserve to set guidelines that would result in debit card swipe fees that are "reasonable" and "proportional" to banks' costs in processing debit card transactions. Financial institutions with less than $10 billion in assets were exempt.

The Fed said in December 2010 that it had determined that it costs banks an average of 4 cents to process a debit transaction, and proposed that the fees be capped at no more than 12 cents per transaction — triple the banks actual cost. After intense lobbying by the banks and card industry, however, final regulations released in July 2011 set the cap at more than five times the actual cost — 21 cents plus 0.05 percent of the transaction and, in most cases, an additional 1 cent for fraud prevention.

While the Dodd-Frank law said the Fed could consider the incremental costs of acquiring, clearing and settling each transaction and specifically prohibited any other expenses from being used to inflate those costs, the lawsuit alleges that the Fed – under pressure from the banks and card industry — included costs that were barred by the law.

"The proposed rules followed the law, but the Federal Reserve Board changed its view of the law midcourse and without justification when issuing the final rules," said Doug Kantor, a partner at the Washington law firm of Steptoe and Johnson and lead counsel in the lawsuit. "Not only did the final version fail to introduce competition, it provided a loophole for the big banks to exploit and actually increase some fees. The Fed's job was to implement the law as written and it did not do that."

The approximate 21-cent cap would lower debit card swipe fees for most purchases, which averaged 44 cents but could range as high as several dollars under the previous formula of 1 to 2 percent of the transaction amount. This fall, however, both Visa and MasterCard announced that they would charge the maximum amount even on small-ticket transactions that previously cost merchants as little as 6 to 8 cents.

Forcing small businesses to pay three times as much to the big banks on small purchases was clearly not the intent of the law and is further evidence that the Fed got it wrong," Kantor said.

The plaintiffs also said that the Fed's final rules discourage competition among debit card networks. In order to establish a competitive market between networks such as NYCE, Pulse and Plus, as well as the Visa and MasterCard networks, the law required that merchants be given a choice of two networks on any transaction. Under the Fed's final regulations, however, banks can limit their cards such that merchants may never have a choice of network. The lack of competition will allow the dominant networks to continue increasing their fees.

"Reducing swipe fees is good for consumers, good for small businesses and a good way to take unnecessary costs out of the system and invigorate our country's economic engine," Kantor said. "By not implementing the letter and the intent of the law, the Federal Reserve Board failed in its duty and missed an opportunity to give consumers and businesses the relief they deserve. This litigation is about correcting those mistakes."

The lawsuit was filed in U.S. District Court

in Washington, D.C.

Justice Department To Review Debit Fee Antitrust Allegations

Responding to congressional concerns, the U.S. Justice Department is reviewing recent actions by the banks to assess whether antitrust laws have been violated. The U.S. Department of Justice (DOJ) indicated it is reviewing bank actions regarding debit card fees, Payments.com reports.

The review follows a request last month by Rep. Peter Welch (D-VT), who urged the DOJ to consider whether antitrust laws have been violated regarding the fees.

"I am pleased that the Justice Department is taking this request seriously," Welch said. "While big banks like Bank of America beat a hasty retreat on their debit card fee strategies, I have no doubt that they will continue their quest to dig deeper into the pockets of struggling consumers. As they consider their next move, they should be aware that there is a cop actively on the beat."

Welch led opposition in the House earlier this year after Bank of America and other banks announced new debit card fees. In a letter to Attorney General Eric Holder, he raised concerns as to whether the banks had coordinated their debit card fee strategies in violation of federal antitrust laws.

Responding to Welch, Assistant Attorney General Ronald Weich said: "The Department of Justice is reviewing the statements and actions by banks and their trade associations regarding possible increases in consumer fees for using debit cards. Please be assured that if it finds that individuals, banks, or other parties may have violated antitrust laws, the Department will take appropriate action."

While Bank of America and other banks reversed plans to charge customers new debit card fees, according to press reports, many have quietly increased other fees, such as those for replacing a debit card or maintaining a checking account.

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Q and A:

Q: How do I sign up for the program?
A: Simply call 1-800-332-3333 or visit www.powerofaction.com/smallbusiness. Please have your billing account number(s) available.

Q: Who is eligible for the program?
A: The program is open to all National Grid commercial electric customers with facilities that average 100kW of usage or less per month and who pay into the System Benefit Charge (SBC). This information is available on your monthly statement. A National Grid representative can also determine your eligibility using your billing account number. Just call 1-800-332-3333 for help.

Q: The National Grid incentive is up to 70%. What determines the actual incentive?
A: The actual incentive offered by National Grid is based on projected energy savings in kilowatt hours (kWh). The two most important factors that determine energy savings are:

- Age of existing lighting
- Hours of operation

The National Grid incentive, project cost, and payback time will be clearly specified on your proposal, which is provided to you at no cost or obligation.

Q: How much do projects typically cost?
A: Project costs vary depending on several factors such as size of facility, total energy usage and prescribed measures. The portion not covered by National Grid can be financed, interest free, for up to 24 months. Therefore, any project with less than a 24-month payback will be cash flow positive from day one. Customers can also choose to pay one lump sum for an additional 15% discount. Whichever payment option you choose, your share will be billed on your monthly statement 2 billing cycles after work is completed.

Q: What kind of equipment do you replace?
A: Typically, the largest savings come from replacing older inefficient lighting with modern high efficiency ballasts and bulbs, which also provide a better quality light. Garage high bays, office fixtures, exterior wall and pole, and gas canopy lighting can all be replaced with high efficiency fluorescent or LED technology. Occupancy sensors may also help to significantly reduce your energy usage.
Q: Why is National Grid funding energy efficiency for small businesses?

A: National Grid's Small Business Services Program was created through New York State's Energy Efficiency Portfolio Standard (EEPS), which is a mandate to reduce electricity usage in the state by 15% by 2015. The Public Service Commission approved the EEPS, which is funded through a surcharge on all utility bills called the System Benefit Charge.

MA Right to Repair Coalition Secures 2012 Ballot Spot Via Petition

The Right to Repair Coalition announced October 21 that it has collected 106,658 voter signatures, exceeding the 68,911 required for the initiative to appear on the 2012 ballot in Massachusetts.

Said Kathleen Schmatz, president and CEO of the Automotive Aftermarket Industry Association (AAIA): "We are very pleased with the growing support for Right to Repair on both the federal and state levels. The momentum building in Congress, coupled with the groundswell of support from voters in Massachusetts, demonstrates how important Right to Repair is to consumers, especially in a tough economy," said Schmatz. "Right to Repair will help alleviate motorists' financial burden by ensuring a competitive vehicle repair marketplace, allowing car owners to patronize the repair facility of their choice."

According to the Right to Repair Coalition, the voter initiative would, for the first time, allow consumers to access all of the non-proprietary repair information required to have their vehicles repaired where they choose, at a new car dealership or an independent shop. The proposed law would level the playing field between the big car manufacturers' dealerships and independent, neighborhood repair facilities, allowing the latter to finally be able to access the same non-proprietary automobile diagnostic and repair information that is currently only available to the manufacturers' dealers and their new car dealerships.

"It's time that car owners have the right to get our vehicles repaired wherever we choose," said Jeff McLeod of Marshfield, one of the signers of the ballot petition. "The growing support for this issue shows how important it is for consumers, especially in a difficult economy."

DMV RECORD RETRIEVAL

DMV record retrieval is available to association members and affiliates at a cost of $12 per record. Additionally, you may order DMV certified paper abstracts of drivers license, vehicle registration, and vehicle title records for an additional fee of $2 per abstract. Please call 518-452-4367.

STAY IN TOUCH

The Association website is
www.nysassrs.com
Our e-mail address has changed to:
state@nysassrs.com

Did Your Worker's Comp Policy Give You 35% Of Your Premium Back Last Year? Call The Association Today To Receive A Price Quote

Lawley

New York State Association of Service Stations & Repair Shops, Inc.

Declares Dividend

Workers Compensation Safety Group #536
Pays dividend for the 19th consecutive year.

35%

(Applies to Policy Term 5/1/09 - 5/1/10)

Dividend checks will be mailed direct to your address by The State Insurance Fund

Recent Dividend History

35%	08-09
35%	07-08
30%	06-07
30%	05-06

Lawley – Group Manager
Workers Compensation State Fund Safety Group #536

Jim Propis
716 849 8235
jpropis@lawleyinsurance.com
lawleyinsurance.com

INSURANCE | EMPLOYEE BENEFITS | RISK MANAGEMENT | BONDS

GRANY

Gasoline and Repair-shop Association of New York

HEALTH INSURANCE PROGRAM

If you are going without health insurance, you are taking a big risk. Now is the best time to stop exposing yourself to high medical costs. Even if you have insurance, you will want too check how our health insurance programs can better suit your needs. Here are some of the benefits of our program:

- **Reduced premiums by being a member of our groups.**
- **Programs provided by a variety of providers.**
- **Choose from a wide selection of plans.**
- **Tailor your insurance to best suit your needs.**
- **Participating employees may choose different plans.**

Let us work with you to find the best program at the best price. We will send you more information, and help you to navigate the selection of plans and options to find the one that is best for you.

To find out more information call John Casazza at (518) 452-4367

GRANY

LEGAL PLAN

As a member in good standing of the Association, you are entitled to participate in our group legal service plan. If you are in need of this service, you must first call the Association office at (518) 452-4367. An appointment will be arranged that will be convenient for you and the attorney.

Covered services available to members include:

- Defense in Small Claims Court if your business is sued or at Department of Motor Vehicles or at any other New York State Administrative Proceeding hearing. (Once per year.)

- Review of leases, supply contracts and franchise agreements to advise you of your obligation under these contracts. The plan does not include actual negotiation on your behalf. (One hour per issue, up to five hours per year.)

- Consultation on legal questions pertaining to your business. (One hour per issue, up to five hours per year.)

Appeals of judgments against you are not a covered benefit, but are available to members at special contract prices.

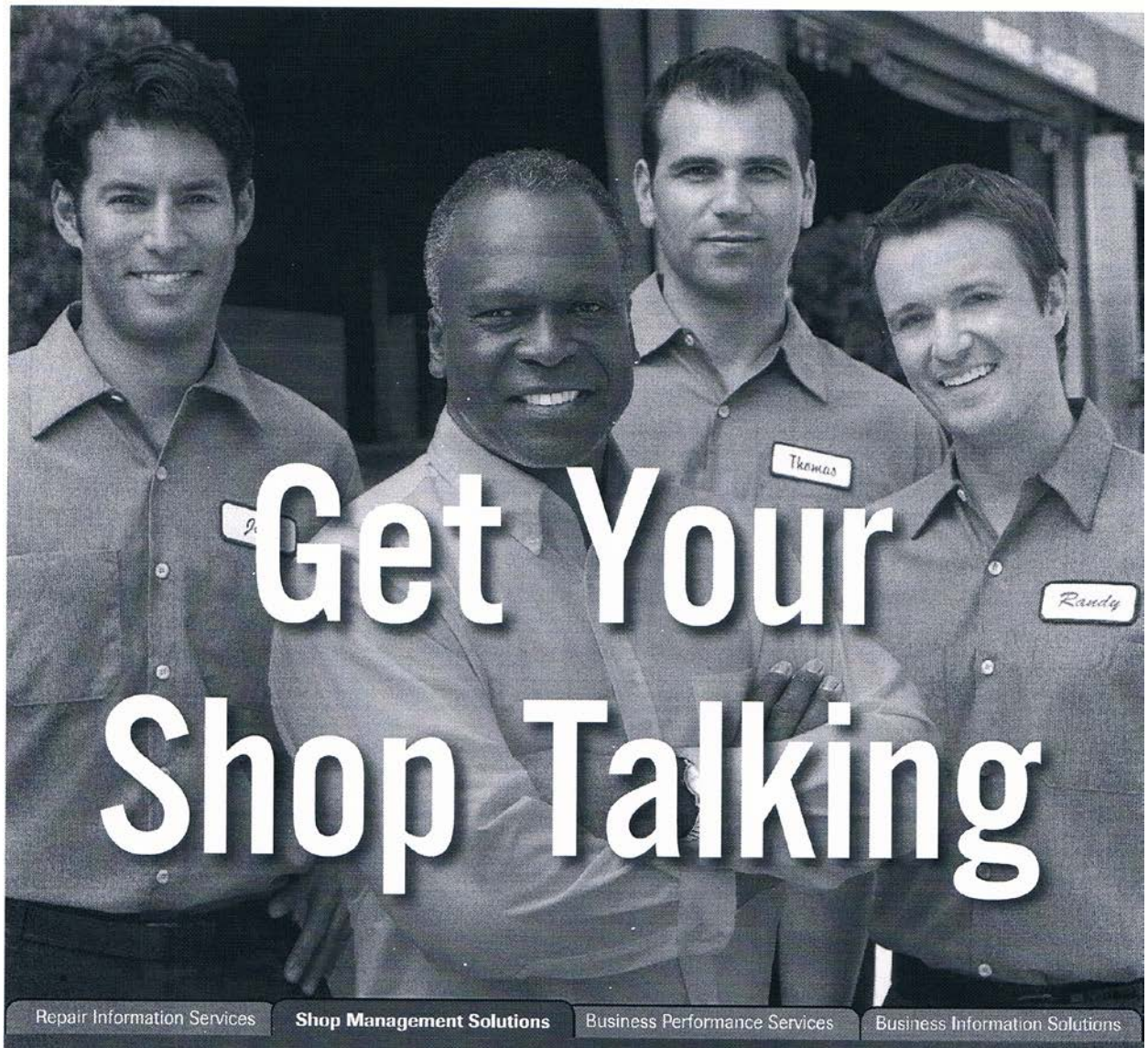
Additional legal services will be provided by the designated law firm's standard hourly rate less 15%. Special contract prices have also been negotiated for the following services.

- Residential real estate purchase or sale. The designated law firm will represent you in the sale of purchase of your primary residence and/or a second home or vacation property at the following rates:

Sale	$295.00
Purchase	$350.00

- Simple will $75.00 Simple will (husband and wife) $125.00

In order to participate in the plan you must be a member in good standing and must have been a member for ninety days prior to the need for legal service.



Get Your Shop Talking

Repair Information Services | **Shop Management Solutions** | Business Performance Services | Business Information Solutions

Mitchell1 TeamWorks™

Mitchell 1 TeamWorks combines the features of Manager, Estimator and Repair to seamlessly integrate all parts of your shop. From the moment your customer walks in the door, TeamWorks allows your Service Advisor to look up customer and vehicle information, calculate time to diagnose, check TSBs and prepare an estimate. Parts advisors order and track parts from your favorite vendors. Techs pull up work requested with associated diagnostic and service information, and enter recommended service. That's the kind of shop talk you can turn into profit!

AASP NATIONAL ALLIANCE OF AUTOMOTIVE SERVICE PROVIDERS

888-724-6742
mitchell1.com

Mitchell1 Shop Management Solutions

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Repair Information Services | Shop Management Solutions | **Business Performance Services** | Business Intelligence Services

Mitchell1 eCRM™

Now you can turn customers into loyal, profitable repeat customers easily. Mitchell 1 CRM integrates seamlessly with your shop management system to track your customers' vehicle history and send timely scheduled service reminder postcards and e-mails automatically. You choose the postcards and customize with your logo and message – finally, a way to communicate your message to your customers that they'll be glad to receive.

- Service Reminder E-mails & Postcards
- Consumer Vehicle History Website
- Service Recommendations
- Custom Promotions
- Dedicated Marketing Support Center
- Return on Investment Reporting

AASP NATIONAL ALLIANCE OF AUTOMOTIVE SERVICE PROVIDERS

800.410.0529
mitchell1.com/eCRM

Mitchell1 Business Performance Services

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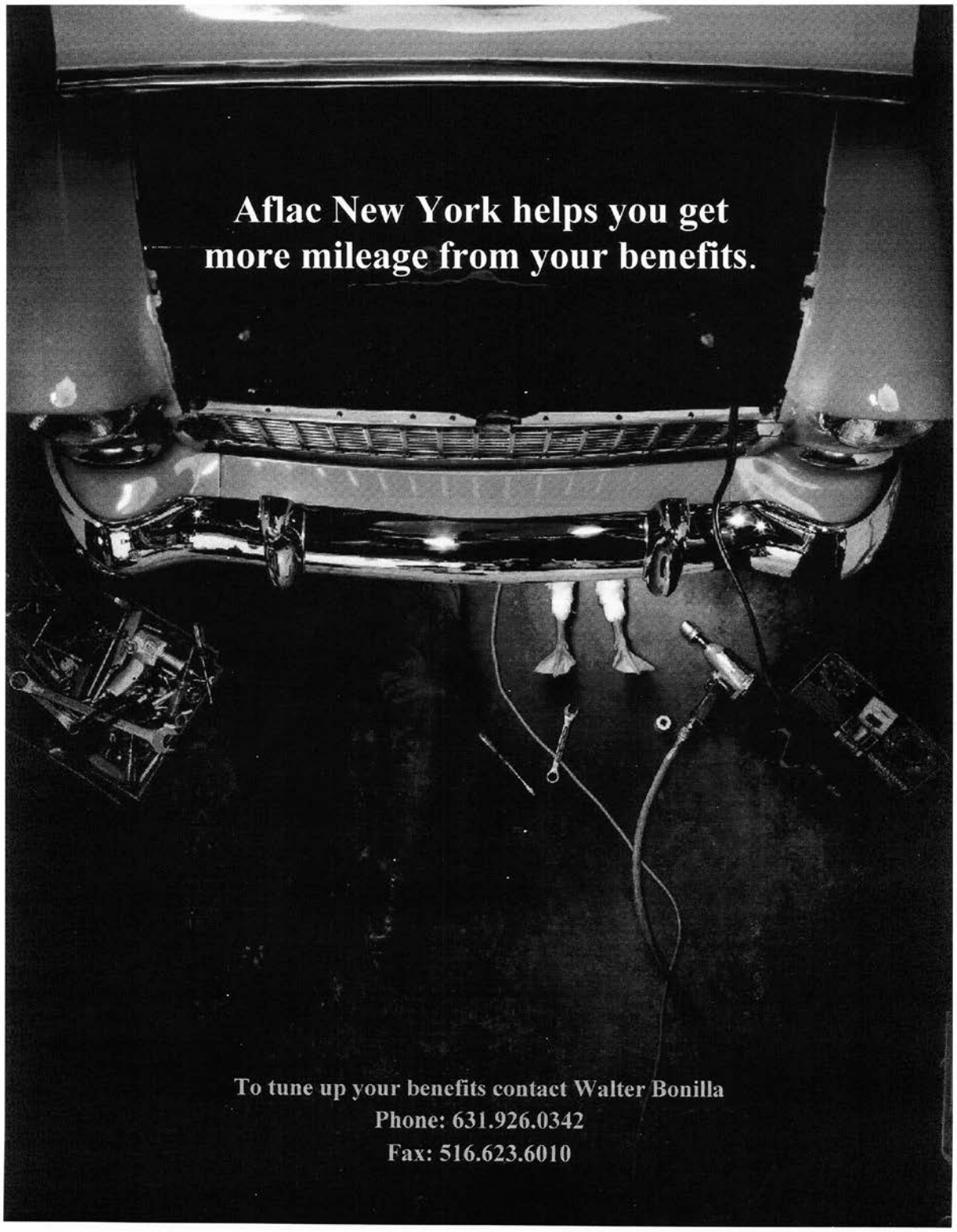

Aflac New York helps you get
more mileage from your benefits.
To tune up your benefits contact Walter Bonilla
Phone: 631.926.0342
Fax: 516.623.6010

Aflac™

HERE'S HOW AFLAC NEW YORK CAN HELP:

Many industries-like specialized auto repair and customization-require highly skilled talent that is not easy to find and retain. Great benefits are a top priority for these talented professionals when considering where to work. With Aflac New York, you can provide a wide range of benefits that gives them coverage in the areas they need most, and with a brand they know and want. You can attract and retain new talent by providing the kind of benefits they'd expect from a bigger company, helping your business stand out from the crowd.

THE BEST PART ABOUT AFLAC!

NO DIRECT COST TO YOUR COMPANY

Aflac New York's insurance policies are paid entirely by your employees; therefore, adding value to your employee benefits plan without incurring direct costs.

OFFERS A WIDE RANGE OF POLICIES

Aflac New York offers a wide range of policies that can help cover health events from accidents to hospitalization. You choose the ones that are best for you, your employees, and your business.

POTENTIAL TAX SAVINGS

Aflac New York's tax-advantaged plan allows employees to use pre-tax dollars to pay for certain benefit costs, through a Section 125 cafeteria Plan. This plan may also reduce your FICA taxes, helping you counterbalance the challenges you face in today's economic environment.

ATTRACTIVE TO YOUR EMPLOYEES

Aflac New York insurance complements your major medical insurance to help you create a more attractive employee benefits package. Our wide range of policies is designed to provide cash benefits to your employees if they become injured or sick. With Aflac New York policies, there are no deductibles, copayments, doctor networks, or pre-authorization requirements.

Join the 16,500 companies* that Already include Aflac New York as an essential part of their benefits package. Find out more:

Walter Bonilla **1.631.926.0342** **walter_bonilla@us.aflac.com**

American Family Life Assurance Company of New York (Aflac New York)

The NAPA Major Account Program

*** FREE MONEY GIVEAWAY***

Want to put more money in your pocket and do nothing more than you do now?

You already buy parts and supplies for your business so why not buy from NAPA and earn 2% rebate!

The Association and NAPA developed a complete, competitive supply program designed to boost your backroom profits and meet your customer needs. Here's what it includes:

BENEFITS TO ASSOCIATION RETAILER

Quality Products that meet or exceed OEM specifications
Customized Pricing -Reduced Parts Costs
Improved Inventory Turnover
Less Downtime -Higher Gross Profitability
Increased Field Contacts -700 Factory Representatives
Consistent Manufacturers Throughout Our System
Consistent Nationwide Parts Warranty
Availability -Up to 342,000 Part Numbers
Broader Inventory Coverage
Obsolescence Protection
Tailored Local Inventories
Recognized Consumer Brand
More Effective Shop Inventory -Reduced Investment and Higher Productivity
Prolink Internet based catalog, 24/7 parts availability and pricing

PROFIT PLAN

Very competitive pricing on **NAPA** Premium and Value Line products
Special quarterly stocking incentives
Quarterly product discounts to enhance competitive pricing during key selling seasons
Discount on electronically ordered parts from participating stores
Prompt payment discount terms (2% 10, Net 20)

A BRIEF LOOK AT NAPA

Since 1925, **NAPA (National Automotive Parts Association)** has helped businesses expand their parts coverage and maximize turnover and ROI. They offer an unparalleled package for people, products and programs to increase your productivity:

More than 5,800 **NAPA AUTO PARTS** Stores Nationwide

- Strategically located Distribution Centers servicing all 50 states
- Computerized inventory control linked to your station
- Highly trained Factory Reps.
- Training for you and your employees

(O V E R)

Now…what do you have to do to participate in the NAPA Program? It's easy. You just have to:

Register in **NAPA** Major Account Program with the Association
Stock a minimum of four product lines
Designate **NAPA** as first call supplier, and
Purchase a minimum of $7,500 per quarter (Average $2,500 per month)

It couldn't be easier so why not join today. **No risk**….if you don't meet the quota you just don't receive the rebate, nothing lost….but additional profit could be gained!

Name of Your Business:		
Business Address Street:		
City:	State:	Zip:
Phone:	Fax:	E-mail:
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Additional NAPA Dealer(s) you do business with:		
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	

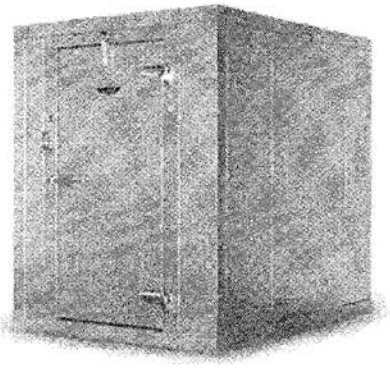
FAX this form back to:
518 452-1955

RTF Manufacturing
www.RTFManufacturing.com

RTF WALK-IN COOLERS & FREEZERS

State-of-the-Art Quality Custom Designed Walk-In Refrigeration Systems

RTF Manufacturing is Your Source for Custom Designed Walk-In Coolers, Freezers and Beer Caves— Built to Fit Your Plans.



- Built to Suite Your Needs
- Superior Design
- Durability
- Energy Efficient
- Reliable Service

RTF Manufacturing Premium Cooling Systems— Engineered and Built for use in Convenience Store, Restaurant, Industrial, Warehouse and Commercial Refrigeration Applications.

Call 1-800-836-0744 or email: info@rtfmanufacturing for an estimate.

Technical Assistance Always Available:
Call our toll free support hotline: **1-800-836-0744.**
Our engineering or service department will be happy to assist you.

RTF Manufacturing
www.RTFManufacturing.com

WHY CHOOSE US?

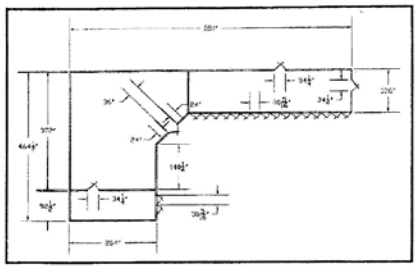
State-of-the-Art Quality Custom Designed Walk-In Refrigeration Systems

SUPERIOR DESIGN

RTF Walk-in Coolers and Feezers are designed using superior heavy gauge embossed galvanized steel interiors and exteriors with foamed in place CFC-free urethane insulation. Our Walk-in Coolers and Freezers save energy costs and meet all building code requirements including UL Standards for safety and performance. *RTF* superior designs keep operating costs to a minimum.

CUSTOM DESIGNS AND SPECIAL SIZES— MADE TO FIT

All *RTF* products are in-house CAD designed, engineered and built to best fit your unique requirements. Our CAD drawing department will be happy to assist you in providing all the drawings for your next special project—Indoor or outdoor, whatever shape and size you need. *RTF* Manufacturing will design, engineer, manufacture and deliver your complete Walk-in request.



DURABILITY

RTF Walk-in Coolers and Feezers are engineered to the highest specifications and manufactured using superior materials and exacting standards for the quality you expect. Our continued commitment to the food-service and floral industry allows us first hand to witness some of the harshest conditions this equipment operates in and we are proud to say that we pass the test.

PRICING AND VALUE

We deliver reliability, durability and quality at a competitive price.

MODULAR CONSTRUCTION

RTF offers the availability of modular construction to meet the needs of special installation challenges. Confined space and limited accessibility is not a problem when installing our expertly engineered modular units.

TECHNICAL ASSISTANCE

Have a question or problem? No problem! Call our toll free support hotline: 1-800-836-0744 and our engineering or service department will be happy to assist you. We pride ourselves on providing you with an unsurpassed level of service. Our staff of highly qualified experts are available from Monday through Fridy 8:00 a.m. to 4:00 p.m. Eastern Standard Time. Experience the finest in technical support.

REQUEST A QUOTE

Call us to request a quote today—discuss your requirements with an *RTF* engineer and we will provide the assistance you need. A detailed quote and specifications will be provided for each job.

Toll Free: 1-800-836-0744 • info@rtfmanufacturing.com • www.rtfmanufacturing.com

SPECIFICATIONS

METALS AND FINISHES

Standard Interior and Exterior Finishes

- 26 Ga. Bright stucco embossed galvanized steel

Optional Finishes Available

- 26 Ga. Painted stucco embossed galvanized steel Standard colors available are white, black and almond. Optional colors are available by request.
- .032 Stucco embossed aluminum
- .040 Smooth white aluminum
- .040 Stucco embossed aluminum
- Acrylume
- 22 Ga.Type 304 stainless steel finish

Interior Floor Finishes

- .050 Smooth aluminum
- 22 Ga. Type 304 stainless steel with #2B finish

Other gauges and finishes are available upon request.

INSULATION

Standard insulation is foamed-in-place Non-HCFC U.L. Class 1 rated urethane foam. 'R' value of the insulation meets or exceeds the requirements of the Federal Energy Code for Walk-ins. Class 1 urethane foam has a flame spread of 25 or less overall and smoke developed of 450 or less as tested per ASTM E-84 (UL 723). Recommended wall thickness for wood frame construction is nominal 3.5" for cooler applications and nominal 5.25" for freezer and outdoor applications.

PANEL CONSTRUCTION

All panels are joined together using a cam locking fastener, operated with a hex wrench. Access holes are sealed with vinyl snap-in caps. Ceilings are typically attached to walls using lag bolts. Walls can camlock to ceilings if necessary or requested (optional).

PANEL FASTENERS

All panels are joined together using a cam locking fastener, operated with a hex wrench. Access holes are sealed with vinyl snap-in caps. Walls can also camlock to ceilings (optional).

FLOORLESS MODELS

Alignment screed is furnished for all floorless models. Screeds are designed to be anchored to masonry floors to provide an accurate template for the erection of the wall panels.

FLOOR PANELS

Floors are built with metal bonded to exterior grade underlayment and foamed in-place. Floors are capable of maintaining a load maximum of 1000lbs./sq/ft. when uniformly distributed.

WALK-IN ACCESSORIES AND FEATURES

Standard:

- Dial thermometer
- Compact fluorescent light with vapor-proof globe
- Flush mount lighted toggle switch
- UL Listed Class 1 Non-HCFC
- Urethane
- USDA approved materials
- Self-closing doors

Optional

- Alarm systems
- Digital thermometers
- Storage shelving
- Built-in wall supports
- Heavy duty floor plates
- Roof systems for outdoor applications
- Foamed in-place electrical boxes

DOOR, JAMB AND HARDWARE

Standard *RTF* walk-in doors are in-fitting, overlap swing type.

Standard Features:

- High quality heavy duty hardware with safety release
- Magnetic door gasket and door bottoms
- Heated jamb and door bottom (freezer only)
- Heated threshold (freezer only)
- Heated pressure relief vent (freezer only)