



January 2024 Bulletin

WE HERE AT SSDGNY WISH YOU A HAPPY AND HEALTHY 2024!

SCHOLARSHIP RAFFLE WINNERS

Thank you to all that participated in our yearly raffle that helps fund the Donald Engledrum Scholarship Award. The winner of the 2023 Scholarship Award this year is Kimberly Donnarumma who is attending Rutgers University. Congratulations Kimberly and good luck with your studies.

The following are the winners of this year raffle drawing:

Grand Prize Winner	North Broadway Automotive Services White Plains, NY
2nd Prize Winner	McLean Auto Center, Yonkers, NY
3rd Prize Winner	Kisco River Auto Ctr, Mt Kisco, NY

*Congratulations to all the winners and again
thank you for your support!*

ASSOCIATION CONTEST

**CONGRATULATIONS TO THE DECEMBER 2023
CONTEST WINNER C & A AUTO SERVICE, INC. OF
MAHOPAC, NY.** Please read through this bulletin for your chance to win!!! Call the office with the correct answer to the trivia question and you will be entered in the monthly drawing for a chance to receive a free month's dues; a value of \$45.00.

ATTORNEY'S CORNER

ENVIRONMENTAL ISSUES – PART ONE

Let's start January 2024 off with one of my favorite topics- *Environmental Issues* as it refers to gas station release cases.

Gas Station Release is the legal description of a spill at your station and how the DEC may or may not refer to it but, most certainly, how it will be called in a Navigation Act lawsuit against you.

Navigation Act

Enacted in 1977, Article 12 of the New York Navigation Law is referred to as the "Oil Spill Act." You are confused? Sure, since the title "Navigation Act" conjures up something on the water. Environmental enforcement takes many forms and involves many different players and types of cases. I will illuminate the

differences between types of enforcement actions. As an overview, there are fundamental issues in environmental enforcement.

The New York Department of Environmental Conservation (DEC) will also get involved because of the far-reaching impact of such a spill and possible exposures to the local water supply.

What role do the various agencies play? What are the methods these enforcers use to gather compliance information in anticipation of enforcement? What are the typical stages of the enforcement process? What does "cooperative federalism" inherent in most federal environmental laws mean? What is the overall role that federal, state, and local agencies take in enforcement?

The act puts strict liability on any individual or organization responsible for a petroleum spill. The environmental impact is far-reaching, so every single cost associated with the cleanup, removal, and recovery from the spill falls upon the discharger of oil. This includes direct costs such as the digging up of impacted soil as well as indirect costs.

One of the most important things to be aware of when it comes to this law is that it applies to the responsible party/parties regardless of fault. This means that even when the oil company accidentally spills oil, the company is nonetheless responsible for cleaning it up. If it's your spill, i.e., tank failure or line failure or even at the dispensers, it's on you.

If that happens, You certainly will have to hire a NYS registered professional engineer as defined in 6 NYCRR Part 375 to prepare a Remedial Action Work Plan (RAWP). The engineer must prepare a RAWP in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10)

Civil Damages

Damage to Property – Any costs associated with restoring, repairing, and replacing damaged or destroyed real property in or around the business (Adjacent business properties down gradient from yours)

Diminished Value of Real Property – If the property has a diminished value as a result of the environmental disaster, the property owner can be compensated for the decrease in value compared to the value as if the event had not occurred.

Natural Resources – Any costs associated with restoring or replacing any natural resources. (What if your product leaked into a stream?)

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Loss of Income – Did your spill cause your neighbor business to suspend operations? Did the damage done result in the loss of income for the owner of impacted property? The responsible party (you) must repay this money.

Adequate insurance is a must. Contact the Association for information on environmental insurance.

Vincent P. Nesci, P.C.
General Counsel, Service Station Dealers and
Automotive Services of Greater NY, Inc.
487 E Main Street #325
Mount Kisco, NY 10549
Cell 9124-645-7530



NYS PAID FAMILY LEAVE

What's New for 2024

Since first launching in 2018, NYS Paid Family Leave has provided critical benefits to improve the lives of tens of thousands of working New Yorkers and their families. After a successful four-year phase-in, New York State Paid Family Leave is now fully realized, with benefits at their target levels, while their enhancements are ongoing!

Up to 12 Weeks of Leave

New York State Paid Family Leave provides eligible employees with up to **12 weeks of job protected, paid time off** to bond with a new child, care for a family member with a serious health condition, or to assist loved ones when a family member is deployed abroad on active military service. This time can be taken all at once, or in increments of full days.

At 67% of Pay (Up to a Cap)

Employees taking Paid Family Leave receive **67% of their average weekly wage**, up to a cap of 67% of the current Statewide Average Weekly Wage (SAWW). For 2023, the SAWW is **\$1,1718.15**, which means the **maximum weekly benefit is \$1,151.16**.

Same Strong Protections

Employees can take leave to care for their family members knowing New York has their backs, New York State Paid Family Leave guarantees that:

- Employees have **job protection**, ensuring they can return to the same job (or a comparable one) when they return from Paid Family Leave.
- Employees can keep their **health insurance** while on leave on the same terms they had while working.
- Employers are **prohibited from discriminating or retaliating** against employees for requesting or taking Paid Family Leave.

Fully Funded by Employees

New York State Paid Family Leave is insurance that may be funded by employees through payroll deductions. Even though benefits are expanding to cover more family members this year, the contribution rate has gone down. For 2024, employees will contribute 0.373% of their gross wages per pay period. The maximum annual contribution for 2024 is \$333.25.

Employees earning less than the current Statewide Average Weekly Wage (SAWW) of \$1,718.15 will contribute less than the annual cap of \$333.25, consistent with their actual wages. Here are some contribution and benefit examples at different income levels:

1. Employees earning \$519 a week (about \$27,000 a year) will pay about \$1.94 per week: $519 \times 0.373\%$. When taking the benefit, these employees will receive \$347.73 per week, up to a maximum total benefit of \$4,172.76.
2. Employees earning \$1,000 a week (\$52,000 a year) will pay \$3.73 per week: $1,000 \times 0.373\%$. When taking the benefit, these employees will receive \$670 per week, up to a maximum total benefit of \$8,040.
3. Employees earning the SAWW of \$1,718.15 (about \$89,000 a year) or more will pay $0.373\% \times$ their gross wages each pay period until they reach the maximum of \$333.25. When taking the benefit, these employees will receive \$1,151.16 per week, up to a maximum total benefit of \$13,813.92.

If you receive your disability benefits through the association, please fill out the next page for your 2024 NY Paid Family Leave Annual Billing and return it together with your annual premium payment by the end of this month. The rates have changed since last year. If you have any questions about the billing, please call Mandi at 914-698-5188.

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SERVICE STATION DEALERS & AUTOMOTIVE SERVICES OF GREATER NY, INC.
 INTER-CITY INSURANCE FUND
 421 WAVERLY AVENUE, MAMARONECK, NY 10543 P: 914-698-5188 F: 914-698-4787

2024 NY Paid Family Leave Annual Billing

The maximum employee contribution in 2024 should be 0.373% of an employee's weekly wage up to the annualized New York State Average Weekly Wage of \$1,718.15.

This means in 2024 a maximum contribution of \$6.41 per week for employees earning the currently NYSAWW or above. The employee contribution is capped at \$333.25 for the year.

Example: Employee 1	Salary \$35,280.	x0.373%	Annual NYPFL Premium \$131.59	Employee weekly deduction (\$131.59÷52 weeks) \$2.53
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Your station is currently enrolled in DBL through the Association with ShelterPoint Life Insurance Company. Your monthly DBL premium of \$1.80 per covered owner/employee will continue to be billed on your monthly invoice. The NYPFL is covered through your ShelterPoint policy however, the billing for this coverage will be a separate annual self-bill due by the end of the January 2024.

To calculate the annual premium, you must use the employer/employee's current salary.

OWNERS: If you currently only have yourself covered under your DBL policy you must also carry NYPFL for yourself. If you do not, your DBL policy will be termed.

Please fill in the self-bill form below and return with payment made payable to Service Station Dealers by January 31, 2024 for your annual NY Paid Family Leave coverage.

STATION NAME: _____

Employee	Salary	x 0.373%	Annual NYPFL Premium
1		x 0.373%	
2		x 0.373%	
3		x 0.373%	
4		x 0.373%	
5		x 0.373%	
6		x 0.373%	
7		x 0.373%	
8		x 0.373%	
9		x 0.373%	
10		x 0.373%	
			TOTAL:

(Please add any additional employees to a separate piece of this paper)

SUM of Annual Paid Wages for Employees earning BELOW \$89,343.80 _____
 Total number of employees with Annual Paid Wages ABOVE \$89,343.80 _____

421 Waverly Avenue, Mamaroneck, NY 10543
 Ph: 914-698-5188 F: 914-698-4787
www.ssdgny.org

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ARE YOU READY FOR 2024!

ARE YOUR PERMITS, LICENSES (INCLUDING YOUR OWN AND YOUR EMPLOYEE'S DRIVER'S LICENSES VALID)?

ARE YOU DISPLAYING SIGNS MANDATED BY D.M.V. AND OTHER GOVERNMENT AGENCIES INCLUDING POSTING OF LICENSED INSPECTORS AT INSPECTION STATIONS?

ARE YOU COMPLETING AND FILING THE IMMIGRATION FORMS FOR ALL NEW EMPLOYEES, "I-9"? ARE YOU COMPLETING AND FILING THE N.Y.S. "NEWLY HIRED EMPLOYEES" FORM?

ARE YOU CHECKING YOUR VAPOR RECOVERY EQUIP. & COMPLYING WITH THE NEEDED 5 YEAR TEST?

ARE YOU PROPERLY DISPLAYING THE OPERATING INSTRUCTIONS FOR NOZZLES USED IN THE VAPOR RECOVERY SYSTEM?

ARE YOU PREPARED TO MAINTAIN DAILY, ACCURATE, GASOLINE INVENTORY RECORDS AS REQUIRED BY LAW (**DIP BOOKS** ARE AVAILABLE FROM YOUR ASSOCIATION)?

ARE YOU MAINTAINING THE PROPER **COLOR CODE** ON YOUR GASOLINE FILL LINES?

ARE YOU DISPLAYING THE OIL SIGN: "**WE ACCEPT WASTE OIL FOR RECYCLING**"? ARE YOU HANDLING USED OIL FILTERS PROPERLY?

ARE YOU DISPLAYING THE SIGN: "**WE MUST ACCEPT VEHICLE BATTERIES FOR RECYCLING**"?

ARE YOU MAINTAINING THE FILE OF MATERIAL SAFETY DATA SHEETS (**MSDS**)?

ARE YOU AND YOUR EMPLOYEES AWARE OF THE POSSIBLE HEALTH HAZARDS ASSOCIATED WITH THE VARIOUS CHEMICALS AND THE PRECAUTIONS THAT SHOULD BE TAKEN?

HAVE YOU FILED YOUR "**COMMUNITY RIGHT TO KNOW**" FORM ON STORED SUBSTANCES IN N.Y.C.? THE DEADLINE IS **MARCH 1ST**.

ARE YOU A PARTICIPANT IN YOUR ASSOCIATION'S HEALTH INSURANCE PLAN?

ARE YOU MAINTAINING A SAFE WORKING ENVIRONMENT? ARE ALL YOUR FIRE EXTINGUISHERS AND SUPPRESSION SYSTEMS PROPERLY CHARGED AND WORKING? **SAFETY IS FREE! USE IT GENEROUSLY.**

ARE YOU USING APPROVED REPAIR ORDER FORMS? ARE YOU PROVIDING **ALL** INFORMATION REQUIRED ON THE ORDER FORM BY D.M.V.?

ARE YOU A MEMBER OF YOUR ASSOCIATION SPONSORED **WORKER'S COMPENSATION** GROUP? THOSE WHO ARE RECEIVED DIVIDENDS FOR OVER **30** YEARS. ARE YOU ALSO PROVIDING **DISABILITY** INSURANCE FOR YOUR EMPLOYEES AS REQUIRED BY N.Y.S. AS WELL AS THE **NY PAID FAMILY LEAVE**?

ARE YOU IN COMPLIANCE WITH YOUR COMPANY'S **SEXUAL HARASSMENT POLICY AND TRAINING PROCEDURES**?

ARE YOU PROVIDING QUALITY REPAIRS? ARE YOU USING QUALITY PARTS? DON'T CREATE FUTURE PROBLEMS WITH A FALSE ECONOMY?

ARE YOU AND YOUR TECHNICIANS MAKING TIME FOR EDUCATION (**WORK SMARTER NOT HARDER**)?

ARE YOU MAINTAINING A CLEAN, ATTRACTIVE LOCATION? LOOK AROUND, YOU MAY BE SURPRISED. ARE YOU MAINTAINING A SENSIBLE PROFIT MARGIN? YOU **CANNOT** SURVIVE WITHOUT IT. ARE YOU PREPARED TO SIT DOWN WITH ACCOUNTANT AND REVIEW YOUR OPERATIONS?

ARE YOU PERFORMING INSPECTIONS PROPERLY? **DO IT RIGHT OR DON'T DO IT AT ALL!** ARE YOU GIVING **WRITTEN INSPECTION APPOINTMENTS**? WRITTEN APPOINTMENTS MUST BE ON YOUR LETTERHEAD.

IN N.Y.C., HAVE YOU APPLIED FOR A RETAIL **CIGARETTE LICENSE** WITH CONSUMER AFFAIRS? AND EVERYWHERE, DO YOU **CARD** FOR CIGARETTES AND ALCOHOLIC BEVERAGES?

IF YOU HAVE DUAL ISLANDS WITH *SELF SERVE/FULL SERVE*, IS THE "**HANDICAP**" SIGN POSTED?

ARE YOU READY? ONLY **YOU** KNOW THE ANSWER. IF YOU'RE UNSURE, CALL YOUR AREA REP. OR THE ASSOCIATION FOR HELP.

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JANUARY 2024 TRAINING

AC Delco ASE Accredited Training Resource

Topics include:

- Emissions
- Cooling systems
- Diesel service and repairing
- Braking systems
- And more

For more information go to

<https://www.gmparts.com/technical-resources/technical-training>

Delphi Technologies E-Learning Training Courses

Topics include:

- EVs and Hybrid Technology
- ADAS
- Electronic controls
- On Board Computer systems
- And More!

For more information go to:

<https://academy.delphiautoparts.com/>

SSDGNy is a member of TST. Because you are members of SSDGNy, you are automatically able to receive certain benefits from that organization.

This means:

- **Discount - Live Seminars**
- **Discount - Yearly Big Event & Trade Show**
- **Discount - Live Simulcast / Webcasts**
- **Discount - On-Line Videos**
- **Watch Members Only Videos**
- **Discount - Tools and Equipment**
- **Access to Members only Store**
- **Discount - Training Materials (Books)**

To receive the discount, you must call the association when enrolling for any seminar or event and the association will enroll your shop to ensure your discount!



NEW YORK'S MINIMUM WAGE

The state minimum wage is scheduled to increase on January 1, 2024, to \$16.00 per hour for New York City and the counties of Nassau, Suffolk and Westchester, and to \$15.00 per hour for the rest of the state.

In addition to this increase, recent amendments to the Labor Law provide further increases by \$0.50 per year on January 1, 2025 and January 1, 2026. As required by Labor Law § 652(2), the Commissioner filed proposed regulations to amend existing wage orders. The proposed regulations are currently available and were published in the State Register on October 4, 2023.

The minimum wage hourly rates effective 12/31/2023–12/31/2024.

VERIFI MESSAGE #110

Insurance Effective Date

On January 1st, 2024, a software change to the VERIFI system will require the correct effective date of insurance prior to proceeding with a transaction requiring insurance.

With the system change VERIFI will not allow a dealer to submit an eMV-50 involving a plate transfer, issuance of new plates, issuance of an In-Transit Permit and print a TCR, unless the dealer has entered proof of insurance, from the registrant, where the effective date of the insurance is on, or prior to the date the TCR is issued with the original eMV-50.

Under no circumstances should a dealer issue a TCR without first obtaining acceptable proof of insurance including the required insurance effective date.



Check out our
Facebook page
@ SSDGNy

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SHOUT OUT TO LONG TERM MEMBERS!

We would like to take this opportunity to acknowledge our loyal members who have been with us for some time.

Congratulations to the following:

20 Years of Membership

Chilcott's
New Paltz, NY

10 Years of Membership

Emil's All Tire Co.
Brooklyn, NY

Congratulations and thank you for your continued support!

CLASSIFIEDS

For Sale: You can be your own boss! Est. shop that specializes in trailer repair, snowplow and salter sales, parts and repair. We also offer vehicle up-fitting. We sell and install numerous truck bodies. The shop is geared towards landscapers' and contractors' needs. The service center has an excellent reputation that repairs all makes and models of box trucks, utility trailers landscape and boat trailers. Welding and fabricating repairs/parts as needed. We have the ability to make hydraulic hoses that we make on site. The showroom is fully stocked with inventory. The shop can fit 4 vehicles inside. Shop equip. includes: 2 post lifts, torches, welder, tire changer, balancer, band saw, drill press, work benches & more. There is also a private office. We are an authorized BOSS snowplow, Ramp Rack, Buyers and Woolwax dealer. Motivated to sell IMMEDIATELY due to relocating out of the area. Great opportunity to get in now during the snow season. Please call 845-590-5800 for more information.

For Sale: Pwrsprts Dlrshp for sale, Motorcycles, ATVS, UTVS, Snowmobiles, Generators/power washers. Parts / Service dept. 8500 sq. ft. building on 8 acres. Rent or buy. Kawasaki and Arctic Cat, Kymco, Generac generators. We are located on the Newburgh/Marlboro NY, RT 9w. High traffic road. Check our website bigboyztoysny.com Call Tony 845-781-3082 cell.

For Sale: Brand new Mobile Inspection Cabinet purchased through Global Industrial. Purchased for \$400.00 asking \$275.00 please contact 845-279-9598.

WELCOME NEW MEMBERS

Riff & Sons Auto Repair
Newburgh, NY

REFERRALS

If you know of a station that needs our services and is interested in becoming a member, refer them to us and upon signing you will receive a \$50.00 Amazon gift card. If you know of someone interested, please contact our Sales Representative Bill Griese at 914-227-0144.

TRIVIA QUESTION

What is the new rate for the 2024 New York Paid Family Leave contributions? Call the office or email mconner@ssdgnny.org or cobalde@ssdgnny.org with an answer for a chance to win a free month's dues.

I hope you enjoyed reading this month's bulletin. If you have any questions, feel free to call the association. We are here to help you and your industry.

Regards,

Carla Obalde

Operations Manager

