



November 2020 Bulletin

ASSOCIATION CONTEST

CONGRATULATIONS TO THE OCTOBER 2020 CONTEST WINNER FRED'S AUTO REPAIR INC., OF BRIARCLIFFE MANOR, 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

Let's Talk Gasoline!

Given the significant volatility in fuel prices in recent weeks, many of the distributors, whom you all know and love, spend their waking hours (any some dreaming hours) developing a fuel hedging program and pricing system for their delivery of product to you, rack, X-brand rack [you fill in the brand name], dealer tank wagon, and any other price language you can think of, with the bottom line being they make money and you struggle to make money.

I find that it is extremely difficult to predict future pricing today. Crude is bouncing between USD \$36 and USD \$48 per barrel.

What is a futures contract?

A futures contract is simply a standardized contract, between two parties to buy or sell a specific quantity and quality of a commodity for a price agreed upon at the time the transaction takes place, with delivery and payment occurring at a specified future date. A futures contract obligates the buyer of the contract to buy the underlying commodity at the price at which he bought the futures contract. Similarly, a futures contract also obligates the seller of the contract to sell the underlying commodity at the price at which he sold the futures contract.

Your distributor may have bought one or more future[s] to actually take delivery and may have committed for 20,000,000 gallons or more at a determined contract price.

Gasoline prices can fluctuate for many reasons, but the most important ones include the following: crude oil prices, refining costs and profits, distribution and miscellaneous costs, seasonal demand, political events, and global demand picture. Demand for gasoline has been steadily declining in Europe and the United States. Fluctuations in global demand and how refineries respond to changes in demand can materially affect gasoline prices. New technologies such as electric-powered vehicles, for example, could substantially reduce demand for gasoline.

I know, from speaking to many of you, that when the price of crude and other costs goes down, you don't see a corresponding decrease in the wholesale price to you or a slight decrease. Why is that? Your distributor is seeking to maximize profits and quite frankly, your distributor guessed wrong!

Vincent P. Nesci, Esq. Association General Counsel



Similar to prior years, the Internal Revenue Service (IRS) has extended the deadlines for delivery (but not filing) of the 2020 Forms 1095 required by the Affordable Care Act (ACA).

2020 Forms Sent to Individuals	Old Deadline	New Deadline
1095-B (insurer reporting)	Feb. 1, 2021	March 2, 2021
1095-C (employer reporting)		

For 2020, the individual furnishing deadline was Feb. 1, 2021, as the normal Jan. 31 deadline falls on a Sunday. As shown above, the IRS has provided an additional 30 days for furnishing the 2020 Form 1095-B and Form 1095-C to enrollees and employees, extending the due date from Feb. 1, 2021, to March 2, 2021. No request or other documentation is required to take advantage of the extended deadline.

It is important to note that the IRS has not extended the due date for filing 2020 Forms 1094-B/1095-B or 1094-C/1095-C with the IRS. **The IRS filing deadline remains unchanged** at March 1, 2021 if filing on paper and March 31, 2021, if filing electronically (electronic filing is mandatory for 250+ forms).

Final Extension of Good-Faith Relief for Filing and Furnishing

In addition to extending the deadline for furnishing 1095 forms to individuals, IRS Notice 2020-76 provides that 2020 will be the final year employers and insurers can utilize "good faith" relief from penalties related to incorrect or incomplete ACA information returns, clarifying it was intended to be transitional relief only.

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NYVIP2 MESSAGE No. 261

TO: ALL INSPECTION STATIONS
FROM: NYS DEPT. OF MOTOR VEHICLES
SUBJECT: IMPORTANT INFORMATION REGARDING
VEHICLE REGISTRATION EXPIRATIONS

On October 4, 2020, Governor Cuomo issued Executive Order No. 202.67 which states, in part:

"Expiration of a registration certificate or number plate for a motor vehicle... shall no longer be suspended or modified as of November 3, 2020."

In effect, previously expired and newly expired vehicle registrations will not be extended beyond November 3, 2020.

New York State residents seeking to renew a current or previously expired registration are required to have a valid vehicle inspection performed in the past 12 months.

As such, the terms outlined in Executive Order No. 202.67 will likely result in an increased number of motorists seeking vehicle inspections.

Since your customers may not be aware, DMV encourages you to consider various methods of communication you may have to reach out to them. Having your customers schedule and arrive for inspection prior to November 3, 2020 will also help mitigate increased volumes of customers reaching out to schedule inspection appointments once the vehicle inspection extension eventually ends, which has been in place since March 2020. If you have any questions regarding this information, please call the DMV Office of Clean Air at (518) 473-0597 and select option #4.

Tech Tip

"Offer free tire rotations with the purchase of a set of four tires!!!"

Thanks Bob Coholan of Skyview Service Inc. of Nanuet and an SSDGNY Board Member for sharing a Tech Tip with your fellow members!

If anybody else would like to share your thoughts, please call the office, or email us with your incite.

NYVIP MESSAGE No. 262

TO: ALL INSPECTION STATIONS
FROM: NYS DEPARTMENT OF MOTOR VEHICLES
SUBJECT: 2022 STICKER ORDERING NOW
AVAILABLE

Below are instructions for ordering next year's stickers.

Inspection stickers with an expiration year of 2022 are now available to order.

HOW TO ORDER STICKERS:

To order stickers on the NYS DMV website go to <http://dmv.ny.gov/sticker/default.html>

It is your responsibility to order next year's stickers promptly so that you have proper supply on hand by January 1, 2021. Sticker orders are processed in the order received. Please allow 3-4 weeks for processing.

The last day 2021 expiring sticker orders will be processed by DMV is December 22, 2020. Please submit your 2021 expiring sticker orders prior to this date.

Don't forget to visit our website
WWW.SSDGNY.ORG



C-STORE OWNERS

Interested in satisfying your customers cravings for empanadas? Order these beef and chicken empanadas from DF's Delights. Each case of 24 is only \$42.00.

"Customers love them and they are a great sell" Says Chuck Nietzsche of Harriman Motor Fuel and an SSDGNY Board Member.

For more information call Derrick Fremont of DF's Delights at 845-803-3119.

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GOALS FOR STIMULUS, APPROPRIATIONS, AND WOTC AFTER ELECTION

The House and Senate are in recess with members campaigning for election.

With GOP control of the Senate hanging on the loss of four seats, electioneering has greater priority for Republicans than remaining to debate a \$1.9 trillion stimulus bill.

Moreover, on Wednesday GOP senators emphatically voiced their preference for a \$650 billion narrow stimulus bill (\$500 billion in new money plus \$150 billion in unused PPP loan authority.)

Fifty-one Republicans voted to take up the narrow stimulus bill (S.178 with Senate Amendt. 2652) but were foiled by Democrats. The vote was 51-44, nine votes short of 60 required to consider the bill. Senator McConnell can call up the bill again, however.

Had Speaker Pelosi and Secretary Mnuchin reached agreement sooner, it might have been possible to resolve GOP senators' opposition to a larger stimulus. But this late, it's hardly possible to fix the problem in the last week before elections.

Election day will produce a new constellation of power in the Congress and change the calculations of the participants. This will impact three major tasks Congress cannot avoid after the election—a stimulus bill, appropriations to fund the government, and extension of the work opportunity tax credit, VOW to Hire Heroes Act hiring credits, and other tax code provisions expiring December 31st.

We expect stimulus to be top priority in November as COVID-19 infections develop, vaccine prospects emerge, and Federal Reserve governors renew their frequent warnings of recession risk. Our goals will continue to be enacting the new Employee Retention and Rehiring Tax Credit and the new COVID-19 WOTC target group.

Continuing appropriations to fund the government expire December 11th. If the current "lame duck" Congress hasn't agreed an omnibus appropriations bill by that date, to avoid a

government shutdown it can enact a further continuing resolution till January or later.

The new 117th Congress begins January 3rd. President Trump continues in office till January 20, when either he or his successor is sworn.

The House of Representatives has sole power to originate revenue measures. If Democrats win the presidency or gain seats in the new Congress, they may opt for another continuing resolution till next year to have a stronger voice in writing the omnibus for remainder of FY 2021.

With an omnibus bill to fund the government, our goal will be to attach an amendment calling for permanent or long-run extension of WOTC and VOW to Hire Heroes Act credits.

With a continuing resolution, our goal is the same but we may have to wait till the end of February or later to extend WOTC and the VOW Act credits because a new Congress often takes till February or March to get organized.

This raises the prospect of WOTC and the VOW Act credits expiring for months, sometimes two or three, sometimes longer. We'll work to forestall this at all costs, because we know there are only a few tax bills a year and we may have to wait till June or July for a bill to enact WOTC and VOW Act credits if they've expired.

We've been through this scenario before and can deal with it. Fortunately, a high percentage of tax writers of both Parties whom we work with will win re-election. We have committed supporters who understand what we're aiming for, and should the presidency change hands, we'll promptly connect with the new White House and department officials to explain our expectations, especially regarding the President's budget.

There's a cloudy sky ahead, but our unity and commitment are rock-solid. When election returns roll in, we'll meet new faces and gain new allies. We'll get the job done.



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WORKERS' COMPENSATION COVERAGE COMPLYING WITH THE LAW

The Workers' Compensation Law requires that employers obtain and continuously keep in effect workers' compensation coverage for all their employees.

Businesses meet this requirement of the law by:

- Obtaining and maintaining a workers' compensation insurance policy; or
- Obtaining self-insurance for workers' compensation; or
- Be legally exempt from the requirement to provide workers' compensation coverage.

Are Any For-Profit Businesses Exempt?

There are only very limited situations where for-profit businesses are exempt from providing workers' compensation coverage, including:

1. The business is owned by one individual with no employees, no leased employees, no borrowed employees, no part-time employees, no unpaid volunteers (including family members) and no subcontractors and is not a corporation; or
2. The business is a partnership under the laws of New York State, and there are no employees, no leased employees, no borrowed employees, no part-time employees, no unpaid volunteers (including family members) and no subcontractors; or
3. The business is a one-or-two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation and there are no employees, no leased employees, no borrowed employees, no part-time employees, no unpaid volunteers (including family members) and no subcontractors. Specifically, if two people own the corporation, each person must own at least one share of stock and between them own all the shares of stock in the corporation. In addition, they both must be corporate officers and between the two of them hold all the offices of the corporation.

Posting of Notice of Workers' Compensation Coverage

According to Section 51 of the Workers' Compensation Law, employers must post a Form Notice of Compliance - Workers' Compensation Law (C-105). Most employers obtain this form from their workers' compensation insurance carrier. If you are in Safety Group 485 and need this form, please contact the association.

SCHOLARSHIP RAFFLE TO BENEFIT THE JOSEPH ENGELDRUM MEMORIAL SCHOLARSHIP

As many of you may already know, this year our dinner is canceled due to the pandemic that surrounds us. However, we have been selling raffle tickets to aid prizes and the \$1,000.00 scholarship winner. The donation for a raffle ticket this year is \$25.00, and the prizes are as follows: First Prize \$2,500.00; Second Prize \$1,000.00 and Third Prize \$500.00.

GREAT NEWS! Due to the pandemic, the drawing has been extended to December 2020. You still have another month to donate to the scholarship raffle and have a chance at winning the grand prize. It also means the scholarship raffle drawing is extended for another month as well. If you would like to enter someone in the scholarship drawing and need to do so, call the association. The winners of all prizes will be notified then after the drawing.

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.

SEXUAL HARRASSMENT POLICY AND PROCEDURE

Under the law, every employer in New York State is required to establish a sexual harassment prevention policy and provide sexual harassment prevention training to employees. We will supply you with your company policy and training model for you to present to your employees, give you copies of the policy and the training and case studies along with acknowledgements of receipts for all of these items for each and every employee.

This must be done every year. Last year many of you fulfilled that requirement with the 2018 Edition of Sexual Harassment Training Procedures. The 2019 Edition has been released for your renewals. *The fee for renewals* is \$50.00 1-5 employees \$75.00 for 6-15 employees and \$150.00 for over 15 employees.

If you haven't fulfilled the requirement yet please do so soon. The fee for the original policy with packets is \$75.00 for 1-5 employees, \$125.00 for 6-15 employees and \$200.00 for over 15 employees. You will have all the necessary documentation to be in compliance with the DOL and the DHR.

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STATEWIDE LOBBYING

Although legislation has been at a halt since April 2020 we are still in contact with our lobbyist and when legislation reconvenes in January 2021 the following legislative bills will be reintroduced:

Senate Bill S6033

2019-2020 Legislative Session

Establishes the right to repair act

S6033 (ACTIVE) - SUMMARY

Establishes the right to repair act to protect the rights of consumers to diagnose, service, maintain, and repair motor vehicles; requires original equipment manufacturers to make equipment available to independent repair providers under fair and reasonable terms.

Assembly Bill A7878

2019-2020 Legislative Session

Relates to including defective air bags, anti-lock brakes, and license plates as grounds for failure of vehicle inspection

A7878 (ACTIVE) - SUMMARY

Relates to including defective air bags, anti-lock brakes, and license plates as grounds for failure of vehicle inspection.

Assembly Bill A4782

2019-2020 Legislative Session

Relates to failed inspections of limousines

A4782 (ACTIVE) - SUMMARY

Requires owners of limousines and similar vehicles to fix issues with such vehicles within 10 days after a failed safety inspection; and penalizes persons that perform safety inspections on vehicles they are not permitted to inspect.

Senate Bill S8211A

2019-2020 Legislative Session

Relates to requiring certain perils be covered under business interruption insurance during the coronavirus disease 2019 (COVID-19) pandemic

S8211A (ACTIVE) - SUMMARY

Requires certain perils be covered under business interruption insurance during the coronavirus disease 2019 (COVID-19) pandemic.

"The key is to not prioritize what's on your schedule but to schedule your priorities" ...Stephen Covey

COVID-19 MYTHS

MYTH: COVID-19 is like the seasonal flu

COVID-19 is new, and details are changing, but it appears: COVID-19 currently has a much higher fatality rate than the flu. COVID-19 appears to be more contagious than the flu. COVID-19 has no vaccine; the flu has a vaccine.

MYTH: Antibiotics can prevent and treat COVID-19.

Antibiotics are not effective against COVID-19, which is a virus not bacteria-based.

MYTH: COVID-19 Only affects older people or Asian people.

People of all ages and races can be infected by COVID-19; however, older people are more vulnerable.

MYTH: COVID-19 is not transmitted in hot/cold climates.

COVID-19 can be transmitted in both hot and cold climates.

MYTH: COVID-19 is lethal in most cases.

Most COVID-19 cases are relatively mild, and most people recover.

CLASSIFIEDS

For Sale: Powersports Dealership for sale, Motorcycles, ATVS, UTVS, Snowmobiles, Generators/power washers. Parts dept. 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 FREE: 20 Drums of Waste Oil. We will load onto any truck. Please call Mario at 914-948-0900.

TRIVIA QUESTION

What legislative bill would you like to see get passed? Call the office with the correct answer for a chance to win a free month's dues.

Service Station Dealers &
Automotive Services wishes you all
A Happy Thanksgiving!

Regards,

Carla Obalde

Operations Manager

