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**LIGRA NEWSLETTER
OCTOBER/ NOVEMBER 2023**

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Andy Harris

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LEGISLATION

Kevin Beyer

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Sergio Celikoyar

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SERGEANT-AT-ARMS

Zvi Landau

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CHRIS@LIGRA.COM

Benefits Administrator

Christine Wilson

Insurance@LIGRA.com

FIELD REPRESENTATIVES

Bill Walker

BILL@LIGRA.COM

LIGRA GENERAL COUNSEL

Forchelli Deegan Terrana,
LLP

Andrea Tsoukalas Curto

ANDREA@LIGRA.COM

LIGRA LOBBYIST

William A. Schnell Inc.

LOBBYIST@LIGRA.COM

Bruce W. Geiger &
Associates

BRUCE@LIGRA.COM

THE LIGRA BULLETIN

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L.I. Gasoline Retailers Association 270 Spagnoli Road, Suite 203
Melville, N.Y. 11747 Phone: (631) 755-5550

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FOR INQUIRIES, CONTACT:
LIGRA's Legal Counsel - Andrea Tsoukalas Curto, Esq.
ATCurto@ForchelliLaw.com • 516-248-1700

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SUPPORT OUR ADVERTISERS!

The Long Island Gasoline Retailers Association spent several days interviewing Candidates running for elected positions in both Nassau and Suffolk Counties. That we felt would be friendly not only to small business but more importantly friendly to our industry.

With that LIGRA is endorsing the following candidates.

We are encouraging you, the members, your families and customers to vote for these candidates, in the upcoming election.

NASSAU COUNTY

Office Candidate Supervisor, Town
of Hempstead

Donald X. Clavin, Jr.

County Legislator, 2nd District

Siela A. Bynoe

County Legislator, 3rd District

Carrié Solages

County Legislator, 5th District

Joseph A. Baker

County Legislator, 6th District

Debra S. Mulé

County Legislator, 7th District

Howard J. Kopel

County Legislator, 8th District

John J. Giuffre

County Legislator, 10th District

Mazi Melesa Pilip

County Legislator, 11th District

Delia M. DeRiggi Whitton

County Legislator, 13th District

Thomas McKevitt

County Legislator, 14th District

Jake Scheiner

County Legislator, 15th District

John Ferretti

County Legislator, 16th District

Arnold W. Drucker

County Legislator, 17th District

Rose Marie Walker

County Legislator, 18th District

Samantha A. Goetz

Suffolk County

County Executive

Edward P Romaine

County Legislator, 2nd District

Manuel Vilar Jr

County Legislator, 3rd District

James F Mazzearella

County Legislator, 4th District

Nicholas J Caracappa

County Legislator, 5th District

Steven C Englebright

County Legislator, 6th District

Chad H Lennon

County Legislator, 7th District

Dominick S Thorne

County Legislator, 8th District

Anthony A Piccirillo

County Legislator, 9th District

Samuel J Gonzalez

County Legislator, 10th District

Trish Bergin

County Legislator, 11th District

Steven J Flotteron

County Legislator, 12th District

Leslie A Kennedy

County Legislator, 13th District

Robert Trotta

County Legislator, 14th District

Kevin J Mc Caffrey

County Legislator, 15th District

Jason A Richberg

County Legislator, 16th District

Manuel Esteban Sr

County Legislator, 17th District

Thomas P Donnelly

County Legislator, 18th District

Stephanie L Bontempi

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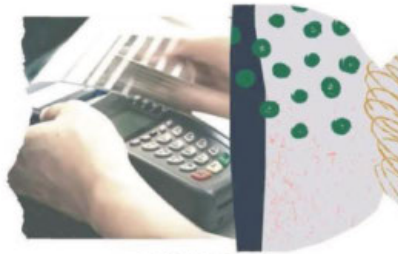
Enables easier workers comp payments and audits



3

Discounted Credit Card Processing

Need we say more?



4

Lobbyists

Fighting in your interest against legislation mandates such as Mandatory electrical charging stations in all gas stations

Pssst Also DMV Seminars



5

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As a member of LIGRA, we continue to look for ways to enhance your membership and provide more services.

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What is the Medicare Donut Hole?

It's This Gap:



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**NYS requires at least 1 employee on payroll to enroll in the health plan in order to be eligible for a small group plan. The employee cannot be the owner of the company or spouse.



Eric Neuwirth, CFP®
Senior Vice President/
Investments



eric.neuwirth@lpl.com
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Are you getting this Message when doing Emissions inspects on new Fords

No Vehicle ID Or Communication With State Emissions Testing Machine

Some of you have reached out to our Ligra office, over not being able to do the Emissions inspection on newer Fords, the F150 , Bronco and some escapes. There is a communication issue with some of these vehicles.

Here is the fix from the DMV

SSM 50336 - 2020-2021 Escape/Corsair, 2021 Bronco Sport - Communication Fault With Emissions Inspection Equipment

Some 2020-2021 Escape/Corsair and 2021 Bronco Sport vehicles may exhibit a communication fault with emissions inspection equipment. This may be due to the software in the gateway module. To correct this condition, reprogram the gateway module to latest software level using the appropriate Ford diagnostic scan tool. Use causal part 14F642 and applicable labor times from Section 10 of the Service Labor Time Standards (SLTS) Manual.

APPLICABLE VEHICLES

2020 - 2021 CAR: TC CX482N ESCAPE

2021 CAR: HD CX430N C-SUV

2020 - 2021 CAR: TF CX483N CORSAIR

SSM 50602 - 2021 F-150 - No Vehicle ID Or Communication With State Emissions Testing Machine

Some 2021 F-150 vehicles may not be able to complete a state emissions test due to the vehicle not being identified and/or not communicating with the emissions testing equipment. This may be due to the configuration in the gateway module (GWM). To correct the condition, download and run the GWM - Gateway Module A Configuration app using the latest version of the Ford Diagnosis and Repair System (FDRS). For claiming, use causal part 14G490 and applicable labor operations in Section 10 of the Service Labor Time Standards (SLTS) Manual.

APPLICABLE VEHICLES

2021 TRUCK: FD P702N F150

LIGRA'S MARCH CLASSIFIED ADS

Employment & Items For Sale



**Business for Sale, 11 bay auto repair shop on Hempstead Turnpike across from Nassau University Medical Center. NYS Inspection Facility, Auto Traker Shop Management Software, alignment pit, finished office and waiting room, 2 waste oil heaters, 5 electric above ground lifts and 2, 2 post hydraulic lifts. Lease flexible. Potential for 1M in sales with the right crew. Ask for Mike or Frank, asking \$500k
516-794-1120**

FOR SALE

NY State Inspection Machine in Nassau County \$35K clean license call Bill 516 860-9309

Help Wanted:

Experienced mechanic, own tools, driver's license. Glendale location. Call Tony: 718-497-0735

To add your listing to this page please send an email to chris@ligra.com



FOR SALE



Tire monitor tool Snap on TPMS 3. And scanner with bundle 20.4 version2 .4.0.1150 US Modis Ultra. Call Andy 516-768-0882

FOR SALE

Patchogue 6 bay shop and inspection license for sale. Including 4 lifts 2 tire machines 2 compressors and various shop supplies. Asking \$150,000. Negotiable. Call Mike 631 375-2820

Help Wanted:

Full-time mechanic A or B, must have own tools, Patchogue area. Call 516-582-3229

Help Wanted:

Mechanic: experienced 5+, latest technical, diagnostic & programming skills. Medium truck & diesel exp. helpful. Must be able to multi-task. 40 hours weekly. Call Dave @ 631-473-1240s.

Help Wanted:

B mechanic, own tools. Salary based on experience. Call John @ 631-321-4848.

Help Wanted:

Technician/Mechanic - possible business opportunity. cars & light trucks. Drivers & NYS Insp. licenses required. 5 Bay shop in Smithtown Area Call Eddie 631-987-0205

Help Wanted:

Mechanic: own power tools, driver's license. Must do: brake work, axels, struts, light exhaust, belts, tune-ups, etc. Salary based on experience. Eastern Suffolk location. Call 631-806-6045

UNDERSTANDING NEW YORK STATE EMPLOYERS' MANDATORY RETIREMENT BENEFIT OBLIGATIONS

As many New York State employers may have been advised, in 2018 the New York State legislature and Governor Cuomo enacted the New York State Secure Choice Savings Program. The newly enacted State Secure Choice Program allowed employees, whose employers did not offer retirement benefits, to participate in automatic payroll deductions to put money toward retirement. New York's fiscal budget for 2019, added a provision for this new voluntary option in order to help more employees save for retirement by using a Roth IRA. As originally enacted, employers could elect whether to enroll in Secure Choice as the original program did not include an automatic enrollment feature.

However, in June 2021, the New York State legislature, relying on participation surveys, had determined that New York employees are 15 times more likely to save if they can do so through their workplace and 20 times more likely to save if they are automatically enrolled in a retirement savings plan. As a result of those findings, the New York State legislature passed legislation amending the New York State Secure Choice Savings Program ("Program") requiring the automatic enrollment of employees in the Program by certain private-sector employers who do not currently provide employer-sponsored retirement plan options.

On October 21, 2021, Governor Hochul signed the legislation requiring many private-sector employers to enroll their employees in the Program unless they "opt-out" by sponsoring a qualified retirement plan, such as a 401(a), 401(k), 403(a), 403(b), 408(k), 408(p) or 457(b) plan. Once signed by Governor Hochul, the legislation became effective immediately and it required employers to enroll employees beginning no later than December 31, 2021, but it failed to provide a clear enrollment mechanism to do so. The New York State Secure Choice Savings Board ("Board") has exercised its ability to delay implementation of the Program by up to 12 months as the Board deemed necessary. On January 26, 2022, the Board held its first Meeting, adopted Bylaws and delegated its authority and responsibility for the development and implementation of the Program to the Department of Taxation and Finance (the "Taxation and Finance").

Although it has been anticipated that enrollment would be set to begin by the end of December 2022, and implementation of the Program appears to be moving forward, final details have yet to be made available to New York employers who must have a payroll deposit retirement savings arrangement in place no later than nine months after the Board opens the Program for enrollment.

What is the New York State Secure Choice Savings Program?

Program Highlights

The Program is a state-run, payroll deduction based individual retirement account ("Secure Choice IRA") administered by the Board. With the assistance of Taxation and Finance, the Board is currently designing and implementing the Program. The Board has also been tasked with selecting the available Secure Choice IRA investment options in the Program. The investment options are not known at this point, but the Board advises that multiple options will be available that will differ in terms of cost and risk profile to appeal to a broad range of savers.

The Board will also contract with the necessary service providers to offer retirement benefits, including investment managers, financial organizations, other financial service providers, consultants, actuaries, counsel, auditors, third-party administrators and other professionals as necessary. A financial organization/professional's performance will be periodically reviewed, including reviews of returns, fees and customer service, with reviews posted to the Program's website.

[Continued to page 14](#)

Eligible Employees

The Program covers all employees in the state who are at least 18 years old and earn wages working for an employer in the State. The legislation does not distinguish between part-time and full-time employees so all employees must be included as eligible employees (“Eligible Employees”).

Eligible Employees are automatically enrolled in the Program, with a deferral rate of 3%, and may change this rate at any time (subject to rules set by the Board). Eligible Employees will also be able to make elective deferrals up to the maximum limits under Internal Revenue Code 1 (subject to rules set by the Board), but pre-tax contributions will not be allowed. Eligible Employees who opt out may re-enroll again during an open enrollment period (at least once per year). Eligible Employees should also be advised that the Secure Choice IRAs selected by the Board will be portable so that employees can take them with them to their next employer.

Takeaway

The good news is that there are no immediate next steps if you are a New York State Eligible Employer, except to stay updated on when enrollment opens. Right now, the twelve-month anniversary of the extended enrollment date required by the statute is set to expire at the end of December 2022, but an exact enrollment date is yet to be provided by the Board. Once notice is provided that enrollment is open for all Eligible Employers, they will have nine (9) months to comply with the requirements listed above.

Eligible Employers should take notice that, although the legislation itself does not specify a penalty for non-compliance, it does provide for the Board to set penalties for non-compliance and it is assumed the regulations yet to be issued by the Board to implement the Program will likely address penalties for non-compliance. For now, New York employers affected by the Program mandate should track the Board’s activities for information as to when enrollment will open and be prepared to meet the requirements noted above.

Failure to properly address the requirements of the New York State Secure Choice Savings Program can expose those New York employers to unnecessary liability and litigation which may be avoided by consulting with employment attorneys regarding their compliance obligations.

New York City employers wondering what happened to the New York City Retirement Security For All Act (Act) must remember that the Act specifically provides that it would be discontinued if New York State established a retirement savings program that requires “a substantial portion of employers who would otherwise be covered” by the NYC plan to offer to their employees a savings program through payroll deduction or other method of contribution. Now that the Program is mandatory and will cover many of the same employers as the Act, the City of New York has halted efforts to implement Act while the Board finalizes the Program. It should be noted that the New York City Board has up to two years, from Aug. 9, 2021, to implement the Act should the Program fall short of covering a substantial portion of employers who would otherwise be covered under the Act.

LIGRA attorney **Andrea Tsoukalas Curto**
Phone: 516-248-1700
E-Mail: ATCurto@forchellilaw.com



MANDATORY SEXUAL HARASSMENT TRAINING

New York State law mandates employers regardless of the company's size must have a sexual harassment policy, in their employee handbook.

Employers must also conduct ANNUAL interactive sexual harassment training; plus provide the training and a written anti-harassment policy to ALL employees.

To comply with the interactive sexual harassment training (this must be done yearly) LIGRA is offering the sexual harassment training we can come to your location during lunch time to conduct your training. chris@LIGRA.COM

Your company MUST have an EMPLOYEE HANDBOOK that includes a sexual harassment policy; Contact us to help keep you in compliance to these regulations.



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