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The Official Newsletter of the Auto Body Association of Connecticut



Summer is Winding Down... ABAC is Winding up!

Tony Ferraiolo
A&R Body Specialty - ABAC President

Hope everyone has had a great summer. Hope your shops were busy, but you took some time for you and your family to vacation.

Your ABAC board of directors has been very busy and working hard to bring you another year of great meeting content. Our schedule starts **September 9**th **at the Country House Restaurant in New Haven**, Richard Chevrolet will be the main sponsor. Jim Mickle of General Motors will be the key speaker. He will be speaking on a variety of topics important to your business. (See flyer insert in this issue!)

Members from the Fairfield County part of the state have voiced their concern that they can't make the meetings in New Haven or Hartford due to the heavy traffic in that area. Your ABAC has listened, and has set up a membership meeting that will take place in that area on **October 14**th at a place to be announced shortly.

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On November 18th at the Chowder Pot Restaurant in Hartford, Ron Perreta from PPG will be presenting a seminar on Blueprinting. (A must attend). Providing main sponsorship for this meeting will be the Bald Hill Motor Group (Chrysler, Dodge, Jeep & Kia)

Sometime in October. The Connecticut Supreme Court will hear the final arguments on the Hartford Lawsuit decision. The ABAC will let everyone know when the appeal is in session. We are encouraging anyone that can attend the hearings to do so. We need to show support for the court's decision handed down by Judge Jennings and the jury.

The ABAC has developed a smart phone app that we will unveil very soon. This app will bring consumers to our website and also to a list of member shops in their area. We feel our website (www.abaconn.com) is of major importance to shops and consumers. There are huge amounts of information to help everyone. **For example:** There is proper documentation that your shops need to be DMV compliant and an example of a **Repair Contract** that most shops are using. Also look for O.E.M. position statements on repairing of their vehicles.

Our Monday Motivator has been dedicated to educating you on P page Logic and things you might not have known about. Your board of directors is working hard because they believe in this association and this industry. Please take advantage of the hard work, they are doing for you.

We need your input as to what our members want of their association. If there is anything that you think is important please let us know. Remember if you don't ask you won't get.

So please enjoy the remaining summer, take time with your family and get ready for another great year of help and education from your ABAC.

And please remember to **support your ABAC News Supporting Advertisers.** Their financial contributions support many of our efforts in education!

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ABAC President

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Auto Glass Steering Controversy Continues in Connecticut

Local NBC affiliate investigates allegations of steering in violation of new law.

In a report published earlier this week, NBC Connecticut, based in West Hartford, examined allegations of steering in the auto glass repair and replacement industry in violation of a new, more stringent, anti-steering law passed last Summer that took effect January 1.

In June last year, Connecticut Gov. Dannel Malloy signed into law House Bill 5072 which banned auto insurers and third party administrators from steering auto glass repair exclusively to their own networks.

Public Act 13-67 states that an insurance company cannot require that glass repairs "be performed in or by a specified facility." Insurers, as well as their third-party claims administrators, are also prohibited from telling a policyholder that going outside of their repair network for repairs will result in delayed repairs or "a lack of guarantee for the automotive glass work."

In addition, claims representatives would be required to tell claimants, "You have the right to choose a licensed glass shop where the damage to your motor vehicle will be repaired. If you have a preference, please let us know."

The initial report by NBC Connecticut details the experience of one auto glass insured, Steven Petrauskas, in June this year who felt he was steered away from a shop he had used previously for glass work when a Safelite Solutions employee made an appointment to have his work done at Safelite Auto Glass location instead of the glass shop he requested.

In a follow up report the next day, the station spoke with the owner of an independent repair facility who reiterated many of the concerns expressed by the consumer. The reporter also detailed a statement the station received from Safelite that blamed the event on human error saying, "Our policy is to honor customer preference. Safelite Solutions routinely monitors calls, performs audits, coaches our staff and takes any necessary corrective action to assure that our policies are being followed. We take complaints very seriously and actively investigate them. Regarding Mr. Petrauskas, we have confirmed that the customer service representative mistakenly thought she was scheduling Mr. Petrauskas with Plymouth Glass. It is not evidence of systemic steering. It was an unfortunate error, which we have taken steps to correct."

As *CollisionWeek* reported in August, Safelite has filed a lawsuit seeking to overturn provision in the new law that it believes violates it rights. The lawsuit, filed on July 26 in U.S. District Court, claims that section PA 13-67(c)(2) is an infringement of Safelite's First and Fourteenth Amendment rights because it "requires Safelite to promote other glass repair shops" and restricts its ability to provide the consumer with "truthful, accurate information about the benefits of their insurance policy."

At the time, Safelite sought an injunction to stop the new law coming into effect this year. After a hearing on the injunction in December, the court denied the request concluding that law "...is rationally related to the State's goal of protecting consumer choice and preventing steering."

This ruling allowed the law to come into full effect on January 1.

Safelite's suit continues and based upon the court's schedule for the case could come to trial next year. According to NBC Connecticut, the state is investigating the steering allegations contained in its report.

Source: www.collisionweek.com

Calming Comeback Customers

Five simple steps for resolving customer complaints

Daren Pierse may run a shop with a near-perfect customer satisfaction index (CSI) record, but even his shop, Arizona Collision Specialists in Scottsdale, Ariz., has fallen prone to a customer comeback.

It's a situation that Pierse takes especially seriously, whether the problem is real or perceived. "This is the key for me: It's how the customer perceived us and the repair that we did," he says. "It's not whether or not it was accident-related or if the comeback was related to work that we do. It's the fact that, at that given time, the customer perceived that we didn't do what we said we were going to do."

According to Dusty Dunkle, president of Customer Research Inc., a customer satisfaction indexing (CSI) company, Pierse's concern is more than justified.

He cites a study by Harvard Business Review that reveals the significance of customer complaints:

- One upset customer will tell 14 people about their bad experience.
- If the business lets the customer vent their complaint, the customer will only tell seven people about their bad experience.
- If the business makes an attempt to resolve the situation, that number decreases to zero.
- If the business successfully resolves the problem, the customer will tell five others how great the business is.

What's more, Dunkle says the issue has become even more critical thanks to the recent popularity of social media. "It's even more dramatic because of social media. It's those statistics multiplied so many times over," Dunkle says. "The people that take the time to write reviews are the extreme: They're either really happy or really upset." And according to Dunkle, Generation Y is increasingly turning to the opinions of third-party content and online reviews. "They're not trusting what the business is saying on their website and advertising," he says. "All of a sudden, it's trending more and more important that you have to keep customers satisfied."

Dunkle and Pierse outline a simple five-step process that any shop can implement to correctly resolve customer complaints.

1.) Express empathy.

Pierse says that the first key to resolving customer complaints is to have empathy for the customer. "We need to understand what is important to them throughout this before we start telling them anything," he says. "We need to see this comeback through their eyes." While the tendency might be to get defensive or roll your eyes, Pierse says it's important to remain calm and understanding. Instead, start by apologizing, even if the problem wasn't your fault. Let the customer know that you are sorry the shop did not meet their level of expectation and ask how his or her trust can be earned again. Pierse also trains his front-office staff to understand the various personalities of customers through personality testing, allowing them to understand how to deal with different customer types, from the aggressive to the more reserved. "Everyone's personality is different so their degree of tolerance is predicated off their lifestyle," he says. "Once we know their personality, we know how

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we're going to deal with them."

2.) Actively listen.

While having empathy and compassion is important, it's impossible to do so genuinely without listening. Pierse says to let the customer vent for two minutes and ask them key questions about how they can resolve the issue. He warns that sometimes shop owners assume the customer's only concern is getting their vehicle redone as quickly as possible, when in reality, they have other priorities that are more pressing. "She might be concerned that she can't get to her kid's soccer game tonight," he says. "You'll quickly understand what their concerns are." In fact, Dunkle says that many customers just want to be heard and acknowledged that the problem happened and have fairly realistic expectations on how to correct the situation quickly. During this time, Dunkle also suggests rephrasing the complaints so the customer knows you are listening and understand what they are saying.

3.) Review all documentation.

"We want to instill in them that we are the trusted advisor for our customer and we are the expert," Pierse says. That's why having the proper documentation, estimate and notes on existing and accident-related damage is so important. Pierse says that before speaking with the customer again, go through all of the documentation so you know everything about the initial repair. Doing so will not only lead to a more informed conversation with the customer, it will also allow you to understand if the problem was the shop's fault. "You get into the situation where you're going to have to have a tough conversation and it might not be accident related," Pierse says. "You need to build up that trust by being an expert so that when you explain to them everything you've done, they understand."

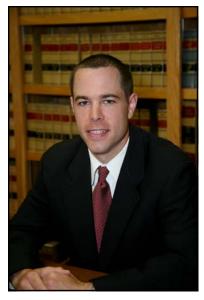
4.) Keep the customer informed.

Next, explain exactly what was done in the first repair, the root cause, and the steps to be taken moving forward. "The inform component is the process from this point forward," Pierse says. "It mirrors the initial customer experience. We want to say, we're going to do x, y and z and explain that process to a T." Throughout the discussion, Pierse says to make it a point to ask for approval from the customer and if the decided-upon steps fit with their schedule. Dunkle says that CSI surveys show that the collision repair customers are overall least satisfied with the amount they were kept informed of the progress of their vehicle, so Dunkle says it's especially important to maintain communication throughout the second repair. "If you tell them you're going to call them at 10 a.m. tomorrow to let them know what you found, then you need to do that," Pierse says. "If you just say, 'We'll get back with you in a couple days,' that's not enough. Then they're constantly calling and following up, which creates more anxiety for them."

5.) Follow up.

Dunkle suggests following up with the customer no more than two days after the second repair was completed. Besides checking in to make sure all of the problems were resolved, he also suggests thanking the customer for bringing the complaint to your attention and explain what you're going to change in your business to make sure it doesn't happen again. "They want to know that they've made a difference in your business and that you've taken the issue seriously," he says. Pierse says a follow-up call is also a way to make one last impression with the customer. "We want everybody to be a proponent of us," he says. "We all know that word-of-mouth does so much better for us than any advertising dollar we can spend. It's how they perceive us and the repair that we did."

Source: Reprinted with permission from www.fenderbender.com. Article written by Anna Zeck



Consider Doing a Labor Rate Survey

I hope this finds you well and enjoying your summer. I thought I would take a few minutes to briefly discuss labor rates and the importance of doing a labor rate survey.

Though it goes without saying, I feel compelled to digress for a moment by emphasizing that your labor rate is not, and should not, be determined by your customer's insurance company. Insurers have brilliantly created an alternate universe; a utopian fantasy world where insurance adjusters appear out of thin air like genies and buy women expensive purses, and protect us from all harm under their super awesome umbrellas and big strong hands. And, in this utopian world, insurers have also taken over "the hassle" of getting your car repaired, and having to negotiate with dirty thieving body shops. Not in this paradise. Sit back, relax, let Auntie Flo "manage your entire repair process from

paperwork to pick up." Have a margarita while your insurer tells that mendacious body shop what it can charge for labor rates, what parts can be used, and what procedures should be followed. In fact, let's grab two margaritas and just skip the body shop all together. Why not! Snap a cell phone picture from your driveway, and your insurer will instantly send you a check. Or as Allstate's recent *Quickfoto Claim* commercial boasts, just upload some pictures and get: "a quicker estimate, quicker payment, quicker back to normal." Hell, who has time to get to a body shop when you're this drunk and relaxed anyway?

Well that digression went on longer than I anticipated. Getting back to labor rates, your labor rate should be based on the advice of your accountant, but you should also consider consulting with your neighbors and competitors by doing a labor rate survey. The survey may be conducted by simply calling or visiting your neighbors and asking what their posted labor rates are. You may also consult with a third party vendor to do the same. The information obtained (i.e. your survey results) may be used to defend your posted rates, but should not be shared with other repair facilities. Sharing labor rate surveys with your competitors has the potential of violating Connecticut's antitrust laws.

Thus, I would recommend each shop utilize the expertise of an accountant, and also consider doing a labor rate survey, when deciding how much to charge for services. One size does not fit all here. When you find a labor rate that is fair and reasonable and allows for your business to remain competitive and profitable, post that rate on your wall and charge that rate to your customers. And if and when that cocksure appraiser comes swaggering into your shop from his alternative universe to argue that you are the only person in the State of Connecticut audacious enough to charge your rate, you might want to put down your feet and margarita for a minute to show that appraiser you labor rate survey.

Enjoy the rest of your summer.

John Parese

Buckley & Wynne - Attorneys at Law

How to Market to Millennials

Written by Ed Attanasio

We've all heard the term but what exactly is a Millennial? Born between 1981 and 1996, Millennials are represented by 86 million people, which means they've outpopulated the Baby Boomer generation by seven percent. There are more 22-year-olds than 53-year-olds on the planet right now and by 2018 it is estimated that the Millennials will be outspending the Baby Boomers by a large margin. My stepdaughter is staying with us this summer, so I am getting a firsthand view of how these Millennials live. One thing I noticed is that they eat a lot and text a lot and ignore me with a passion. They're also very in tune with all of the latest technology and social media and are extremely adept at rolling their eyes and saying things like "whatever" and "it is what it is."

Some find them to be entitled and downright rude, but no matter what your opinion of them is, Millennials are a very significant segment of the market, and that's why any consumer business should be at least remotely interested in what they're up to. So, why should the collision industry care about this age group? Because they have money, they drive nice cars and just like everyone else—they get into accidents.

After years of studying Millennials, marketers and ad agencies all over the world know full well that the Millennial generation isn't just a bunch of entitled kids with smart phones snapping selfies and chasing down the latest Groupon deal. In fact, businesses that aren't pursuing Millennials will soon be missing out on a major consumer opportunity from a generation with an expected \$2.45 trillion annual spending power by 2015. Body shops should be marketing to Millennials right now, because they're the consumers of the world's, both today and tomorrow.

The problem is that most owners of leading ad agencies and marketing/pr companies are in their 40s and 50s and they're still trying to use techniques that worked back in the Madmen days. But, in order to cater to the Millennials, the powers-that-be have to re-invent themselves once again and devise ways to appeal to these 20-somethings. I recently took a two-day seminar about social media and most of it was dedicated to advertising and marketing to Millennials. The class was taught by a Millennial, so the information was both pertinent and useful.

More and more companies are recognizing the value of marketing to Millennials. By using these five tips to recalibrate your marketing, public relations and advertising efforts, you'll be able to tap into this increasingly powerful generation.

1. Don't Talk Down to Them

I was talking to a Millennial one day about a world without personal computers or the Internet and he looked at me like I had just emerged from a cave. As the most educated and savvy consumer group in the world, Millennials know what they want and are very skilled at finding it all by themselves. Now, collision repair is obviously not an impulse buy and the Millennials will treat it as an unnecessary expense, like Obamacare or parking tickets. But, in the end they don't like to be corralled into doing something, so branding and advertising to this group may be more important than ever. They're not the type that is going to just blindly pick one body shop

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from the list their insurance company shows them. They will want to do their due diligence and ask around, as well as referring to the shop's web site, Yelp page and other assorted social media.

2. Don't Camouflage Your Message

"Be real," is something the Millennials want to tell their parents and the new word I keep seeing everywhere is "transparency." (Back in the old days, if you called somebody "transparent," it meant they were not genuine, but now I guess it means exactly the opposite.) My stepdaughter has seen the media change and evolve and has been bombarded by literally millions of ads during her 20 years on the planet, so she can't be fooled, cajoled or directed by advertising. The Millennials want the facts now and don't want to sit through your long descriptions or veiled messages. Their time is limited and they're juggling 1,500 things simultaneously and that's why studies show that Millennials will value honesty and a straightforward approach when it comes to advertising.

3. Strengthen Your Presence Online

Millennials are comfortable buying things online and that's why brick and mortar businesses are moving toward the Internet more all the time. Unfortunately, you can't get a fender bender repaired via the computer, but much of the groundwork can likely happen there. And that's why it is important to have a good web site and some presence on Facebook and Instagram, for example, because these Millennials care about it and may use one or more to make their buying decisions.

4. Millennials Communicate All the Time...with Each Other

This generation is more connected than any group in history, because they have so many ways to do it. They also rarely live alone and have numerous roommates in many cases, so word-of-mouth (or text or video or photo bomb) is more valuable to advertisers who understand this. The old days of creating a "buzz" is always beneficial, but now it's more concentrated and it all moves so much more quickly. Come up with a shorter, more concise message, so that the Millennials can grasp it fast and disseminate it to their friends and associates seamlessly. It's called "going viral" and if you can get achieve it, you'll be a success—Millennially speaking.

5. Quality is Still King (or Queen)

With today's technology, bad service and poor quality can't be swept under the carpet anymore. Anyone can find your competitors online within milliseconds and we all know that bad news travels faster than good news. Companies that take the time to provide convenient, Millennial-friendly services and quality products will be continually rewarded with positive recommendations, via the spoken word, smartphones or laptops. Either way, Millennials are demanding better service and higher quality while possessing the power to influence others, so listen to what they're saying and start concentrating on this demographic more. Whether you're enamored or not with their attitudes or behavior, they're a huge market and you can't deny it any longer.

Reprinted from www.AutoBodyNews.com - Written by Ed Attanasio

Insurer Hit With \$18 Mil. Punitive Damages Award

The following are excerpts taken from the full article found on The Legal Intelligencer

Zack Needles, The Legal Intelligencer

June 25, 2014

More than 16 years after the litigation began and two years after the Pennsylvania Superior Court granted a new trial to a couple pursuing a bad-faith claim against their insurance carrier, a Berks County trial judge has levied \$18 million in punitive damages and \$3 million in attorney fees against defendant Nationwide Mutual Insurance Co.

In April 2012, the Superior Court paved the way for the bad-faith claim in *Berg v. Nationwide Mutual Insurance* when it ruled plaintiffs Daniel and Sheryl Berg should be allowed to submit evidence that Nationwide was found to have violated the Pennsylvania Unfair Trade Practices and Consumer Protection Law and paid its defense counsel nearly \$1 million—a figure that has since ballooned to about \$2.5 million, according to court documents—as part of an overarching litigation strategy to deter the filing of small claims.

The Bergs had alleged Nationwide, in an attempt to avoid paying replacement costs, knowingly returned them a vehicle with structural damages despite four months of repairs following a collision and then paid millions to drag out the litigation of their disputed insurance claim, according to court documents.

On June 12, Berks County Court of Common Pleas Judge Jeffrey K. Sprecher issued his verdict, along with a harshly-worded opinion, finding that "Nationwide strong-armed its own policyholder rather than negotiating in good faith to compensate plaintiff for the loss suffered in the automobile collision."

Sprecher said Nationwide spent millions to litigate the case in an attempt to discourage the Bergs and other policyholders from disputing small claims.

"Simply put, what plaintiff, and more importantly, what lawyer in his right mind, will compete with a conglomerate insurance company if the insurance company can drag the case out 18 years and is willing to spend \$3 million in defense expenses to keep the policyholder from getting just compensation under the contract?" Sprecher said. "Its message is (1) that it is a defense-minded carrier, (2) do not mess with us if you know what is good for you, (3) you cannot run with the big dogs, (4) there is no level playing field to be had in your case, (5) you cannot afford it and what client will pay thousands of dollars to fight the battle, (6) so we can get away with anything we want to and (7) you cannot stop us."

According to court documents, the Bergs took their damaged 1996 Jeep Grand Cherokee to a facility participating in the insurer's "Blue Ribbon Repair Program," where one appraiser told them the vehicle's frame had been too twisted to fix and recommended that the vehicle be totaled. But the Bergs submitted that the evidence showed Nationwide reversed that appraisal without informing them and ordered the vehicle off to another repair facility.

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A jury found Nationwide violated the UTPCPL during the first phase of a bifurcated trial, according to court documents. However, in the second phase, the trial court granted Nationwide's motion for a directed verdict on the bad-faith claim because the Blue Ribbon Program "is not a part of" Nationwide's auto-insurance policy.

"Fortunately, no one was killed or injured; but Nationwide knew there could be a subsequent accident when it permitted the vehicle to be returned with hidden structural repair failures," Sprecher said. "This, by definition, is a reckless indifference to its insured. Nationwide was willing to risk the Bergs' lives to save itself money on a collision claim."

Counsel for the plaintiffs, Ben Mayerson of Mayerson Law in Pottstown, Pa., said he was "extremely gratified" by the verdict, which, along with punitives and attorney fees, included interest on the Bergs' original claim.

"With his verdict, Judge Sprecher has truly 'leveled the playing field' for all plaintiffs who, when facing injustice, can hope they will not be priced out of legal redress by giant companies, in particular their own insurance company to which they pay premiums and on which they rely for protection," Mayerson said.

(Copies of the 44-page opinion in Berg v. Nationwide Mutual Insurance, PICS No. 14-0999, are available from The Legal Intelligencer. Please call the Pennsylvania Case Service at 800-276-PICS to order or for more information)

ABAC Shop of The Month

Century-old Byram auto body shop stays in the family

Generations of Greenwich family propel century-old Cunningham Auto Body Shop



The reason for the shop's success is each generation's pride in their work, according to Bruce, who succeeded his father, Evan, and carried on his demand for precision. "I've been here since 1960," said Bruce, 70, sitting in his small office at 74 N. Water St., in the Byram section of Greenwich. He said his father made it very clear that customer satisfaction was crucial to

the success of the business. "Your father is tougher than anyone else because he expects more out

of you."

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The long-term success of the business might be even more surprising because it has been achieved in the same nondescript location where Grover started the shop. "It's excellent quality work, and word of mouth is the best advertising you can have," said Bruce, recalling his father accepted all kinds of work during the slow times. That included projects like painting furniture and refrigerators. "I did porch furniture for a customer. She wanted pink furniture. There were nearly 100 pieces. I painted, painted and painted. "We also painted two refrigerators black. It was a way to keep me busy," said Bruce, who specialized in painting at the business. "I did 90 percent painting. It was trial and error at first. It took a couple years."

While Bruce spoke in his office lined with business memorabilia and family photos, Gary worked in an adjoining bay, polishing an emergency vehicle brought in by the Round Hill Volunteer Fire Department for front-end repairs. "I went to Wright Tech in Stamford and took autobody. I really enjoy repairing a car or taking a damaged car and making it new again," said Gary, 46, who focuses on body work.

A father of three, Gary said he thinks none of his children will want to take over the business. His older brother, Bruce Cunningham Jr., is a teacher and football coach at Wilton High School. The business, which survived a fire in the 1940s, has allowed Gary to see generations of Greenwich-area families grow up because loyal customers continue to seek them out.

"We see cars my grandfather worked on. They keep coming back. They know you do good work," he said, adding because they are tucked away in a Greenwich neighborhood and not on the busy Post Road, people have to make an effort to find the business. "They go out of their way to find us. We're off the beaten path."

There aren't many businesses that have survived a century under the same family ownership, according to Paul Sessions, director of the Center for Family Business at the University of New Haven. "Anybody that lasts that long in the same family and location is very impressive," said Sessions, whose family operated a business for six generations. "Had they not made their customers happy, they wouldn't be there."

Having a succession plan for a family-owned business is important to carry it through the generations, as well as to prepare for the long-term possibility of a sale, he said. "When a business has been in a family for four generations, it's like a child," Sessions said.

Finding employees who are willing to remain with a small business is making it difficult to grow, Bruce said, recalling the days when the shop employed the same workers for 30 to 40 years. "You don't have employees like that anymore. There's no more loyalty," said Bruce, whose wife, Lynn, has been the bookkeeper for decades.

The business has adapted to changing technology, said Bruce, and shows on a monitor how necessary equipment like frame straighteners have evolved into exacting computerized machines. "My father was the best frame straightener I ever saw. There were no frame machines -- per se -- back then. Today, it's a lot more sophisticated," said Bruce, who hasn't lost his penchant for detail. "You wouldn't do any different repair on a Vega than you would a Cadillac. It's your reputation. It's the accomplishment of doing it right."





Source: www.greenwichtime.com

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WILLIAM ROMANIELLO

Legislative Director

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ABAC Shop of The Month

How can YOU become an ABAC Shop of the Month?

At every ABAC Membership Meeting just fill out the form when you register or leave your business card. We will be drawing at the end of each meeting. If selected, we will visit your shop to take photos and interview you for the article.

Attend more meetings and Increase your opportunity!

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