Northeast
DEALER
The Newsletter of NORTHEAST EQUIPMENT DEALERS ASSOCIATION, INC.

OCTOBER 2021 • Vol. 23 No. 270

PRESIDENT BIDEN'S VACCINE MANDATE - UPDATE

NEDA and EDA have been following President Biden's Vaccine Mandate and its implications for your dealership. The following is guidance and things to consider while we await the OSHA rule.

President Biden directed OSHA to create an Emergency Temporary Standard. This standard, once created, will remain in effect for six months unless OSHA creates a permanent standard by going through a rule making process. While President Biden directed OSHA to create the rule within seven days, it may take OSHA more time to create said rule.

What can you do to prepare for OSHA's rule?

First, understand an employer must have 100 employees to be subject to the mandate.

Take account of employees who are vaccinated. Ensure this process is done in a secure and confidential manner. If your files are electronically stored, protect the files related to this endeavor.

Decide whether you will implement a mandatory vaccine policy. For many dealers a vaccine mandate may be easier to implement than a COVID testing policy. Please note, there are religious and medical exemptions an employee can claim. As an employer, you are allowed to request reasonable verification of a medical exemption. For closely held religious exemptions, those are protected even if they are not adopted by a formal religious group. Political and philosophical objections are not protected.

For dealers planning to engage in weekly tests, note that some states require employers to pay for mandatory medical tests. Further, the Fair Labor Standards Act requires employers to pay for time spent undergoing testing during the workday. It could be determined that this would include pay for employees who must test to return to work.

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2018-2019	40.0%
2017-2018	40.0%
2016-2017	35.0%
2015-2016	30.0%
2014-2015	20.0%
2013-2014	15.0%
2012-2013	15.0%
2011-2012	5.0%
2010-2011	20.0%

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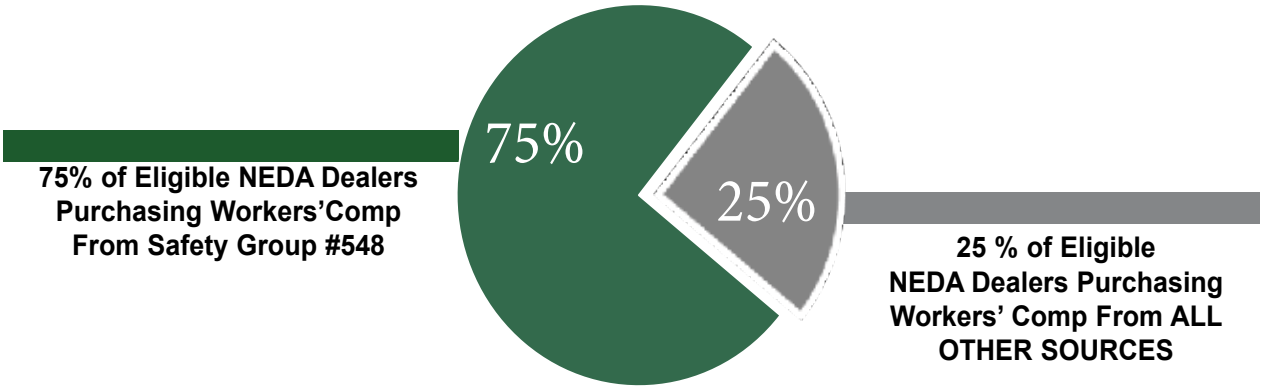

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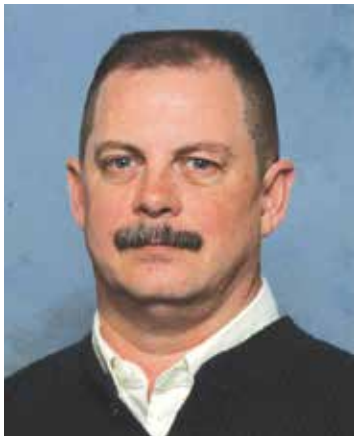
Observations from the FIELD

LEGISLATIVE FRONT



TIM WENTZ
Field Director / Legislative Committee Chairman

Right-to-Repair (R2R)

R2R advocates continue to drive the media with sound bite friendly messages like "we just want to be able to fix OUR stuff" conveniently ignoring how complicated the issue truly is! I admit that they have designed a media campaign outfitted with effective sound bites/tag lines all with popular appeal, but it also reminds me how much I miss Paul Harvey's radio clips: "And now for the rest of the story". R2R is a complicated issue (particularly in the equipment world), and we all know there is significantly more to the story. As I see it, the best way to tell that story is for every dealer to create as many opportunities as they can and engage with legislators, their customers, Ag-affiliated associations, and communities. Collectively, our goal should be to help them sort through the taglines and understand how heavily you have invested in their success via your facilities, technicians and training, specialty tools, service trucks, and parts. Dealers succeed when our customers succeed, and we are all vested on ensuring that they have every opportunity to succeed!

Please know that your association is actively engaged on the R2R issue and is working hard to ensure that legislators fully understand "the rest of the R2R story" and, more especially, that your dealerships are not subjected to any unintended consequences! Check out our updated legislative tracking report on the association's website. It features an interactive states map and the ability to sort legislation by category. It's @ https://www.ne-equip.org/legislative-update/.

Please consider contributing to NEDA's legislative fund and ensuring that NEDA can continue this important work on your behalf!

Workforce Development

The good news is that we're making great progress engaging with leadership and staff within the departments of Labor, Education, and Agriculture. All have been supportive of our efforts to build a sustainable pipeline for well qualified technicians. The process has and continues to be a learning experience for the NEDA staff. Identifying career pathway(s) and educating parents, students, and teachers seems to be one of the key metrics to a successful development program. That work will be the focus for much of our development work this fall.

I should also note that we have submitted grant requests in hopes of continuing our Ag Teach the Teacher professional development (hydraulics, electrical systems diagnosis, and diesel) work and actively engaged with the Apprenticeship and Training office in an effort to update both our apprenticeship and pre-apprenticeship registrations. While that process is far more involved than was anticipated, we are making progress!

The following article was shared on a AG Labor list-serve I subscribe to, I thought it was well written and insightful so I thought I'd share a link to it. https://www.dtnpf.com/agricul-ture/web/ag/news/article/2021/09/16/wages-rising-farm-operators-two

When you REAP the benefits of membership, your PROFITS will follow! Please consider contributing to NEDA's legislative fund and ensuring that NEDA can continue this important work on your behalf!

ASSOCIATION NEWS

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Northeast Region Leads the Way in August, as U.S. OPE Dealers

OPE dealers in the United States saw a modest 1-percent increase in overall sales in August 2021 vs. August 2020, according to the latest numbers provided by Constellation Data Solutions. Service sales were the primary reason for the slight increase.

The Northeast region led the way in August with a 6-percent increase in sales vs. the same month in 2020. In fact, the Northeast regions showed positive numbers across all sales categories.

Overall dealership sales in the U.S., region by region:

- Northeast: 6-percent increase in overall sales in August vs. August 2020;
- Midwest: 2-percent increase in overall sales;
- South: No increase in overall sales;
- West: 3-percent decrease in overall sales.
- **The northeast region in the survey is from the dealerships in NEDA.**

Click here for the balance of the long article:

Kubota Dealership Sold

Sharon Goodrich, President of Goodrich Implement Inc., and 3rd generation member of our Association, joins her brother Edward in proudly announcing the sale of their dealership to Marshall Machinery Inc., headquartered in Honesdale PA. The sale, which was finalized on September 2nd, culminates an arduous search for the right buyer and approval by the manufacturer. Naturally a host of lessons were learned along the way, as the process that began roughly two years ago went jumping through the various hoops required.

Sharon is especially pleased that the new owner has retained all current employees for their Johnson City, NY location and expects Marshall Machinery to enjoy great prosperity in their latest acquisition. She and sales manager Neil Follett will stay on in an advisory capacity for a short time and then enter eagerly into retirement; Neil and his wife to their new home in North Carolina and Sharon and her husband to fulfill their long-anticipated bucket list. Edward continues to operate his auction business along with his son, Evan, at their Newark Valley NY facility.

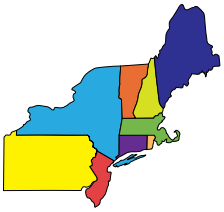
Thank you to all the association members and staff that have mentored us along the way; and an encouragement to all new members to make full use of the association resources, an asset to any dealer organization regardless of size or lines.

Maine's Minimum Wage to Increase to $12.75 Per Hour in 2022

The Maine Department of Labor announced today that Maine's statewide mini-mum wage will increase to $12.75 on January 1. This is a $.60 increase or a 5% increase over the existing wage reflecting the increase in inflation. This increase should surprise no one as we've seen increased consumer prices on several goods over the last twelve months.

It is worth noting that this increased minimum wage also impacts the salary threshold for overtime as that is calculated at 3000x the minimum wage. The new salary threshold will be $38,250. There is a bill that will resurface in the Maine Legislature this January that will look to increase that salary threshold even higher.

Read the Maine Department of Labor Press Release.



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THEFT ALERTS

NEDA Alert – Two (2) PA Ferris Mowers Stolen

Northeast Equipment Dealers Association (NEDA) has been notified by a NEDA member of two (2) stolen pieces of equipment on Saturday September 4, 2021.

The two (2) stolen Ferris Mowers were from Messick Farm Equipment located in Halifax, PA. Please forward this alert to anyone who may encounter the equipment, and investigators working on similar crimes.

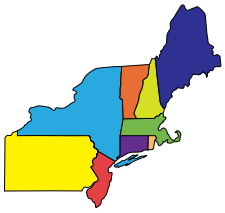
Click here *for more information*

IRS Updates Transportation Industry Per Diem Rates

The Internal Revenue Service issued Notice 2021-52, updating the special per diem rates under IRC Section 274(d), which is used to substantiate the amount of ordinary and necessary business expenses incurred while traveling away from home. **Click here for the balance of the article**

Vermont Agency of Agriculture is at The Big E

Russell Carpenter, who passed away, 2-20-2020,was honored for his contributions recently. Russel was owner of Champlain Valley Equip Dealer, **The Big E.** Mr. Carpenter was a trustee and brought his legendary horses to the fair each fall. His family was on hand today as the trustees recognized his commitment to Agriculture & the Vermont building. Thank you to the Carpenter Family.



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FMCSA Extends Several COVID-19 Emergency Waivers and Declarations

FMCSA recently announced several extensions of the COVID-19 Emergency Waivers and Declarations.

EMERGENCY DECLARATION

FMCSA's Emergency Declaration that was set to expire on August 31 has been extended until November 30. This extension includes reporting requirements for drivers and motor carriers utilizing the exemptions. Additionally, modifications have been made to this declaration, and additional commodities have been included in the list below. Please review the details to ensure compliance.

The declaration published recently is limited to the transportation of:

1. Livestock and livestock feed.
2. Medical supplies and equipment related to the testing, diagnosis, and treatment of COVID-19.
3. Vaccines, constituent products, and medical supplies and equipment, including ancillary supplies/kits for the administration of vaccines, related to the prevention of COVID-19.
4. Supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap, and disinfectants; and,
5. Food, paper products, and other groceries for emergency restocking of distribution centers or stores.
6. Gasoline, diesel, jet fuel, and ethyl alcohol; and,
7. Supplies to assist individuals impacted by the consequences of the COVID-19 pandemic (e.g., building materials for individuals displaced or otherwise impacted because of the emergency).

This declaration applies only to 395.3 "Maximum Driving Time for Property-Carrying Vehicles". This declaration becomes effective at 12:00 a.m. September 1, 2021, and expires November 30, 2021, unless modified or terminated sooner.

Reporting Requirements: The notice directs motor carriers that voluntarily operate under the terms of this extension and amendment of Emergency Declaration No. 2020-002 to report within 5 days after the end of each month their reliance on the Declaration. To report, motor carriers will access their portal account at portal.fmcsa.dot.gov/login. We strongly encourage everyone to review the applicability, restrictions, and limitations.

CDL/CLP/MEDICAL CERTIFICATE EXTENSIONS

FMCSA has extended the CDL/CLP/Medical Certificate waivers under certain circumstances. Details on the applicability can be found here. Please note, New York State-issued CDL/CLPs must currently be valid and there is no extension on those documents. Carriers and drivers should check with the appropriate state agencies outside New York to ensure compliance in those states.

THIRD-PARTY CDL TESTING

Additionally, FMCSA has extended waivers related to third-party CDL skills test examiners. Details can be found here.

As always, carriers and drivers should review the details of these waivers to ensure applicability and compliance.

~ Article courtesy of Trucking Association of New York, Clifton Park, NY

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EEOC Allows Covid-19 Vaccination Incentives ... What to Know

July 23, 2021

The EEOC's updated guidance on employee rights relating to employer policies on the Covid-19 vaccination allows incentives such as days off or cash bonuses, but employers need to understand limitations, say Jones Walker LLP attorneys Jane H. Heidingsfelder and Jacob J. Pritt. **Federal anti-discrimination laws come in to play, they explain.**

From the beginning of the pandemic, the Equal Employment Opportunity Commission has paid particular attention to protecting the rights of employees who are at high risk of getting sick or who may have a medical or religious reason to modify an employer's Covid-19 safety requirements.

On May 28, the EEOC issued new guidance for employers responding to the pandemic addressing requiring vaccinations and providing incentives for employees to receive vaccinations. Obviously, employers are working toward having a more fully vaccinated workforce because it ensures employees can return to in-office work safely, and it eases the precautions that employers must manage in the office.

The EEOC's guidance considers a wide variety of **federal laws**, ranging from disability protections and genetic privacy to laws prohibiting discrimination based on race, religion, and national origin. An employer may require vaccination while providing accommodations for religion and disability. An employer may also provide incentives and require proof of vaccination by a third party for employees to qualify for the incentives.

Accommodating Unvaccinated Employees

According to the EEOC, **federal laws** prohibiting discrimination in the workplace "do not prevent an employer from requiring all employees physically entering the workplace to be vaccinated for COVID-19."

In enacting such a policy, however, the employer must be sure to accommodate employees who may have a disability or sincerely held religious belief that would prevent them from being vaccinated. Such accommodations could include requiring unvaccinated employees to wear masks, practice social distancing in the workplace, or could work remotely.

While a company may require employees to be vaccinated, some employers may not feel comfortable instituting this kind of policy for a variety of reasons, including but not limited to morale issues, possible employee resignations, or fear of potential liability if the vaccines have a negative effect.

Incentive-Based Programs

If that is the case for your company or your client, incentives for vaccination may be a better option that can still ensure that a large portion of your workforce is vaccinated. While there is a lack of legal guidance on proper incentive-based programs, many companies already have successfully started such programs.

For instance, McDonald's is providing its employees up to four hours paid time off to get the vaccine, Kroger is offering employees a one-time $100 payment upon showing proof of vaccination, and some companies have offered employees as much as a $500 bonus for receiving the vaccine.

Some companies and states have instituted drawings for larger sums of money to incentivize employees to receive vaccinations. Drawings reduce the potential coercive nature of the incentive. These employers hope to see an increase in the number of employees getting their vaccines.

Before offering these types of incentives for your employees, though, it is important to understand the legal requirements and to only provide incentives that comply with the federal anti-discrimination laws. While the Americans with Disabilities Act generally prohibits employers from conducting medical examinations of their employees, under the new EEOC guidance, an employer can require an employee to provide documentation that they have received the vaccine to qualify for an incentive.

While there is no specified limit on the amount of the incentive, the EEOC also has advised that an incentive for vaccination should not be "so substantial as to be coercive" if the vaccine is administered by the employer or an agent of the employer, because this may pressure employees to disclose confidential medical information if they choose not to be vaccinated.

To avoid this issue, any employer that has medical providers and nurses and is providing incentives for vaccinations may want to avoid administering the vaccine themselves and only require that employees voluntarily provide proof of vaccination by a third party, such as the employee's doctor or pharmacy, to receive the incentive.

In addition to offering vaccines to employees, employers may offer vaccines to family members of employees on a voluntary basis. In doing so, employers must be aware of the requirements of the Genetic Information Nondiscrimination Act (GINA), which prohibits employers from asking medical questions about employees' family members.

The EEOC has stated that an employer may not offer incentives for family members to receive vaccines that are provided by the employer, as it would require the disclosure of a family member's medical information.

Incentives for vaccination may be a solution for employers who want to increase employee vaccination rates without requiring all employees to receive the vaccine. Incentives can include one-time cash payments, drawings, or paid time off to receive the vaccine (in states that do not mandate time off to receive the vaccine).

Author Information *- Jane H. Heidingsfelder is a partner in the Labor & Employment Practice group at Jones Walker LLP in New Orleans. Jacob J. Pritt is an associate in the firm's Labor & Employment Practice group. From PSU: Brook Duer, Staff Attorney, Center for Agricultural and Shale Law, Penn State Law, (814) 863-3396 I Working from Home – Cell 717 874-0935, dhd5103@psu.edu*

The impact (value) of the association's legislative advocacy, work-force development, and Industry Relations work can easily be overlooked. Our efforts cannot be accomplished without significant financial investment, support, and grassroots participation. If we're to continue that work, we are going to need your help participating in and financially supporting our legislative work, association governance/direction, and program development. We need your help recruiting new members, participating in legislative visits, giving testimony, contributing financially to the legal/legislative fund, association governance/direction, and program development!

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Plan for deductions at year's end – Guest Column

Understand Three Requirements By IRS For End-Of-Year Payments

Kelcey Hoffmann | Sep 14, 2021

If anything was learned in the last 18 months, it was to plan ahead and to plan for change. As producers, we may have been better prepared as the agriculture world is always throwing curveballs our way. With year-end around the corner and all that 2021 has thrown at us, conversations are being had with clients about tax planning and what to do.

Speaking of 2021, we should recognize that drought will have a negative cash-flow effect in some of our areas. Other parts of our area have taken advantage of good yields, increased commodity prices and, in all, a cash flow year that hasn't been seen in a while. All of this may lead to some year-end tax planning with topics of prepays, capital purchases and depreciation.

The benefit of utilizing prepaids over capital purchases at year-end is that you are maintaining your working capital. As the cash may no longer be in your checkbook, it is still a cash asset, and we are adjusting where we placed that money on the balance sheet. We all know that a new piece of machinery looks and feels better than stocking up on inputs and supplies, but taking advantage of locking in some of those rising costs of inputs and the guarantee of inputs, may be more important to your operation.

Understand IRS requirements

It is important to understand the IRS rules and requirements you must meet to be permitted to deduct the purchase of farm supplies during the current tax year that will be consumed in the following tax year. Here are those requirements:

1. **Actual purchase vs. deposit.** The expenditure must be an actual purchase and not a deposit to purchase the supply in the future. An expenditure is considered a valid purchase if there is a binding commitment to accept the delivery of the farm supplies at a fixed price. To meet this requirement, the farmer must obtain a detailed invoice or receipt that specifies a description of the goods, quantity purchased, unit price and the total amount of the purchase.

2. L**egitimate business purpose.** The expenditure must have a business purpose other than tax avoidance. As producers, we usually prepay to secure adequate quantities, obtain discounts and hedge the expectation of rising prices. All these reasons provide a business purpose for prepaying.

3. **No income distortion.** The purchase of prepaid farm supplies must not materially distort income. To determine if a producer meets this requirement, it is important to consider:

- relationship between quantity of supplies purchased and quantity to be used
- amount expended in relation to the total income for the year
- timing of the purchase
- amount purchased in comparison to past purchases

None of us know what the future holds, or what next year's market changes might mean to either our income or expenses. Prioritizing prepays at year-end usually has a positive return on investment in more than one way, while providing balance sheet working capital for financial strength to your farm and some security for the future. Be sure to have up-to-date farm records for your accountant to do a year-end estimate and look at prioritizing prepays at year-end over those capital purchases.

Hoffman is a farm management instructor at North Dakota State College of Science and with the North Dakota Farm Management Education Program.

~ Article courtesy of Farm Progress Magazine

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Don't Take a Chance – Valuation Methods for Buy-Sell Agreements

A Buy/Sell Agreement helps a business owner "lock in" a value for the business. The Agreement does this by using a "valuation formula." The formula you use could mean the difference between receiving liquidation value or fair market value. Does your valuation formula lock in fair market value?

Common Valuation Formulas for Buy/Sell Agreements

Option 1 – Book Value

The book value method (also known as net worth or owner's equity) is simply the total assets minus the total liabilities as shown on your financial statement. This method is sometimes referred to as the "liquidation" method. This method usually understates the true fair market value of your business, as it does not account for goodwill, profitability, or recapture of accelerated depreciation.

Fair Market value of ABC Inc. = $1.4 million
Book Value = $450,000
Loss in value = $950,000

Option 2 – Agreed Value Method

With this method, owners periodically meet and set the value of the business in writing. This new value is then amended in the Buy/Sell Agreement. If you utilize this type, how long has it been since you documented a new value? If you have not adjusted the value to reflect today's current value, you can lose.

Fair Marketing Value of ABC Inc. = $1.4 million
Last Documented Value (2003) = $800,000
Loss in Value = $600,000

Option 3 – Appraised Fair Market Value Method

This method has a stated process to formally or informally appraise the business. To arrive at fair market value, it factors in several things, such as the current value of assets, liabilities, goodwill, and profitability. This method ensures all interested parties receive the full value they deserve.

Appraised Fair Market Value of ABC Inc. = $1.4 million
Loss in Value = $0

Make sure your valuation method locks in the fair market value of your business. Take advantage of **Federated's Agreement Evaluator℠** to receive an informal review on the strengths and weaknesses of your valuation formula along with the other terms of your Buy/Sell Agreement.

IRS - Employee Retention Credit News Primer

The IRS just released Revenue Procedure 2021-33, which provides a safe harbor that allows taxpayers to exclude certain items from the gross receipts calculation when determining (ERC) Employee Retention Credit eligibility. Important to many are the Paycheck Protection Program forgiveness amounts. Before this, there was some uncertainty on whether PPP forgiveness would affect the gross revenue calculations.

This procedure makes clear that PPP will not be included in the gross receipt calculation under the safe harbor that taxpayers can use. Importantly, if a taxpayer uses the safe harbor, it must be consistent and exclude the amounts for each calendar quarter across all entities treated as a single employer under the aggregation rules.

Notice 2021-49 — amplifying Notice 2021-20 and Notice 2021-33 — also has mostly good news for taxpayers. The good news is that the IRS finally confirmed that the alternative quarter election is permitted for any quarter in 2021.

On the other hand, this latest notice tightens up the family attribution rules that make it very hard for taxpayers and most of their employees who are relatives to have those wages qualify for the credit calculation.

Article courtesy of: Dario Arezzo | Sep 10, 2021
Arezzo is a senior tax consultant for Farm Credit East, and this article originally ran in the organization's Today's Harvest blog.

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Vanessa Clements at BCI 816-876-4700
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Vanessa@bobclements.com

OSHA WORKPLACE SAFETY COMPLIANCE PROGRAM
Dave Close at 1-800-932-0607 Ext. 235
davec@ne-equip.com

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adam.mclaughlin@amyntagroup.com
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Look at 2021 cash rental rates - HIGHER LAND RENTS:

Whether it's irrigated, non-irrigated or pastureland, cash rental rates are on the rise across the Northeast, Ohio, and Michigan

Chris Torres | Aug 17, 2021

As crop prices have risen, so have land cash rental rates across the Northeast, Michigan, and Ohio, according to data from the National Agricultural Statistics Service.

Average land cash rental rates decreased in Maine, New Jersey, and Vermont.

The cash rental tool from NASS is a handy guide to helping landowners set cash rental rates. You can access the tool and do your own research at bit.ly/landratesNorth-east. County-level cash rental rates will be published later this month.

Here are the 2021 cash rental rates by average, as well as irrigated and non-irrigated cropland, in the Northeast, Ohio and Michigan:

Connecticut

Non-irrigated: $78 per acre, up from $60 per acre

Delaware

Average: $114 per acre, up from $112 per acre
Irrigated: $166 per acre, up from $151 per acre
Non-irrigated: $88 per acre, down from $94 per acre

Maine

Non-irrigated: $59 per acre, down from $62 per acre

Maryland

Average: $111 per acre, up from $107 per acre
Irrigated: $197 per acre, up from $194 per acre
Non-irrigated: $103 per acre, up from $98 per acre
Pastureland: $53 per acre, up from $48 per acre

Massachusetts

Average: $97 per acre, up from $82.5 per acre
Irrigated: $260 per acre, up from $210 per acre
Non-irrigated: $78 per acre, up from $68 per acre
Pastureland: $32 per acre, up from $28 per acre

Michigan

Average: $138 per acre, up from $128 per acre
Irrigated: $232 per acre, up from $215 per acre
Non-irrigated: $131 per acre, up from $121 per acre
Pastureland: $35 per acre, up from $28 per acre

New Hampshire

Average: $54.5 per acre, up from $49.5 per acre
Irrigated: $250 per acre (no data for 2021)
Non-irrigated: $49 per acre, up from $46 per acre
Pastureland: $27 per acre (no data for 2021)

New Jersey

Average: $76 per acre, down from $79 per acre
Irrigated: $128 per acre, down from $135 per acre
Non-irrigated: $66 per acre, up from $65 per acre
Pastureland: $46 per acre, up from $43 per acre

New York

Average: $69 per acre, up from $67.5 per acre
Irrigated: $145 per acre, down from $155 per acre
Non-irrigated: $68 per acre, up from $66 per acre
Pastureland: $25 per acre, down from $27 per acre

Ohio

Average: $160 per acre, up from $156 per acre
Irrigated: $199 per acre, up from $190 per acre
Non-irrigated: $160 per acre, up from $156 per acre
Pastureland: $26 per acre, no change

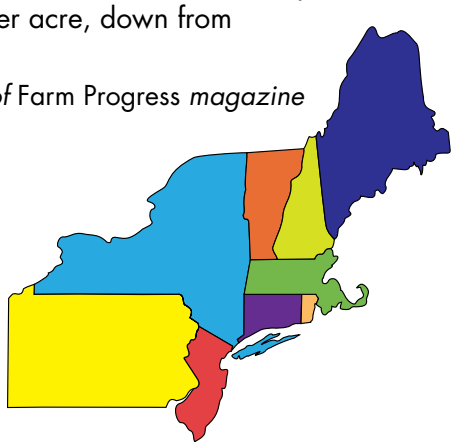
Pennsylvania

Average: $94 per acre, up from $92 per acre
Irrigated: $162 per acre, down from $165 per acre
Non-irrigated: $93 per acre, up from $91 per acre
Pastureland: $40 per acre, up from $21 per acre

Vermont

Average: $52.5 per acre, down from $53.5 per acre
Irrigated: $150 per acre
Non-irrigated: $52 per acre, down from $53 per acre
Pastureland: $26.5 per acre, down from $29 per acre

~ *Article courtesy of* Farm Progress *magazine*



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- Achieve your goals

The Agricultural Equipment Technician Apprenticeship is sponsored and administered by the Northeast Equipment Dealers Association and is limited to participating members and their employees. If you are a student, veteran or adult interested in a clear pathway to a well-paying career, an agricultural equipment technician apprenticeship might be for you!

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For more information visit us at **nedaapprentice.com**

Paycheck Protection Program
FIVE UPDATES FOR BORROWERS

Amy M. Reynallt, MBA – July 27, 2021

While guidance for the Paycheck Protection Program (PPP) has slowed significantly in 2021, some updates continue to affect borrowers, particularly those applying for loan forgiveness. Borrowers should consider five key updates:

1. If you haven't submitted your first round PPP's forgiveness application, consider your timeline to apply.

All Borrowers must apply for loan forgiveness, regardless of their loan size, by applying for forgiveness to their PPP lender. Borrowers have ten months from the completion of the Covered Period to submit their PPP forgiveness applications, or those borrowers will begin to make principal and interest payments on their loans. All borrowers should understand when they must apply for forgiveness, as the ten-month deferral period for early loan recipients may have ended or may be ending soon.

As of now, second draw PPP loan recipients (as well as recipients of first draw PPP loans received in 2021) will have the same timeline to apply. In determining when to apply for forgiveness, Borrowers may consider their deadlines, coordination with other COVID-19 relief programs, individual business circumstances, and any instructions provided by their lender. Some lenders may not open their PPP forgiveness portals for 2021 loans until later in the year.

2. SBA drops the controversial Loan Necessity Questionnaires.

On July 9, the SBA withdrew their requirement for the loan necessity questionnaires by notifying lenders that the loan necessity review for borrowers of loans $2 million or greater would be eliminated. These forms, Form 3509 (for-profit borrowers) and Form 3510 (for non-profit borrowers) should no longer be requested, and form requests in progress should be closed. SBA committed to providing additional guidance, which has yet to be released.

3. All loans, regardless of size, can be reviewed.

Borrowers should be aware that all loans, regardless of loan size, can be reviewed by SBA. Borrowers will be notified if they are reviewed, and additional documentation may be requested. All borrowers should be aware of the documentation requirements for their PPP loan. A list of documents to submit with forgiveness applications and to maintain (but that are not required to be submitted) are available on the SBA Loan Forgiveness Application Form.

4. Rumors persist regarding a direct to SBA PPP forgiveness portal.

Several news outlets are reporting that the SBA is expected to release an online portal for PPP loan forgiveness applications, where borrowers submit their forgiveness applications direct to the SBA. For a business to use the portal, it is expected that the business's lender must opt into the SBA platform. Until more information is available, borrowers should continue following their lenders' processes to apply for loan forgiveness. More information is expected as early as August.

5. More simplifications for select borrowers are possible.

News outlets are also reporting that the SBA is working to further simplify the PPP loan forgiveness process for borrowers with loans between $150,000 and $2 million. Since the program was introduced via the enactment of the CARES Act in March 2020, SBA has released nearly 100 Frequently Asked Questions, as well as over thirty Interim Final Rules and several Procedural Notices. Borrowers should continue to watch for guidance and be prepared to follow any guidance available that may affect their loan or forgiveness.

For questions about your PPP loan, its forgiveness, or other COVID-19 relief programs, contact a member of HBK's COVID-19 Response Team or your HBK Advisor.

~Article courtesy of: Amy M. Reynallt, MBA - Amy Reynallt is a Manager with the HBK Manufacturing Solutions Group in the Youngstown, Ohio office of HBK CPAs & Consultants. Amy can be reached at 330-758-8613

See page 21 for additional information.

Did You Know?

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Go to www.ne-equip.com and login in with your user ID and password. Once your logged in place your cursor in the upper right hand corner and click on "Edit my Profile"

Here you can put any events happening at your dealership, upload profile pictures, your company logo, etc…

Email davec@ne-equip.com or call the Association, 800-932-0607 if you have any problems getting into the website.

The Importance of Protecting Devices Within the Northeast's AG Industry

Regardless of the business's size or area of engagement, technological innovation within the northeast's agriculture industry has improved productivity, efficiency, and communications. The collection, analysis, and storage of data have allowed organizations to refine their processes, increase efficiency, and comply with regulations as they evolve and grow. These advancements come at a cost, however.

With more complicated devices and sensitive data on an organization's network comes more attention from cybercriminals who want to use these resources to extort, disrupt, and attack an organization.

Cybercriminals commonly attempt to do so through ransomware attacks to leverage data and the functionality of systems against the company for financial gain.

The direct costs of paying ransoms and restoring systems are not the only costs AG organizations face when sustaining ransomware attacks, however. What can be more costly are indirect losses. As dealers, once the knowledge of compromised information is known in the marketplace, customers tend to shift their business elsewhere, and the dealers' brand name suffers long term. These indirect costs typically affect AG organizations disproportionately compared with other industries.

Large AG manufacturers and dealers are typically better equipped and have more resources to prepare, monitor an attack, and recover easier. However, they are truly only as prepared as the capabilities and strength in business understanding they have in place with their cybersecurity partner. Smaller manufacturers, suppliers, and dealers typically have fewer resources available for cybersecurity. Still, the results of an intrusion are far more devastating because it can lead to the business's complete closure. For situations like this, smaller companies must at least have a cybersecurity monitoring system in place.

In the end, regardless of an organization's size, we encourage the Northeast Equipment Dealers Association's (NEDA) more than 450 agricultural, industrial, rental, and outdoor power equipment members to have the proper measures in place to prevent and mitigate cyberattacks. To do just this, it is vital to look for a vendor that can protect an organization's cybersecurity through and through. Secuvant™ is an endorsed vendor of NEDA. The company has developed a dedicated channel focusing on the AG industry, which has put the company in a unique spot to assist AG organizations throughout the northeast with precisely that. This channel is mentored by Secuvant's Board of Directors member Jim Walker, the former Executive Vice President and leader of Case IH North America. Large or small, the organization can personalize offerings based on business and budget requirements to find specific solutions that work for an organization. When it comes to cybersecurity, being proactive is critical.

Click here to learn more about how Secuvant's superior cybersecurity services can benefit your organization and to talk with a Secuvant™ expert today.– +1-855-732-8826 —info@secuvant.com

New OSHA Rule to Require Worker Vaccinations or Testing for Large Employers

Recently, President Biden announced that the U.S. Occupational Safety and Health Administration (OSHA) will develop and implement new emergency regulations that require private sector employers with 100 or more workers to ensure that those employees are either fully vaccinated or subject to COVID-19 testing at least once per week. OSHA will issue an Emergency Temporary Standard (ETS) to implement this new mandate. It is expected that this new requirement will impact more than 80 million workers in private sector businesses across the country.

Please note that this requirement could ultimately affect smaller employers in every state. New York State Labor Law permits the State Department of Labor to adopt OSHA standards for employees within the State who would not otherwise be covered by these proposed rules.

As of this writing, there is no estimated date on which OSHA might issue the ETS. Likewise, there are many unanswered questions, such as whether covered employers will be required to pay for vaccinations and/or testing. We will be following the developments regarding this action closely and keeping our clients/friends informed.

~ Article courtesy of Ferrara Fiorenza, PC

Membership Renewal for 2021-22

With dues renewal now due, we thrive on doing everything possible to ensure that your dealership information is as accurate as possible so you receive the most current information that is happening in our industry. Please click here and fill out the verification form and include everyone in your dealership who will receive our monthly newsletter and either email back to davec@ne-equip.com or fax back at 315-451-3548. To help reduce cost, please remit after receiving the first renewal notice.

MEETING THE EXPECTATIONS OF OUR MEMBERS IS OUR NUMBER ONE GOAL

NEDA 2021 Holiday Schedule

Monday	October 11	Columbus Day
Thursday	November 25	Thanksgiving
Friday	November 26	Thanksgiving
Friday	December 24	Christmas
Friday	December 31	New Years

BY JOHN CHAPIN

"John, I can sum up the difference between the successful agents and the unsuccessful agents with one quick example: during a major blizzard when everything is shut down and everyone is at home, my top agents are making phone calls to prospects because they know they have a captive audience, and the rest of my agents are posting pictures on Facebook of the cookies they're baking."

Sales Success:
Are you IN or are you OUT?

I was recently speaking with a manager at a real estate office about what makes some agents successful and others unsuccessful. He told me, "John, I can sum up the difference between the successful agents and the unsuccessful agents with one quick example: during a major blizzard when everything is shut down and everyone is at home, my top agents are making phone calls to prospects because they know they have a captive audience, and the rest of my agents are posting pictures on Facebook of the cookies they're baking."

Here's another example that outlines the difference between success and failure in sales. Several years ago I worked for the largest banking equipment distributors in the world. The top salesperson at the time was a guy by the name of Pete. One day while Pete was out making prospecting calls, he got in a car accident. In fact, he totaled his car. Luckily, he didn't get hurt too badly. He ripped his pants, got some cuts on his nose and forehead, but for the most part, he was okay. When the paramedics showed up and they insisted he go to the hospital and get checked out, Pete adamantly refused. Regardless of the car accident, he was determined to get the rest of his sales calls in. He remembered two hard-to-reach prospects that he simply could not get through to. He now saw the car accident, and his current condition, as an opportunity to change things. Pete took the cab to both offices and when he arrived, he walked in, torn pants, bloody face, butterfly stiches and all, and said to each receptionist, "Hi, I'm here to see Mr. Prospect. You have no idea what I've been through today to see him."

Now these gatekeepers, who had bullet-proof teeth and had been shutting Pete down for months, instead of stopping him this time, were now off making a sale to the decision maker as to why they had to see Pete. I can imagine it sounded something like, "You're not going to believe this. There's a guy out in the reception area with torn pants and blood on his face. I mean it's not Halloween, right? You have to see this." The result was that Pete got in to see both prospects that day. They both laughed as he told his story. The best news is that three months later Pete ended up getting one of them as an account and it became his fourth largest account.

Now let's compare Pete's story to that of a low-performing salesperson at the same banking equipment company. This guy showed up to the weekly sales meeting on Monday morning with a coffee stain on his shirt. I said, "Wow, tough drive into work, huh?" His response, "Yeah, luckily my appointment was able to reschedule." I then asked what a coffee stain had to do with rescheduling an appointment.

So, on one hand, we have the top sales rep who gets in a car accident and actually makes two more calls than he had planned on versus the lowest performing sales rep who uses a coffee stain as an excuse to make no calls. I think the difference between the successful and unsuccessful is pretty obvious. One is committed and determined to make the calls and do whatever it takes to be successful, the other is simply going through the motions and trying to stay on the payroll while doing as little work as possible. One's all-in, the other, for all practical purposes, is out.

John Chapin is a motivational sales speaker and trainer. For his free monthly article, go to: www.completeselling.com John has over 31 years of sales experience as a number one sales rep and is the author of the 2010 sales book of the year: Sales Encyclopedia. E-mail: johnchapin@completeselling.com. – 508-243-7359.

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For additional information please contact:
Art Smith, Editor | arts@pa.net
or **NEDA, Dave Close**
128 Metropolitan Park Drive | Liverpool, NY 13088 | 800-932-0607

Following are the preferred methods for ad submission.
High resolution PDF | InDesign 5.5 or earlier (with fonts/links)
Photoshop 3 | Illustrator 10.2

www.ne-equip.com

Ad Rates / Requirements for NORTHEAST DEALER Advertising

	Price	Size
Full page	$215	8.5" x 11"
Half Page	$160	3.625" x 10" vertical | 7.5" x 4.375" horizontal
Quarter Page	$108	3.625" x 4.875"
One-Eighth Page	$71	3.625" x 2.25"

Please be advised of the above sizes. Ads not to size will be proportionally reduced to fit. No additional charge for 4/color.

Months to be published:

- ○ January
- ○ February
- ○ March
- ○ April
- ○ May
- ○ June
- ○ July
- ○ August
- ○ September
- ○ October
- ○ November
- ○ December

Submission deadline: 20th of each month

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PAYMENT: ○ Check payable to Northeast Equipment Dealers Assoc.

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Completed form with payment is due by the 10th of the month. Send checks to above address. Credit card payments should be sent by fax to 315-451-3548. For your protection, DO NOT SUBMIT CREDIT CARD INFORMATION BY EMAIL!

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