

Let's Celebrate! MACC Holiday Party

December 6, 2018

Cocktail Hour: 6:30 pm | Dinner: 7:30 pm

City Cellar

1080 Corporate Drive, Westbury, NY 11590

**There will be a special performance by
Gary Ferrar
Acclaimed Mentalist and Magician**

See details on page 9

INSIDE THIS ISSUE:

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FLASHBACK FROM MACC 2018 EVENTS



LOOKING AHEAD!

JANUARY

Refrigerants & Devices 1-26-19

**2019 seminar dates are online!
Register now on maccny.org**



From the President

As we closeout 2018, I would like to look back on the successful year we have had! Throughout the year we have hosted some great meetings and events.

Our February Meeting was centered on a topic that effects all businesses, in all industries: bridging the generation gap(s) in the workplace. Every generation has different leadership, communication and career development styles. With that being

said, it can be difficult to assimilate each generation into the workplace. Our meeting speaker did a great job in outlining each generation in regard to their unique needs and how to implement policies and practices that will meet those needs. Attendees walked away with a better idea of what motivates their employees and/or colleagues.

This year we decided to put a twist on our annual cocktail party by hosting a beer tasting event at Big aLlCe Brewing Company! The event sold out within weeks of being posted to our website. Although I was unable to attend, I was thrilled to hear that everyone enjoyed themselves and was excited about the new events MACC was offering. It was a great way to start off the Summer!

Another great Summer event, that is always enjoyed by all, is our Night at the Mets. Every year we sell over 1,000 tickets to members, their families, friends and colleagues. The event was graciously sponsored by long-time supporter, ABCO, and American Standard Heating & Air Conditioning.

In August, we had the honor of hosting our Golf Outing for the 40th year! This is a long standing event that everyone looks forward to each year. Although the temperature reached a scorching 94 degrees, we still had a great turnout with over 125 golfers! This event would not be the success it is without the continued support from our sponsors and members and for that, we thank you! The other component that also makes this event so special is the charitable contribution we make every year to Make-A-Wish. It makes me so proud to know that MACC supports such a great charity.

These are only just a few of the great events we hosted in 2018! We are definitely looking forward to 2019 and all the exciting meetings and events we have planned! Be sure to visit our website to stay up to date on any upcoming events and news.

Closing out 2018, also means the end of my term as President of the Metropolitan Air Conditioning Contractors of New York. I am grateful to have the opportunity to be President of this organization. Over these two years, I have seen such growth in MACC. None of which would be possible without the support of our membership! Thank you to our members and sponsors for their continued support. I would also like to thank my fellow board members for their time and dedication.

I look forward to seeing everyone at this year's holiday party! This year's party will be held on Thursday, December 6th at 6:30 pm at City Cellar in Westbury. We have added entertainment to the event this year and will have a special performance by Gary Ferrar, an acclaimed magician, who has performed for clients like Google, Macy's, Morgan Stanley and Buzz Feed. Don't miss out! Be sure to RSVP on our website!

Happy holidays!

- Brian



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Best Wishes to Ken Ellert On His Retirement!

We are at once happy and sad to announce the retirement of Ken Ellert, founder of Comfort Tech. Ken's service to his company, the industry and to the MACC association, where he served as our President from 2006-2007, has been an inspiration to all.

In the 1950s, upon returning home from the Army and after college, Ken began working for his father, Sol Ellert at his refrigeration company. Following his father's retirement, Ken founded Amrus Air Conditioning in 1994, which later became Comfort Tech in 2006

Stu Ellert, Ken's son, has worked with his dad for close to 20 years. "I can truly say that working with my father was the best! Learning from him... watching him work ...talking about everything from sports to politics to business. ... these were awesome years. Everyone at Comfort Tech has benefitted from my dad's integrity and easy-going manner."

As Ken embarks on this exciting new phase in his life he talks about the things he will miss most: "Definitely, I will miss the people I work with and all the associations and relationships I've formed over the years. I have greatly enjoyed my work and being a part of this industry."



Stu Ellert and Dad, Ken Ellert

All of us at MACC extend our very best wishes to Ken Ellert for a happy, healthy and fun-filled retirement!



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Editor's Notes

By Anthony N. Carbone

Who pays for the tickets that employees get while driving your company truck? Well, I'm talking about the tickets received from red light cameras. The proliferation of cameras at busy intersections that are stealth and unmarked are catching drivers as they try to rush through a yellow light.

In some cases, a delay by a car in front can cause the camera to fire off a photo of trucks appearing to go through a red light.

When presenting the photos to one of my employees to ask about this, he said that "The light was yellowish and turned reddish, it wasn't quite yellow and definitely not red!" This was creative on his part and no one likes to be wrong. . . especially when rushing to the next "no cool" or "no heat" call on behalf of the company.

With that in mind, I agreed to pay for the first "unfortunate" event of getting a ticket, but I do make it a policy to state the next ticket would be the responsibility of the employee who received a second infraction.

Recently, I received a call from a fellow HVAC business owner who asked me if he should deduct the summons from the employee's paycheck. . . It seems feasible, but I'm sure Alan Pearl of Portnoy, Messenger, Pearl & Assoc. would disagree.

Don't you want to know the answer to the question and ask your counterparts what their strategy is???

Come to our next meeting which is always one of my favorites. . . at the holiday party at City Cellars!!! Happy Holidays and thank you for your continued support!

- Anthony N. Carbone

NEWS CLIPS

AHR Expo Returns to Atlanta for the First Time Since 2001

The 2019 AHR Expo, the largest event in the world exclusively focused on the HVACR industry, will be held at Georgia World Congress Center in Atlanta on January 14-16. The AHR Expo brings the entire HVACR industry together to see new products & technology, learn about innovations and trends, and build relationships face to face. The show draws more than 70,000 professionals from every state in America and 165 countries. If you're a contractor, engineer, architect, OEM, distributor, utility operator, facility manager, or other HVACR professional – the AHR Expo is designed for you.

The AHR Expo will return to Atlanta for the first time since 2001 for its 2019 Show. "We are thrilled to be back in Atlanta for the first time in 17 years," said Clay Stevens, Show manager of AHR Expo. "Atlanta, particularly the Georgia World Congress Center, is a hub for some of the country's largest trade shows — a list that, for 2019, includes AHR. We are excited to be back in this region and to invite professionals from all over the world to experience its energy and pace."

"We receive consistent feedback at each Show that AHR is the place for best-in-class education of industry trends and practices, as well as a source for professionals to network with other people in the business of all titles and trades," continued Stevens. "Every year we see returning exhibitors and attendees who have been with us for years, as well as companies launching into business. It's an exciting place to convene with the best in practice and it really gives an accurate snapshot of what's going on in the industry."

Atlanta is home to many popular tourism attractions to be seen outside of the Show, including the World of Coca-Cola, Centennial Olympic Park and the world-famous Georgia Aquarium. The 2019 AHR Expo's return to Atlanta presents an exciting opportunity for professionals from all over the world to visit the Southeast region and to experience it first-hand.



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MACC Members Give Back to Those in Need

It's always heartwarming to see how companies and their employees come together to aid and support organizations and people in need. We are proud to report that our MACC members - suppliers and contractors - are supporting a wide variety of charities, both at holiday time and throughout the year.

The following companies are only a small sample of the many charitable endeavors reported by MACC members.

National Compressor Exchange

Charities: New York Cancer Foundation, Autism Speaks, American Brain Tumor Association, Toys for Tots.

The charitable endeavors of National Compressor Exchange have evolved from donating to one organization to many different causes. Today, at the request of their customers, vendors and associates, they donate to a variety of charities. By doing it this way, "We not only get to give back, it helps to foster better relationship with the people we work with, and in many cases, we are privileged to hear the personal stories from these people as to why this particular charity is important to them," reports Jason Staiano.

Day & Nite/All Service

Charities: Make-A-Wish Foundation, SHFM Foundation, Wounded Warriors, American Heart Association.

"At Day & Nite/All Service, giving back is all about our ability to contribute and have influence on worthy causes," reports Matthew Sher. "In our place of business, it's not only about being profitable... it's about what we do with those profits. Above and beyond monetary contributions, the company actively participates in a variety of charitable events. "Philanthropy is an integral part of our business culture that impacts our people and the world around us," stresses Matthew.



Day & Nite team photo of Walk for Wishes, supporting Make-A-Wish Foundation.

ABCO HVACR Supply + Solutions

Charities: Make-A-Wish Foundation, Habitat for Humanity, Homes for Heroes, George to the Rescue, with a local contractor donating his labor.

ABCO has been a long-time supporter of Make-A-Wish. "We always make sure to thank our manufacturers, vendor partners, and most importantly customers who make this possible," says Bob Cesiro, Chief Marketing Officer. "ABCO and our contractors are family businesses and we are proud to contribute to a cause that provides inspiration, healing and hope right in our community. We participate with donations and fundraising events such as our Dream Classic golf tournament."

Arista Air Conditioning Corp.

Charities: Convoy for Hope, Make-A-Wish Foundation, WNYC New York Radio, Crohn's & Colitis Foundation of America, Juvenile Diabetes Research Foundation International.

At a recent company meeting, Arista employees packed relief kits for Convoy of Hope, which is one of their main charities. As a faith-based, nonprofit organization, Convoy of Hope has helped more than 100 million people throughout the world by sharing food, water, emergency supplies, agricultural know-how and opportunities that empower people to live independent lives free from poverty, disease and hunger.



Arista employees pack relief kits for Convoy of Hope charity.

Portnoy, Messinger, Pearl & Associates, Inc.

Charities: Long Island Cares, Habitat for Humanity of Nassau County, LIE Gives, American Red Cross, American Heart Association, Multiple Myeloma Foundation

From volunteering at soup kitchens, emergency shelters and veteran's organizations to event planning, fundraising and donating money to education and disability programs, Portnoy, Messinger and Pearl Associates are actively involved in supporting multiple charities both locally and nationally. Sponsorships and active involvement in humanitarian organizations like the American Red Cross help provide the emergency assistance and preparedness we have seen to be so vital in areas struck by recent natural disasters.

Giving back during the holidays and throughout the year bring fulfillment to those who give and comfort to those who receive. Companies who embrace philanthropy as a core business practice have found they reap rewards far beyond what they thought were possible. Today, 'Giving back' has become an essential part of doing business.



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Let's Party!

With the holiday season just around the corner, we are excited to tell you that we are planning another fantastic MACC holiday party this year – an event you will not want to miss!

Where: City Cellar, 1080 Corporate Drive, Westbury

When: December 6th, 2018 6:30 PM cocktail hour; 7:30 PM dinner

Great food and drink... camaraderie with MACC friends and associates, awesome entertainment... and the joy of giving back to those in need!

Bring a Toy... Help a Child! In the spirit of the season, we ask that you bring 1 toy for our special charity, Toys for Tots. Local Toys for Tots campaigns, like ours, are the heart and soul of the Marine Toys for Tots Program, founded in 1991 and managed by dedicated United States Marines and local volunteers.

The primary goal of the Marine Toys for Tots program is to help bring the joy of Christmas to America's less fortunate children through the gift of a new toy. Ranked as one of the top-rated charities by "Philanthropy 400", the mission of the program is to assist the U. S. Marine Corps in providing a tangible sign of hope to economically disadvantaged children at Christmas. This assistance includes providing day-to-day leadership and oversight of the Program, raising funds to provide toys to supplement the collections of local Toys for Tots Campaigns, to provide promotional and support material and defray the costs of conducting annual Toys for Tots Campaigns.



Today, there are nearly 40,000 Marines, Marine Corps League members, veteran Marines and volunteers involved in annual campaigns.



Witness the Impossible! This year, we've added a special surprise entertainer, magician Gary Ferrar, an amazing 'master of illusion' who has performed at thousands of corporate events over the years. Gary's signature show always connects with his audience as he brings guests up to help out with his unique magic. "My performance style is very interactive and casual with an emphasis on comedy," says Gary. "My goal is to make sure everyone is not only blown away by my magic, but also to have a great time in the process."

All this and much more awaits you at the MACC Holiday Party. Be sure to mark your calendar for December 6 and join with all of us for fun and games at this most special event.

Statement from Stuart S. Zisholtz, Esq.

Never Let Your Lien Time Run Out! Part 2 - Reduced Statute of Limitations

Once again, the reduced statute of limitations incorporated in many construction contracts has reared its ugly head.

Recently, a decision in the Appellate Division, First Department, addressed a clause in a construction contract where the statute of limitations was reduced to six months after either (a) the cause of action accrued (b) the termination or conclusion of the contract or (c) the last day the subcontractor performed any physical work at the Project, whichever of the events occurred first.

In most cases, the reduced statute of limitations is enforceable by the court. Thus, if the subcontractor failed to institute an action within six months after the claim accrued or it completed its work, the courts will dismiss the action based upon the agreed upon statute of limitations. The subcontractor in the recent case argued that the statute of limitations period set forth in the contract expired before any suit can be brought. Thus, the subcontractor was in a catch 22 of having to file a lawsuit to avoid the expiration of the statute of limitations even though its claim was not yet ripe for adjudication. The Appellate Division agreed with the subcontractor and found that the statute of limitations defense did not apply in this limited instance.

It is imperative, however, that you review the various terms of the contract to determine whether there is a reduced statute of limitations clause in your contract. The reduced statute of limitations clause will be enforced by the court and prevent you from proceeding in litigation to collect any outstanding balance due. If there is no balance due, any mechanic's lien filed will be vacated by the court.

Never let your lien time run out!!

For a free copy of a pamphlet pertaining to mechanic's liens and payment bond claims, kindly contact me or the Association.



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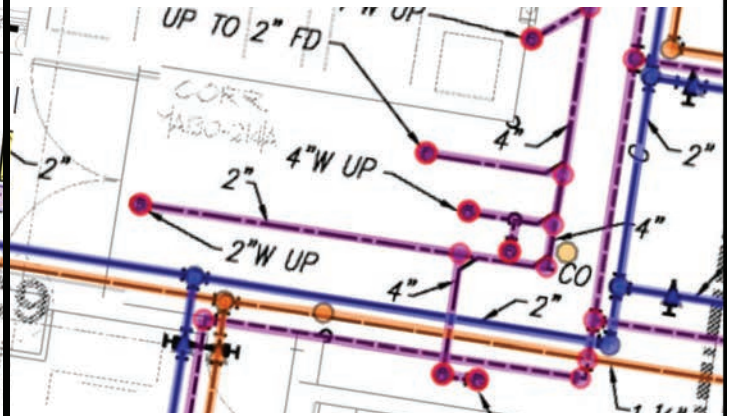


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Editor's Notes

By Jason Staiano

To have almost any type of business today in America means that you will have some type of online presence, even if you do not want to. Owning or managing a business and not looking to use the internet even in some small way is obviously foolish. Disagree? Let's look at some facts, as of 2016 there are 290 million internet users in America and if you just look at Yelp, the number of reviews posted every minute is something around 26,380. So, you might say "that's great, I can help increase my online presence and show potential new customers how great my business is with all my great reviews from happy customers," and you would be correct, it is great, and you can do just that. BUT! Yes, that's a capital "but" because its most certainly a two-way street with reviews and you must let the bad in with the good.

Getting a bad review comes with the territory of being online and unfortunately, on sites such as Google, you cannot just delete the reviews you do not like. What you need to do is drown out the bad with the good, so you can increase your overall average rating. Our industry is not as review heavy as other industries, such as the restaurant industry. In this day and age everyone believes they are a food critic and writes reviews after they eat at every restaurant, so the reviews are plentiful, good and bad. If you look up some small local restaurants, that might not have even been in business for more than a few years, they most likely will have 50 or 100 reviews. But compared to a large HVAC contractor that's been in business for decades they could have only 8 reviews and if they are lucky maybe over 30 or 40.

Another aspect about online reviews is that you can believe you did a great job, never hear anything from your customer, but they did have an issue and decide to voice it online instead of coming directly back to you. At that point all you can do is damage control, write a public reply to them, keep it professional, and either take their criticism if warranted and if not, move on and try to promote more positive reviews from your customers.

In the end, reviews online are part of doing business and not going away anytime soon. They can be a blessing to small businesses. If you have positive reviews it gives your company credibility without having to rely on word of mouth alone. So, its time to embrace them and build online credibility.

- Jason Staiano



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People & The Workplace

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Mind the Gap! 5 Tips to Bridge the Generation Gap In the Workplace

Some of the biggest challenges business owners face is managing different personalities in the workplace. It can be difficult to get any two strangers to effectively work with one another. It can be even more challenging when one of those individuals is a baby boomer and the other is a millennial. Since many baby boomers are delaying retirement to a later age as more and more millennials enter the workforce, the age of employees in a work environment might range from 18 to 70 years old.

Sometimes generational differences can cause tension in the workplace and create issues. For instance, millennials may view baby boomers as old-school and unapproachable, while baby boomers may see millennials as lazy, impatient, and unprofessional. We believe it is important that business owners take advantage of all the valuable strengths and skill sets each generation offers by learning how to bridge the generation gap in the workplace with the following 5 tips.

- 1.** Create diverse teams to include employees from all generations. Grouping employees of the same generation together creates a complete loss of opportunity for employees of different generations to learn important skills from other generations. Take advantage of each generation's different backgrounds and experiences to help teams communicate and problem solve more effectively.
- 2.** Understand what motivates employees of different generations and how each generation views their role and defines success in the workplace. Since many baby boomers grew up during a time of mostly steady and strong economic growth, they are motivated by the need to have security and place heavy value on productivity. Baby boomers have often been described as workaholics, driven, and willing to tolerate an imbalance between family and work life. Many baby boomers are process-oriented and believe that success is achieved by putting in long hours in the office to finish a project, since they entered the workforce in an era when they could not work at home.

Whereas millennials are working to improve the system and evolve, and they take pride in seeing their work make a difference. Millennials are often viewed as forward-looking, entrepreneurial, risk-taking, tenacious and multitaskers. They perceive hard work as the quality of their output and success as the culmination of their growth and experiences. Millennials don't necessarily believe success and hard work are the result from spending long hours in the office. Instead, millennials define success as positive feedback from co-workers and managers. They want a work-life balance that includes room for self-development and community involvement in addition to family time. Hence, millennials

want things like flex time, job-sharing and an experience that integrates technology to empower them to be productive from anywhere.

3. Recognize that each generation prefers different means of communication and implement new channels and styles of communication in the workplace to accommodate all generations. Since baby boomers have had to adapt to technology as a result of the popularity of online communication in the workplace, baby boomers tend to favor either face to face communication or phone conversations over email or instant messaging. On the other hand, millennials grew up with technology and the internet at their fingertips. Millennials view technology as a necessity (i.e., they bring their smartphones to meetings to take notes or to find information online or via social media apps) whereas older workers may not rely on technology and only utilize their pencil and pad at meetings. There are many ways to compromise. For instance, video conferencing can provide baby boomers with the face to face communication they desire and millennials can still participate in meetings even if they are not physically present in the room or office.

4. Form a mentorship program that includes reverse mentoring. When people work side by side and get to know each other away from other groups, typically their stereotypes fade away and they no longer view one another as they once did. Providing a channel for baby boomers and millennials to mentor each other and work together can help each generation replace their preconceived notions with the perception of the person as they actually are.

5. Stage gatherings that include employees of all generations. It is more likely that groups of employees who are closer in age might plan get-togethers out of the office. It is less likely that the 22 year old who started working at the company 3 months ago is going to ask a 60 year old to lunch or grab coffee. Managers should be proactive and set up monthly activities or weekly workshops where there is a designated time for employees to get to know one another and create personal relationships with each other. Hosting a lunch-and-learn session on a topic that no one of any particular age group is very familiar with is another way to help employees improve skills while getting to know each other. By providing an environment where employees can be vulnerable while learning something new, the group can create common bonds which will carry over into the workplace.

Any questions, feel free to call me.

Happy Holidays to All!



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