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## From the President...



**Brian Aull**  
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**S**pring has finally arrived, or has it? The weather has been unseasonably cold and on top of that April snowstorms. I don't know about everyone else but I am ready for some warm weather.

We just had our April meeting at the Fujitsu Airstage in Manhattan overlooking Times Square, what a beautiful view. I would like to thank Fujitsu for letting us use their space for our meeting. Those who attended got to hear from Joseph Molloy, from Grassi & Co., who spoke about the new tax reform for business and personal tax. I would also like to thank Joseph.

Next month we have our annual cocktail party with a twist. It will be held at Big Alice brewery in Long Island City for a beer tasting event. It will take place on Thursday May 10th. Space is limited so go to our website for details and sign up soon. Come out and I will buy you a beer. Hope to see you there.

Brian

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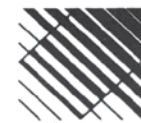
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MACC News is printed monthly by the Metropolitan Air Conditioning Contractors of New York. Questions should be directed to the appropriate director or committee member for assistance. While this newsletter is designed to provide accurate and authoritative information on the subjects covered, the Association is not engaged in rendering legal, accounting, or other professional or technical advice. Accordingly, the Association cannot warrant the accuracy of the information contained in this newsletter and disclaims any and all liability which may result from publication of or reliance on the information provided herein. If legal advice or other expert assistance or advice is required, the services of a competent, professional person should be sought.



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Editor's Notes

By Anthony N. Carbone

MACC has focused on bringing value to the organization by focusing on the needs of its' members. The direction of the President, Brian Aull, coupled with the Board of Directors, have brainstormed with John Delillo Jr. and his staff at Association Development Services.

We have made great strides in getting the word out for our interesting monthly programs, special events, and educational seminars. Collectively, we have made decisions that add more value to being a member of our trade organization and is causing "sold out" educational classes. The networking aspect of our program dinner meetings can prove to be priceless as you are able to exchange ideas and get answers to perplexing decisions and situations that, as a business owner, you may come across and others are already experiencing and have resolved. The information exchanged regarding management decisions and administrative discussions are enormous.

With the expansion of our organization, we have

also made a decision to expand the MACC news, adding content, and looking at alternative views. In the past 30 years, Donald Gumbrecht & Company has been a steadfast partner and liaison with The Metropolitan Chapter of ACCA Contractor News and now with MACC News. His company has provided great professionalism and support to our organization and has helped me present, to our readers, pertinent information that made our newsletter relevant and useful. Don Gumbrecht has been a reliable source of information that has been well read by many Captains of our HVAC industry for decades. At this time, the Board of Directors has made a choice to allow a new publication service to work with me, the editor, and the Board of Directors to provide current industry news in a new format.

I cannot thank Don and Peggy Gumbrecht enough for the years of great advice and direction they have provided to our organization and me over the years. It has been a pleasure to work alongside a true professional like Donald Gumbrecht.

Please stay in tune with MACC and watch us continue to grow and be a resource for our industry.  
- Anthony N. Carbone



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## Carrier's Most Efficient Air Conditioner You Can Buy in America Meets the Climate Control Industry at AHR Expo

Groundbreaking energy efficiency, industry-defining technology, and maximum home comfort – Carrier is once again at the forefront of the heating and cooling industry with a residential climate control system capable of never-before-seen efficiency in North America. The new Carrier 9,000 BTU/h single-zone ductless system is rated at 42 SEER, making it the most efficient air conditioner you can buy in North America. Carrier, a world leader in high-technology heating, air-conditioning and refrigeration solutions, is a part of UTC Climate, Controls & Security, a unit of United Technologies Corp.

“Carrier’s new ductless single-zone residential climate control system – our most efficient system ever – delivers the sort of efficiency engineers in our industry have long strived for, providing homeowners with the ultimate comfort experience with highly-

specialized humidity and motion management,” said Meredith Emmerich, managing director, Ductless and Variable Refrigerant Flow Systems, Carrier.

The best-in-class efficiency will help Carrier deliver greater flexibility to customers in colder climates, for example the 9,000 BTU/h 42 SEER and 15 HSPF single-zone system can provide 100 percent cooling capacity down to -22 degrees Fahrenheit and 100 percent heating capacity down to -5 degrees Fahrenheit.

The innovative system also offers an array of attractive home comfort consumer benefits. Its integrated relative humidity sensor controls humidity using a smart algorithm that targets a user defined humidity level together with temperature set point. This is a first for residential ductless systems in North America giving consumers enhanced operational control and more comfort in their home environment. An infrared sensor detects human movement to further reduce energy usage when a room is unoccupied or by making automatic intelligent decisions for a more comfortable home experience. For example, this function can set airflow to either follow or avoid people in the room or zone the system is conditioning.

The system includes Wi-Fi as a standard feature, allowing homeowners to communicate directly with it through any Android or Apple connected device, eliminating the need to buy Wi-Fi accessory kits or third-party connected solutions.

The SEER, HSPF and EER ratings available in this product may also make it more attractive to consumers in search of federal and state rebates.

A carbon filter may enhance indoor air quality while an energy savings mode can further reduce energy consumption by reducing the speed of the equipment to better match demand.

“Together, these features deliver a system worthy of the tremendous legacy Willis Carrier created when he invented modern air conditioning more than a century ago,” Emmerich said. “We are confident our customers will be as excited as we are about the opportunity to save money and increase the intelligence of their home climate control provided by this new system.”

The new unit will be available in the spring of 2018 through Carrier’s extensive dealer network. Visit [www.carrierductless.com](http://www.carrierductless.com) to find more information. •

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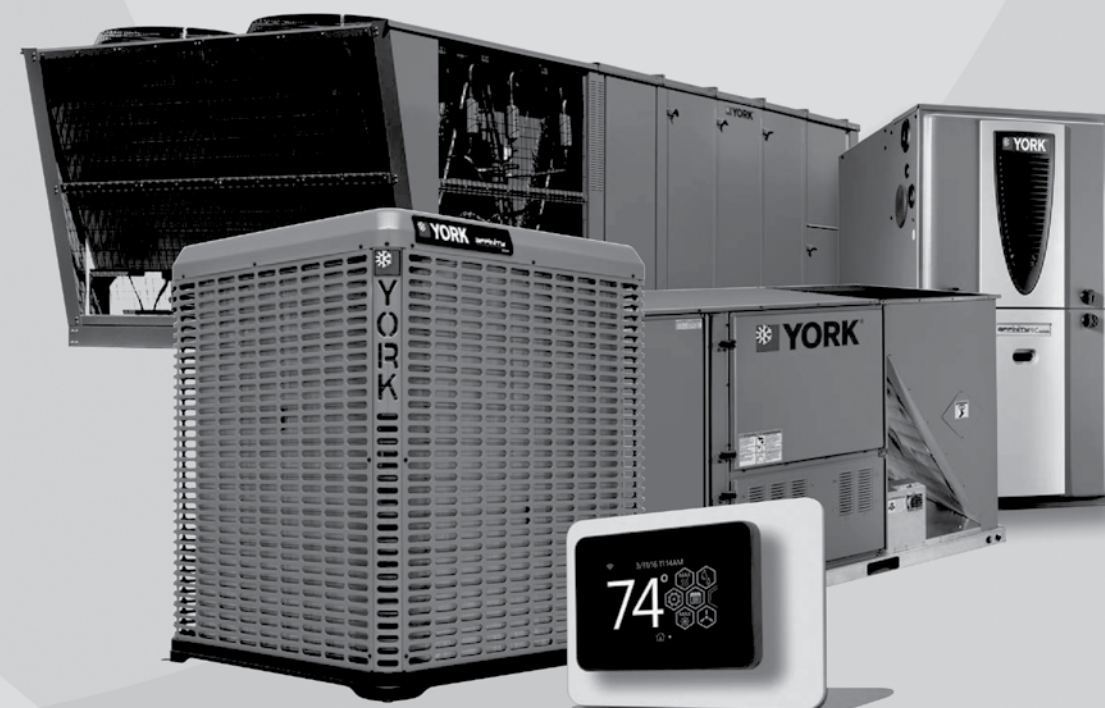
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# Victory for the Geothermal Heat Pump Industry

## Congress Reinstates Geothermal Heat Pump Tax Credits

The U.S. geothermal heat pump (GHP) industry scored a victory for its workforce and their employers as federal legislation was passed to extend federal tax credits for residential and commercial installations of GHPs. The measure was included in the Continuing Resolution spending bill approved by Congress.

The reinstated GHP tax credits are retroactive to Jan. 1, 2017, and extended to Jan. 1, 2022. The language also changes an important consideration for commercial GHP projects, making them eligible if commenced by Jan. 1, 2022 rather than placed in service.

“Today’s action by Congress finally fixes the inequity created two years ago when tax credits for solar installations were extended through 2021,” stated Geothermal Exchange Organization (GEO) President and CEO Doug Dougherty, “Credits for technologies including GHPs, fuels cells, microturbines, small wind and combined heat and power were left to expire at the end of 2016.

Since then it was an uphill fight, as GEO and its allies worked diligently for parity with the solar industry through bills in both the House and Senate. GEO’s message to legislators was ultimately heard: Congress shouldn’t be picking winners and losers when it comes to renewable energy and fairness in tax policy. “And now we have finally achieved parity with solar,” said Dougherty.

Coalition partners included all of the “orphaned” clean energy technologies, and among others, the



National Rural Electric Cooperative Association, the National Association of Homebuilders, and the Air Conditioning Contractors of America. In the days prior to passage, GEO joined a larger coalition of business, energy, transportation, real estate, and agriculture stakeholders who gathered forces to make their case for including tax extenders in the CR that passed the Senate and the House.

GEO’s relentless campaign to regain GHP tax credits included several Executive Fly-Ins to Washington DC in 2017, plus GEO Board Members, staff and industry volunteers making hundreds of visits to House and Senate legislative offices. Grassroots efforts by GEO members and supporters included job site visits set up for key legislators to show them firsthand the value of GHPs and plead the industry’s case for tax credit parity with solar.

“Achieving this critical milestone for our industry couldn’t have been accomplished without the positive and aggressive leadership of GEO staff, GEO manufacturers and members, our DC lobbying team—and the tireless efforts of my fellow board members during several Fly Ins to Washington during the past two years,” said GEO Board Chairman Joe Parsons (EarthLinked Technologies, Inc.).

“Our hard-fought victory for the GHP industry helps ensure a bright future for our technology,” said Dougherty. “It will stem the loss of jobs we now face, provide more time to overcome market barriers, achieve economies of scale, and help spread the environmental and economic benefits of GHPs across America.”

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## People & The Workplace

By Alan B. Pearl,  
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### HELPFUL HINTS – Part 1

I did a canvass of the labor professionals in our organization and asked them each the same question: What advice would you give to your clients to help them avoid employment law litigation? Somehow I am not surprised at the answers since I have been advocating most of these principles to MACC members for probably twenty (20) years. So here it goes Part 1 of this series - next month I will address common mistakes that can put your company at risk of employment claims:

1. Be sure you document and if you are not sure re-document so that the personnel file reflects the events concerning the employee that form a basis for counseling/discipline.
2. Treat all employees the same. Treat them with the same respect and dignity that you would give to members of your own family and to of course your clientele.
3. Remain proactive and react to problems promptly, handle it and address it since it will not go away by itself.



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4. Always keep detailed records in case the matter has to be referred to counsel for action. These days most employees know what agencies to go to if they believe they have been harshly treated. Whether it is discrimination, wage and hour, unemployment or the like, the detailed records that you keep will assist your counsel in handling the matter proficiently and to your satisfaction.
5. Be sure to communicate with your employees throughout the process once it commences. Follow-up is essential and the smile goes a long way.
6. Review your hiring practices to see that you are vetting correctly. Try to discern if there is a problem or a misfit before the person becomes part of your organization.
7. Have some familiarity with the laws that govern employers in the City and the State of New York. We often times read about federal rules and regulations but also understand that State and City rules and regulations are much more liberal and often times more expansive in their protections of employees.
8. Keep current on training – train supervision not only to recognize problems but to handle problems effectively in consultation with your HR Department or your labor relations expert.
9. Train your managers and supervision at least once every eighteen (18) months to stay in tune with state and federal rules and regulations in the workplace.
10. Be sure to adhere to your policies fairly and uniformly as to all employees. Managers must know the policies in order to implement them fairly and in a nondiscriminatory fashion.
11. Last but not least. If you are going to investigate and submit the materials to your representative, act in a polite, courteous and thorough fashion. It



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is not the time for dishonesty or veiled innuendo or threats. It is the time to garner facts so that your file is complete.

These helpful hints amongst others are available from PMP's HR Directors who have serviced the heating ventilation and air conditioning employers in the association nationwide not only here in New York.

These are some of the helpful hints that will keep you out of trouble. As always, should you need any advice please feel free to contact me at PMP by telephone or my email address above.

I look forward to seeing you at the next meeting.  
Alan

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## Bluon Energy To Release HVAC Support Mobile App

Mobile apps are a great way for businesses to provide comprehensive support to their clients, from anywhere with their smartphones or tablets. Bluon Energy plans to launch an industry-first mobile app next month, which will provide technicians with never before available technical support when replacing R-22 in existing HVAC systems.

Bluon Energy provides a revolutionary refrigerant for HVAC-R systems. As Global laws continue to phase out the



sale of R-22 (Freon), it is becoming continuously costly to run HVAC systems installed before 2010. Bluon Energy provides a solution with their TdX 20 refrigerant, also known as R-458A. The company also provides

comprehensive support for the product and its installation process, thus enabling contractors and companies a viable option for upgrading their HVAC-R systems to a fully approved, energy efficient refrigerant. Their latest innovation in the industry is their mobile app, which gives technicians access to training and installation tools, along with a database of thousands of specific HVAC-R units, to make the replacement of R-22 much easier and less risky.

“Global regulations will see the end of R-22 importing by the end of 2019, with supply shortages virtually certain to show up in 2018” says Douglas Reinke, company CEO.

“Because of this, R-22 replacements are quickly becoming a part of regular HVAC maintenance. Replacement refrigerants work differently in a variety of ways, including operating at different pressures and temperatures and at the very least the need to recalibrate to the correct Superheat and Subcool settings. Most replacements reduce cooling capacity and energy efficiency, leading to higher operating costs and negating the environmental benefits of replacing R-22 in the first place. Bluon’s TdX 20 is different. With Bluon, companies can save up to 25% on their HVAC electrical bills, while significantly reducing their carbon footprint. In order to make the conversion choice a simple one, we also offer training, tools, and guides for technicians that allow them to easily help companies make the switch to a better, more efficient refrigerant. We plan on launching our new mobile app in early April in order to make these powerful tools incredibly accessible for technicians in the field, when they need it most.”

Bluon Energy (<http://www.bluonenergy.com/> sustainability) is leading the charge when it comes to creating more cost effective, greener refrigerant solutions. While global regulations are leading many to replace their R-22 equipment with R-410A equipment, this is extremely costly and simply not an option for most, especially considering their existing equipment still has ten or more years of operating life. Ironically, virtually all of other replacements are less cost effective than the original R-22. However, TdX 20 (R-458A) has been proven to save companies up to 25% on their energy bills by reducing HVAC-R energy consumption. Because Bluon offers their training to any contractors and technicians and backs it with high quality support from industry veterans and now their unique and powerful mobile app, it is easy for any HVAC contractor to begin offering R-22 replacement that is actually an upgrade at a reasonable price.



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The mobile app from Bluon Energy (<http://www.bluonenergy.com/accreditation-program/>) is easy to use and provides [CP1] valuable information and tips from real technicians in the industry to aid users throughout the TdX 20 installation process. Technicians can use the app in a number of ways that best suit their needs. Through the installation tools section, users can search for HVAC equipment by model number to quickly find specific information for the system that they are working on and how best to change the refrigerant. Bluon’s industry veterans are adding new systems to the database every day – which now stands at nearly 4,000. Each piece of equipment in the system includes notes from experts and relevant unit details that help technicians troubleshoot common problems. There are also video walkthroughs and guides, handy charts, relevant best practices, and a superheat/subcool calculator; all designed to make the installation of TdX 20 as simple and cost effective as possible while ensuring maximum efficiency for the end-user. •

To learn more about the difference in replacement refrigerants and why TdX 20 is becoming the preferred choice for companies across the nation, visit <http://www.bluonenergy.com/>. •

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## Statement From Richard C. Zisholtz

### Change Orders and Meticulous Records

Change orders are often a major issue in construction litigation. Whether certain work was included in the initial scope of work can sometimes be a matter of debate. It is always best practices to have all change orders in writing and signed by all parties — it can certainly help avoid issues of proof in the event litigation ensues. The question I am often asked is when a contract requires that change orders be written, will a contractor be precluded from compensation for the additional work if he or she failed to get a written change order.

Contractors and subcontractors are often instructed

by owners to go ahead with certain additional work with a verbal acknowledgment that payment will be forthcoming. After, the extra work is completed, sometimes owners will try and avoid payment by alleging that all of the change orders were required to be written pursuant to the underlying contract.

While it is best to have written change orders, the law is that oral directions to perform extra work or even the general course of conduct between the parties may modify or eliminate contract provisions requiring written authorizations or notices of claims. Thus, if a contractor completed certain work that was outside the initial scope, it will be entitled to compensation.

Keeping meticulous records and having an attorney review your contract can help avoid many potential issues. 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. •



## 2018 Knicks Game with MACC

### NEW YORK KNICKS vs. MINNESOTA TIMBERWOLVES



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