

## IN THIS ISSUE...

- 1 President's Message
- 1 May Meeting Notice
- 4 Editor's Notes
- 6 Casino Night Photos
- 7 June Meeting at Louie's Oyster Bar
- 8 Pearl – New Discrimination Theory
- 10 Aftermarket Equipment For Medium Fleets
- 11 Education & Energy Expo Notice
- 12 Zisholtz – Change Orders & Completion Costs
- 13 33rd Annual Golf Outing at the Hamlet

## Air Conditioning Contractors of America

Greater New York Chapter  
123 South Street,  
Suite 112  
Oyster Bay, NY  
11771

**RETURN  
SERVICE  
REQUESTED**

# Greater New York Contractors' NEWS



[www.accany.org](http://www.accany.org) PLEASE ROUTE THIS PUBLICATION WITHIN YOUR ORGANIZATION

May 2011

## President's Message



Michael Newman

**I** THINK IT IS A MIRACLE. It finally hit 70 degrees!! Spring is here and air conditioning season is in full effect. We need to prepare for working longer days, weekends and doing what we have to do to keep our clients cool. I hope everyone has a prosperous spring.

If you did not make it to the April event you missed out on a great time! This month we had our annual ACCA casino night. It was a fun night where

*Turn to President's Message on page 3*

## May 5th Membership Meeting FLOW METERS

How to Select and Install the Right Flow Meter

- ▶ Applications for Hot Water, Chilled Water, Steam, Condensate Return, Cooling Towers, and others
- ▶ What are the different flow meter technologies for these applications?
- ▶ What's new including ultrasonic clamp on?
- ▶ Meters will be on display
- ▶ How to pick the right meter, and what are the questions to ask?
- ▶ Installation considerations
- ▶ BTU meters for energy monitoring
- ▶ How to interface these meters with Building Management Systems, including "Wireless"

OUR PRESENTER BILL HOPLER has worked for Industrial Controls for (15) years and with Honeywell for (13) years. His specialty is instrumentation, with a heavy focus on flow meters. Bill has conducted flow seminars for commercial and industrial customers in the NY & NJ areas.

**May 5th, 2011  
LaGuardia Marriott  
Cocktails at 5:30 pm; Dinner at 6:30 pm  
Register Online at [www.accany.org](http://www.accany.org)**

ACCA, a federation of 60 state and local affiliated organizations, is the leading trade association representing the business, educational, and policy interests of the nation's heating, air conditioning, ventilation and refrigeration contractors. ACCA represents over 9,000 small businesses nationwide through its federation of affiliates.

**Amerisc Corp.**

**Atlynx**  
Surety Brokers, LLC

**Amerisc Benefits Corp.**

SPECIALIZING IN  
**INSURANCE PROGRAMS**  
FOR THE HEATING, VENTILATION AND  
AIR CONDITIONING INDUSTRY FOR OVER 20 YEARS!

*Commercial Insurance - Health & Life*  
*Bonds - Personal Insurance*

CONTACT FRANK ABBATIELLO  
Tel: 516-745-7500  
Fax: 516-745-7565  
e-mail: fabbatiello@theamerisc.com  
www.theamerisc.com



*"Large enough to deliver, small enough to care."*

# Cascade Quality Services Are Better Than Ever!

## Water Treatment

- Cooling Water
- Boiler Water
- Drinking Water
- Well / Ground Water

Scale, corrosion, biological growth, air & water born dirt & debris are expensive if not controlled properly. Total service and or advisory service programs are available that are custom designed specifically for your system.

## Cleaning Services

- Cooling Towers •Boilers
- Chillers •Piping
- "Closed" Systems
- Water & Air Cooled Condensers
- Air Handlers & Ducts •Tanks

Dirty systems are expensive, both in energy costs and downtime. Our trained service personnel and custom designed equipment and vehicles are available for prompt, cost efficient response to either *emergency* or scheduled cleanings.

## Rebuilding & Repair

- Cooling Towers
- Water Tanks

We restore cooling towers and tanks to original capacity at a fraction of the replacement cost.

**CASCADE**  
WATER SERVICES

113 Bloomingdale Rd.  
Hicksville, NY 11801  
Tel: (516) 932-3030  
Fax: (516) 932-0014

Licensed by: THE CITY OF NEW YORK  
DEPARTMENT OF HEALTH #20 000173, 14 000156;  
and the NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION # C1628716; All  
biocides are registered with the UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY.



**Quality  
Works**



**PRESIDENT'S MESSAGE** *Continued from page 1*

members participated in black jack, poker and other various gambling games. There was a magician and a paper cutter artist who shocked us with their talents. The prizes were generous and the food was delicious. We thank Jim Carlson for putting together this amazing night and all his hard work that went into it. Thank you Jim!!

This year we will be focusing on increasing the membership within our organization and seeking out greater participation from our contractors, suppliers and associate members. If anybody has an idea or issue relating to our business and industry, please get in touch with us and we will make it happen. How can ACCA help you this year? Are there any issues or topics you want to hear about this year?

Please use ACCA as a networking experience and a place where you can bring the hottest and most relevant business topics back to your day to day operations.

Thank you for your support and I look forward to seeing you at the next meeting! – **Mike Newman**

**Make a habit of checking  
the ACCA Chapter website at  
[www.accany.org](http://www.accany.org)**



4 Magnet Street  
Stony Brook, New York 11790



AUTHORIZED BUILDING  
CONTROLS SPECIALIST

Our staff of factory trained application and sales engineers are ready to help you meet the growing challenges of today's HVAC, Temperature Control and Building Automation Systems marketplace.

- HVAC, Pneumatic, DDC Controls
- Access Controls & CCTV
- Wireless Controls
- Systems Design
- Panel Fabrication - UL508
- Mechanical Equipment
  - \* VAV Boxes
  - \* Fan Coil Units
  - \* Blower Coil Units
  - \* Variable Frequency Drives
  - \* Dampers - Fire, Smoke, Control
- Wire & Cable

Phone: 631-689-5745 • Fax: 631-689-5463  
E-mail: [jmarcntl@optonline.net](mailto:jmarcntl@optonline.net)

## ACCA Greater NY Chapter

### Officers

#### President

Mike Newman, *Standard Refrigerator* - 718-937-0490

#### President-Elect

Al Trudil, *Almore Corporation* - 631-345-6050

#### Treasurer

Marc Soffler, *Dynaire Corp* - 516-248-9320

#### Secretary

Brian Aull, *Atlantic Contracting & Specialties Corp.* - 631-563-6510

#### Past-President

Anthony N. Carbone, *Systematic Control* - 516-482-1374

#### Executive Director

John F. DeLillo, 516-922-5832

### Directors

Steve Bergman, *Twinco Supply Corporation* - 631-547-1100

Roy Bernheimer, *Cascade Water Services* - 516-932-3030

James Carlson, *Michael James Industries (MJI)* - 631-231-3434

Ken Ellert, *Comfort Tech Mechanical* - 718-932-2444

Ron Nathan, *County Fair A/C Corp.* - 516-997-5656

John Ottaviano, *Air Ideal* - 516-873-3100

Greg Singer, *Martack Corporation* - 516-998-1000

Richard Staiano, *National Compressor Exchange* - 718-417-9100

Joe Stranieri, *Industrial Controls Distributors* - 212-947-3100

Harvey Stoller, *Airdex* - 718-646-7200

### Advisory Council

Robert Berger (retired)

Mark Bedson, *Brinco Mechanical Services* - 516-378-2277

Thomas Cleary (retired)

Anthony Cutaia, *Air Ideal* - 516-873-3100

John J. Fanneron, *BP Air Conditioning Corp.* - 718-383-2100

Michael Gelber, *Stan Gelber & Sons* - 516-538-0040

Gene Klochkoff, *Cascade Water Services* - 516-932-3030

Lauren Larsen, *Power Cooling* - 718-784-1300

Michael O'Rourke, *BCC Best Climate Control* - 631-218-8022

Brandon Stone, *All Weather Temperature Control* - 631-842-8777

James Stone, *All Weather Temperature Control* - 631-842-8777

Brian Svedberg, *BCC Best Climate Control* - 516-981-1008

### Committees

*Advertising/Newsletter*

Anthony Carbone

Donald Gumbrecht & Co.

*Baseball Outing*

Scott Berger

Nick Terran

*Casino Night*

Jim Carlson

*Golf Outing*

Ken Ellert

*Holiday Party*

Anthony Carbone

*Membership*

Ron Nathan

*Political Action*

Anthony Carbone

*Scholarship*

John Ottaviano

*Trade Show*

Rich Staiano

Steve Bergman

*Web Page*

Roy Bernheimer

*Greater New York Contractors' News is printed monthly by the Greater New York Chapter of ACCA. 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.*

# Editor's Notes

by Anthony N. Carbone

Rising gas prices will put the squeeze on businesses to raise prices and will cause consumers to think twice about spending discretionary monies. Alternatively, the Middle East unrest has caused oil speculators to buy oil futures with the anticipation of more chaos, and with a reduction in oil product, prices will rise.

This tinderbox is nothing but uncertainty for the American economy.

In these fragile times with some economic recovery in sight, one thing the United States doesn't need is uncertainty. The patchwork network of allies in the Middle East can go sour real quick. Friends of the U.S. for over 30 years, dictatorship or not, when it comes to crude oil we like stability. The idea of inserting new governments with the word "democracy" tied to them may backfire and cause devastation to the American economy. Not even the strategic oil reserves will be able to stabilize a major upheaval in the region. Hence the terms "renewable energy"

and "alternative energy" are not just buzzwords anymore. They are a certain reality that will cause American ingenuity to kick into high gear. The new American muscle cars just may be produced by G.E. with an electrical motor driving them. (I was hoping for something more along the lines of the "Jetsons.")

What is your opinion of how this energy crunch will impact the HVAC systems of the future. What advancements besides the Inverter Compressor or the Lennox Solar Panel Condenser will emerge as the next game changer for the HVAC contractor and the consumers' ever-thirsty interest in saving money and turning back the utilities' grasp on their pocketbooks and wallets?

Do you see the future? Are you George Jetson, with ideas that will change the future of the HVAC industry? OR, are you stuck in Bedrock? Let us know at ACCA!

— Anthony N. Carbone



**ABCO**  
REFRIGERATION SUPPLY CORP.®

## Fulfilling All Your HVAC / R Needs

☼ In-Depth Inventory
☼ On-Staff Experts
☼ Fast Delivery

**Bronx**  
600 East 132nd Street  
Bronx, NY 10454  
Phone: 718-401-1001  
Fax: 718-401-2286

**Brooklyn**  
100-01 Avenue D  
Brooklyn, NY 11236  
Phone: 718-257-5700  
Fax: 718-257-5880

**Manhattan**  
541 West 34th Street  
NY, NY 10001  
Phone: 212-929-8400  
Fax: 212-629-5768

**Staten Island**  
420 Bay Street  
Staten Island, NY 10304  
Phone: 718-273-0200  
Fax: 718-720-0500

**49-70 31st Street**  
Long Island City, NY 11101  
Phone: 800-786-2075  
Fax: 718-937-9776

**Hauppauge**  
33 Central Ave  
Hauppauge, NY 11788  
Phone: 631-234-5500  
Fax: 631-324-5077

**Hicksville**  
225 Charlotte Street  
Hicksville, NY 11801  
Phone: 516-938-8400  
Fax: 516-938-8421

**Suffern**  
12 North Airmont Rd  
Suffern, NY 10901  
Phone: 845-357-3322  
Fax: 845-357-5444

**White Plains**  
80 West Post Road  
White Plains, NY 10606  
Phone: 914-946-2020  
Fax: 914-946-6822





















**ABCO's Commitment:** *Pride Only In Exceeding Each Customer's Highest Expectations™*

**16 Convenient Locations Throughout the Northeast**

Long Island City • Brooklyn • Bronx • Manhattan • Staten Island • Hicksville, NY • Hauppauge, NY • Suffern, NY • White Plains, NY  
Stamford, CT • Totowa, NJ • Kenilworth, NJ • Philadelphia, PA • Center City, Philadelphia, PA • New Castle, DE • Somerville, MA

# The Contractors Choice!

CSI, is a complete full service company offering a large array of HVAC water treatment and air-conditioning services and supplies that many major HVAC Contractors utilize in the tri-state area.

- Water treatment chemicals and chemical feed equipment for cooling towers, closed systems, boilers and glycol systems.
- Air conditioning cleanings on an emergency or preventative basis including coils air/water cooled condensers, HVAC duct cleaning (including video taping of the ductwork conditions).
- Pre-cleaning of new piping systems.
- Cooling tower rebuilding and rehabilitation.
- Comprehensive indoor air quality evaluations and testing of drinking water.



*For a healthy building*

**Chemical Specifics, Inc.**

46-09 54th Road  
Maspeth, NY 11378

*For more  
information  
about CSI,  
call us at  
718-361-6666 or  
look us up on  
the web @  
CSIontheweb.com*

Member ACCA, NADCA & BOMA, NY



# ACCA CASINO NIGHT

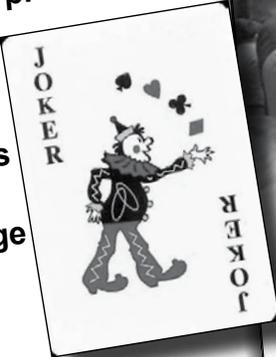


# FUN & GAMES



**Thanks to these great Sponsors  
of our Casino Night**

- ABCO Refrigeration Supply Corp.
- American Universal Supply Inc.
- Atlantic HVACR
- B & F/Johnstone
- Industrial Controls Distributors
- LIPA
- National Compressor Exchange
- The Amerisc Corp.
- Twinco Supply Co.
- Zisholtz & Zisholtz



# ACCA JUNE MEETING



## Cocktail Party in the BOAT ROOM

395 Main Street  
On The Water in Port Washington

### The Quintessential Waterfront Experience!

Situated on beautiful Manhasset Bay, this waterfront's magnificent location serves up a panoramic view of The NYC Skyline and The Long Island Sound.

**Thursday, June 2nd • 6:30 PM**

**Passed Hors D'Oeuvres • Raw Bar**

*unlimited shrimp, clams & oysters*

**Top Shelf Open Bar**

**\$25 pp RSVP by May 20th — 516-922-5832 or online at [www.accany.org](http://www.accany.org)**



**LIVE  
PIANO  
MUSIC**



# Become a LIPA Cool Homes Contractor

Earn more with LIPA contractor incentives every HVAC season!



Becoming a LIPA Cool Homes contractor can mean more business for your business. LIPA's comprehensive Cool Homes Program for contractors includes:

- Educational seminars, taught by independent trainers, on proper equipment sizing using ACCA Manual J and airflow and system charging.
- Additional HVAC technician self-development courses available online through vocational training companies. Visit [www.lipower.org/commercial/trade/online](http://www.lipower.org/commercial/trade/online). Special discounts are offered when registering through the LIPA Web site.

Learn more about LIPA's exciting customer and contractor incentives. Call 1-800-692-2626, or visit [www.lipower.org/efficiency](http://www.lipower.org/efficiency)

**LIPA...working with you for a more energy-efficient Long Island.**

The Cool Homes Program is part of LIPA's Efficiency Long Island initiative, a groundbreaking, 10-year effort to increase energy-efficiency and reduce greenhouse gas emissions on Long Island.



## People & The Workplace

By Alan B. Pearl,

Portnoy, Messinger, Pearl & Associates, Inc., Syosset, NY  
516-921-3400, Fax 516-921-6774 e-mail: ABPearl@pmpHR.com, Website: www.pmpHR.com

### Cat's Paw: A New Discrimination Theory For Employee-Plaintiffs

The Supreme Court of the United States recently reviewed a new theory of employment discrimination known as the "cat's paw." Under this theory, an employer may still be held liable for the discriminatory attitude of a supervising employee even if that supervisor did not make the termination decision. In Staub v. Proctor Hospital, a unanimous Court endorsed the "cat's paw" theory of discrimination liability, and in turn reversed a lower decision.

Staub sued for discrimination under the Uniformed Services Employment and Reemployment Rights Act (USERRA). This statute prohibits employment discrimination based on military service. The employer was initially granted summary judgment in the court below because there was no evidence that the person ultimately making the

termination decision held a discriminatory attitude towards Staub because of his military service.

The Supreme Court reversed, holding that the employer in this case was liable even though the ultimate decision maker held no antimilitary bias. Instead, an employer is liable for the acts of non-decision making supervisors which are the proximate cause of the adverse employment action so long as these supervisors were motivated by an antimilitary bias and intended to cause an adverse employment action. Staub's supervisors had written "bogus" warnings to his file because of their antimilitary bias.

Simply stated, if the decision maker is influenced by and relies on reports and memorandums issued by supervisors with antimilitary biases, the employer will be held liable.

Employers need to be aware that proper training of supervisors is crucial to protecting the company from discrimination lawsuits. Employers can now be held responsible for the discriminatory actions of supervisors who act on their biases but who don't necessarily make any termination decisions. Let PMP review your disciplinary procedures and set up training to help supervisors understand the most effective way to do their jobs and limit exposure.

#### Labor Law 195 Takes Effect in April

Since October 26, 2009, employers have been required under Section 195 of NY's Labor Law to provide certain information to new hires on their first date of employment and before the employee begins any work. This has commonly been referred to as a "new hire form." Effective April 9, 2011, employers are required to update the new hire form to conform to the New York Wage Theft Prevention Act. The Act also requires employers to revise the wage statements provided with every paycheck.

The updated 'new hire form,' formally known as a "Notice and Acknowledgment of Pay Rate and Payday" form, must be given to all new hires on their first date of employment before the employee begins any work. In addition, this "Notice and Acknowledgment of Pay Rate and Payday" form must be given to each employee annually, on or before February 1<sup>st</sup> of each year, starting February 1, 2012.

It is important to note that this form must be given to



We're your bridge to cost effective insurance management

- Home Builders Insurance Program
- Remodelers Insurance Program
- Trade Contractors Insurance Program

Contact: Anthony Capone, CIC, John Glanzman, CIC, Jim Murphy, CIC  
Joseph Teixeira or Edward C. Palace

**NEWBRIDGE  
COVERAGE CORP.**

1666 Newbridge Rd  
N. Bellmore, NY 11710  
Phone (516) 781-9000  
Fax (516) 781-9172

236 Main St.  
Center Moriches, NY 11934  
Phone (631) 325-1972  
Fax (631) 325-9065

<http://www.newbridgecoverage.com>



**LENNOX**

COMMERCIAL COMFORT SYSTEMS

**ENERGENCE™**  
Saving Energy with Intelligence

For More Information Contact Mike Cartelli at 917-270-8712

the employee in English as well as in the language identified by each employee as his/her primary language. However, if the DOL has not provided a model notice in the language identified by the employee, an employer may provide the form in English only. The employee must acknowledge receipt of this form in writing, preferably using the DOL form to ensure full compliance. There are currently six (6) separate model notices for the "Notice and Acknowledgment of Pay Rate and Payday" form (LS-54 through LS-59) on the New York DOL's website. Furthermore, any time the information in this form changes, the employee must be given a new form at least seven (7) days before the changes take effect.

Each time wages are paid, employers are also obligated to provide certain financial data to each employee. This information includes the name of the employee and employer, address and telephone of the employer, rates of pay and basis thereof, whether paid hourly, shift, weekly, etc., dates of work covered by paycheck, any deductions, gross wages, net wages, allowances claimed, and the overtime rate of pay, plus the number of regular hours worked and overtime hours worked. Any time the information in the wage statements should change, such as a wage increase, the employee must be given at least seven (7) days advance notice **unless** the next wage statement will reflect the changes.

Portnoy, Messinger, Pearl and Associates can help you further understand the topics discussed in this article, and adapt your internal HR policies accordingly. Of course, any questions about the above topics can be addressed to me at [ABPearl@pmphr.com](mailto:ABPearl@pmphr.com).



**portnoy  
messinger  
pearl & associates, inc.**

Partnering with ACCA  
for Comprehensive Human Resource Solutions

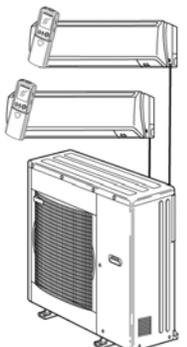
Policy Development \* Training \* Employee Handbooks \* Affirmative Action Plans  
OFCCP Audits \* Labor Strategies & Solutions \* Compliance \* HR Vulnerability Reviews  
Union Avoidance \* Arbitration \* NLRB Hearings \* Recruiting & Placement  
Compensation \* Job Descriptions \* Performance Management  
HR Outsourcing \* HR On-Site Mentoring \* HR Help Desk  
[www.pmpHR.com](http://www.pmpHR.com)    [abpearl@pmpHR.com](mailto:abpearl@pmpHR.com)  
516-921-3400



**MITSUBISHI  
ELECTRIC**

Cooling and Heating Solutions  
[www.mitsubishicomfort.com](http://www.mitsubishicomfort.com)

John Hanley  
973.256.3690  
[jhanley@hvac.mea.com](mailto:jhanley@hvac.mea.com)

**A&R TECHNICAL**  
**ANRTECHNICAL.COM**  
**516-827-9570**

**We now offer EPA on-line testing with instant results!**  
Single students accepted.  
3 hr. Training session.  
2 hr. for Universal test.  
Training manual included.

**EPA preparation and testing last Saturday each month.**

*Custom Training for your needs!*

**NATE & HVAC Excellence on-line proctored testing**  
3 hr. review 2 hr. test

**Program Preparation**  
6 sessions 3 hr. each course

*Core*  
Electrical Application      Commercial Gas Heat  
Air Conditioning              Commercial A/C  
Heat Pump                      Commercial Refrigeration  
Residential Gas Boilers: Install and Service  
Standard and High Efficient, Wall Hung  
Class Starts upon Enrollment  
Call Art for information and pricing 516-827-9570  
*Special rates ACCA Members*




**ACCA**  
**Night Out**  
**With**  
**The Mets**

Major Sponsor:  
ABCO  
Refrigeration  
Supply Corp.



**Friday, May 6th**  
**vs. LA Dodgers**  
**Tickets: \$23**  
**Register online at**  
**[www.accany.com](http://www.accany.com)**

## Aftermarket Equipment for Medium-Size Fleets

By Kelly Hiner/Enterprise Fleet Management

Matchmaking is never easy. With rapidly changing engineering and design of light and medium duty trucks, it is more challenging than ever to select the right aftermarket equipment for a specific vehicle. Furthermore, it is virtually impossible to effectively transfer aftermarket equipment between vehicle models. As in every relationship, compatibility is the main issue.

Over the last few years, it seems as if each manufacturer has customized each model with a unique set of characteristics. For example, variations in positioning of the fuel tank and exhaust system can create serious interference and clearance issues. As a result, some equipment that fits one model just won't fit another. With no standard layout, spec-ing aftermarket equipment requires experience, expertise and advance planning.

When installing aftermarket equipment, original equipment manufacturer upfit modification restrictions must always be followed. There is no viable alternative to doing it right the first time. Accurate selection and proper installation of aftermarket equipment impacts everything from vehicle performance, maintenance costs, resale value and compliance with various Federal Motor Vehicle Safety Standards (FMVSS).

Manufacturers continue to downsize vehicles to maximize fuel efficiency and improve performance. As

a result, most pre-engineered, turnkey products, such as shelving, racks and bins, are generally not compatible with the height, width and space limitations of every make and model. For long-term satisfaction, quality control is critical and requires working with qualified vendors approved by manufacturers to guarantee the final product meets all final certification standards.

Businesses with medium-size fleets can save time and money by working with a fleet management professional who can arrange for a vehicle to go directly from the manufacturer to the aftermarket provider before taking delivery. In addition to being more efficient and ensuring the vehicle is delivered in the best possible condition, this approach avoids downtime for a company that might otherwise have to send one or two employees to drop off and pick up a vehicle for aftermarket equipment instead of spending their time serving their customers.

If there is a problem with the aftermarket equipment installation, using an approved vendor that has built-in quality control and checkpoints makes it easier to determine responsibility. An actual case in point occurred when a company ordered a truck with a refrigeration unit but did not discover until several months later, when they tried for the first time to turn on the unit, that it had never been installed. Because the work had been done by a qualified vendor, there was a documented file and the problem was fixed immediately.

There is always the temptation to find a "deal" for aftermarket equipment. But for long-term satisfaction, optimal performance and best resale value, the best advice is to consider aftermarket equipment needs at the same time an order is placed for a new truck. A professional fleet management company will know what components work well together for different model vehicles, help anticipate wear and tear for company's particular needs, and provide a solid quote.

*Kelly Hiner is Group Sales Manager for Enterprise Fleet Management in New York and can be contacted at 973-709-2499. Visit the company's web site at [www.enterprisefleet.com](http://www.enterprisefleet.com) or call toll free 1-877-23-FLEET. •*

### COMPRESSORS

CARRIER / CARLYLE \* COPELAND \* TRANE \* YORK \*  
LIEBERT \* DUNHAM BUSH \* DANFOSS \* BRISTOL & MANY MORE  
OILS \* ACCESSORIES \* FULL STOCK  
Certified Remanufacturer of Reciprocating,  
Hermetic, Screw & Semi Hermetic Compressors

CALL TODAY:

1.800.225.7381 - 718.417.9100



NATIONAL COMPRESSOR EXCHANGE, INC.<sup>®</sup>  
75 ONDERDONK AVE, RIDGEWOOD, NY 11385



[WWW.NATIONALCOMPRESSOR.COM](http://WWW.NATIONALCOMPRESSOR.COM) • [INFO@NATIONALCOMPRESSOR.COM](mailto:INFO@NATIONALCOMPRESSOR.COM)

**Kevin Hughes**  
Area Sales Manager

**Paul Bambinelli**  
Account Executive

718-458-7920, ext. 303  
[paul.m.bambinelli@erac.com](mailto:paul.m.bambinelli@erac.com)



8334 23rd Avenue  
East Elmhurst, NY 11376  
718-458-7920  
[www.enterprise.com/fleets](http://www.enterprise.com/fleets)



Kevin Cirincione  
President

**COUNTY ENERGY CONTROLS, LLC**

A wholly owned subsidiary of County Pneumatic Controls, Inc.

Web-Based Energy Management Systems

429 Montauk Hwy - POB 780  
East Quogue NY 11942  
[www.countyenergycontrol.com](http://www.countyenergycontrol.com)

p: (631) 653-9124  
f: (631) 653-9177  
e: [kevin@countyenergycontrol.com](mailto:kevin@countyenergycontrol.com)

## 2011 Education & Energy Efficiency Expo Will Be Held June 22nd at Leonard's

The Greater New York Chapter, ACCA, in conjunction with National Grid, Con Edison, the Master Plumbers Council and PHCC will hold the 2011 Education & Energy Efficiency Expo at Leonard's of Great Neck on June 22, 2011 from 3 pm to 8:30 pm.

For information and registration contact the ACCA office at 516-922-5822. •

### We Want You! Join a Committee!

Call John DeLillo at 516-922-5832

For All Your HVAC Requirements



Twinco Supply Corp.

**TWINCO LOCATIONS**

**Long Island 11746**  
55 Craven St. • Huntington Station, NY  
Tel: 631.547.1100 Fax: 631.547.1103

**Long Island City 11101**  
10-11 38<sup>th</sup> Ave. • Long Island City, NY  
Tel: 718.729.0005 Fax: 718.729.3866

**New York City 10001**  
548 West 28<sup>th</sup> St. • New York, NY  
Tel: 212.631.0555 Fax: 212.631.0776

[www.twinco.com](http://www.twinco.com)

## JOHN F. DELILLO

*Certified Public Accountant*

**ACCOUNTING  
TAX & BOOKKEEPING SERVICES  
BUSINESS VALUATIONS**

*SPECIALIZING IN THE  
HVAC INDUSTRY*

*CERTIFIED  
QUICKBOOKS PROADVISOR*

**123 South Street, SUITE 112  
Oyster Bay, NY 11771**

Tel: (516) 922-2102 • Fax: (516) 922-1414

[www.johndelillocpa.com](http://www.johndelillocpa.com)  
Email: [john@johndelillocpa.com](mailto:john@johndelillocpa.com)

## Things are looking up at **BLACKMAN**



**Blackman is your one-stop HVAC supply center, featuring these great brands:**

- Ruud
- Heil
- Hart & Cooley
- Acme
- Honeywell
- Fujitsu
- Diversitech
- Honeywell
- Shurtape
- Cambridge-Lee



**BLACKMAN**<sup>®</sup>  
PLUMBING/HEATING/COOLING SUPPLIES  
[www.blackman.com](http://www.blackman.com)

Manhattan . . . . .	212-337-1000	Wantagh . . . . .	516-785-6000
Flushing . . . . .	718-939-7200	Bohemia . . . . .	631-567-1551
Queens Village . . . . .	718-479-5533	Medford . . . . .	631-475-3170
Lynbrook . . . . .	516-593-3100	Rocky Point . . . . .	631-744-1955
Mineola . . . . .	516-742-1011	Riverhead . . . . .	631-727-4800
Hicksville . . . . .	516-931-6144	Southampton . . . . .	631-283-1500
Huntington . . . . .	631-271-0500	General Offices . . . . .	631-823-4300

## ***Statement From Stuart S. Zisholtz, Esq.***

### **Change Orders And Additional Completion Costs**

Recently, I was contacted by a perspective client who performed work directly for an owner in New York.

The contract between the owner and the contractor contained a specific completion date. During construction, however, the contractor was delayed various times due to changes in the work requested by the owner. The contractor requested an extension of time from the owner which the owner refused to grant. As the completion date approached, the owner demanded that the project be completed on time or cost over run charges would be back-charged against the contractor.

As such, the contractor was required to perform the work in a shorter period of time than the time extension would have granted him and he incurred additional costs and expenses due to the acceleration. These costs included additional workers, overtime, etc.

Now, after the project was completed and approved by the owner, the contractor was seeking the additional costs associated with the acceleration.

The question is, can the contractor who performed the work and completed the project recover the additional costs associated with the work even though those additional costs were not signed and approved by the owner?

The general answer to that question is yes. A contractor can recover from an owner the additional costs associated with accelerating the work by showing that the contractor was ordered to accelerate and the owner refused to grant additional time, any delays in not meeting the completion date were excusable and that the Contractor did, in fact, incur additional costs.

In some instances, the contractor may have to prove that he was specifically ordered, directly or indirectly, to accelerate. What constitutes an order to accelerate usually depends upon the facts and circumstances of each case.

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.

*Stuart S. Zisholtz is a partner in the law firm of Zisholtz & Zisholtz, Mineola, New York, a general practice firm specializing in Construction Law and Mechanic's Liens. He is also a member of the Greater New York Chapter, ACCA. He can be reached at 516-741-2200. •*



### **Your Totaline® sales center has got you covered.**

You have a lot on your mind – you're a busy HVAC/R pro with new challenges to meet every day. That's why your Totaline sales center is the one-stop shop for all your HVAC/R needs. From after-market motors and compressors to thermostats and IAQ products, we'll help you get the job done. Need chemicals, tools, fittings, and installation items? Or maybe the little things, like duct tape and wasp spray? We've got those, too. And remember – we carry a full line of Factory Authorized Parts, which provide an exact-fit, drop-in replacement on Carrier®, Bryant®, and Payne® products.

**Reminder: You know we're full of hot air.**

**But did you know that we're also all wet?**

**bryant**

FACTORY  
AUTHORIZED  
PARTS

**Carrier**

TOTALINE

VIE MANN WILLO Bell & Gossett

Ask about hydronic  
heating solutions from:

LARSBURG QUIETSIDE Rinnai

TriangleTube

WATTS Taco Honeywell

**Bohemia**  
21 CROSSWAYS EAST  
BOHEMIA, NY 11716  
Phone: (631) 588-2181  
Fax: (631) 218-8104  
Manager: Tom Rucci

**Brooklyn**  
445 CONEY ISLAND AVE  
BROOKLYN, NY 11218  
Phone: (718) 287-5927  
Fax: (718) 287-6134  
Manager: Paul Reynolds

**Farmingdale**  
175 CENTRAL AVE- Suite 300  
FARMINGDALE, NY 11735  
Phone: (631) 501-5720  
Fax: (631) 501-5733  
Manager: Andrew Casey

**Maspeth**  
48-23 55TH AVE  
MASPETH, NY 11378  
Phone: (718) 472-0200  
Fax: (718) 472-6330  
Manager: Mike Byrnes

# ACCA 33rd Annual Golf Outing

## Monday, August 15, 2011



9:00am Registration  
9:30 am Breakfast  
11:30 am Shotgun Start  
4:30 - 5:30 Cocktail Hour  
5:30 - 8:30 Dinner

**Book Early - Reservations Limited**  
**Reserve online at [www.accany.org](http://www.accany.org)**



**THE  
HAMLET  
GOLF & COUNTRY CLUB**  
**Commack, NY**



Commercial and Residential Heating & Air Conditioning Equipment  
Air Movement & Air Quality Products, Controls, Accessories,  
Supplies & Building Automation Systems

***Serving the Greater New York & Metro Trading Areas***

**Contact us to learn how we can help you!**

Elmsford, NY • (914) 347-3929

Headquarters in NJ • 1-800-886-8740

Nick Conte cell • (201) 618-9687





## Expand Your Residential Business Through Energy Efficiency



- ✓ Offer customers valuable rebates of **up to \$1,000** on the purchase of qualified equipment and services.
- ✓ Receive **cash incentives** for completing Quality Installations\*.
- ✓ Access sales training and marketing materials.

Qualifying equipment can be installed by a licensed contractor who meets all New York State and local municipality requirements.

\* Contractors may be eligible for an incentive of \$200 if they are BPI-certified as a Central Air Conditioner and Heat Pump Specialist and provide documentation that an ACCA Manual J load calculation worksheet has been completed to determine the proper size of installed equipment.

Call **1-800-430-9505** or visit **conEd.com/HVACrebates** to request additional information.



Dedicated to the success of our HVAC partners



Wholesale Distributors ■ Air Conditioning ■ Heating

485-13 South Broadway  
**Hicksville, NY 11801**  
 516-931-6500  
 Fax: 516-931-6566

80 13th Avenue, Suite 4  
**Ronkonkoma, NY 11779**  
 631-981-4000  
 Fax: 631-580-3792

5-15 54th Avenue  
**Long Island City, NY 11101**  
 718-937-7300  
 Fax: 718-706-6529

175 Clearbrook Road  
**Elmsford, NY 10523**  
 914-592-0020  
 Fax: 914-592-0291

You can also find these and other quality products and services at [www.wallworkgroup.com](http://www.wallworkgroup.com)

