MACCNY NEWS

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FALL 2026 - VOLUME 5

As colder months approach, the HVAC industry is gearing up for another busy heating season. Falling temperatures bring increased demand for maintenance, repairs, and emergency service, making preparation more important than ever. As the season gets underway, HVAC professionals remain essential to keeping homes and businesses warm, safe, and running efficiently.



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SAVE THE DATE

October Membership Meeting
Thursday, October 8, 2026
5:30 - 8:00 PM • The Halston

Discussion Topic: AI IN ACTION: See the Future of Your HVAC Business.

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From the President

Sean Libby
The TurboChyll Company

Dear MACCNY Members,

I hope everyone had a great summer. As we head into the fall, there is a lot happening at MACCNY and in our industry.

First, I want to thank everyone who joined us for our 47th Annual Golf Outing. We had 122 golfers and 17 major sponsors, making it another great day of golf, networking, and spending time with friends throughout the industry. I'm also proud that MACCNY was able to donate $2,500 to Make-A-Wish. Our 50/50 winner, John Chandler from the Adams Group, generously donated his $350 winnings back to Make-A-Wish, bringing this year's total donation to $2,850. Over the years, MACCNY has now donated a total of $56,500 to Make-A-Wish, something I think everyone involved with our association should be proud of. Thank you to John, Lara the golf committee and all our sponsors, golfers and everyone who helped make the day such a success.

Looking ahead, I'm excited about our October 8th meeting, "AI in Action: See the Future of Your HVAC Business." We will be joined by Mark Shivers, AI Strategist and Digital Transformation Expert, who will focus on real-world ways AI can help our HVAC companies from field operations and automated workflows to purchasing, compliance and better business decisions.

There is a lot of talk about AI right now, but our goal is to get past the hype and show our members tools and ideas they can bring back and use in their businesses. I encourage our owners to bring members of your team to this meeting. It should be a great opportunity for operations managers, project managers, office staff, and anyone interested in how AI can make us more efficient and competitive.

Workforce development needs to remain a major focus for MACCNY. We have been working to get in front of high school and trade school students and show them that HVAC can be a great career. We also need to continue supporting training opportunities and our scholarship program and doing everything we can to bring more young people into our industry.

Those of us who have been fortunate enough to build careers and businesses in HVAC also have a responsibility to help develop the next generation. Sometimes all it takes is getting in front of a classroom and explaining what an HVAC technician, mechanic, salesperson, project manager, or business owner can accomplish in this industry.

I would also like to see more of our members get involved with MACCNY. We have a lot of knowledge sitting in the room at every meeting. Some of the best information I have received over the years hasn't come from a presentation, it has come from talking with another contractor who has already dealt with the same problem I was facing.

That is what I want MACCNY to continue to be about: contractors helping contractors, sharing ideas, developing our people, and making all our companies stronger.

I hope to see a great turnout on Thursday, October 8th, from 5:30–8:00 PM at The Halston. I think this is going to be a meeting worth bringing your team to.

I look forward to seeing everyone there.

Sincerely,
Sean Libby
President MACCNY

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Editor's Notes *By Anthony N. Carbone, Systematic Control Corp.*

The Hidden Cost of HVAC Warranties: Who Should Bear the Burden?

Equipment manufacturer's warranties can be an administrative nightmare for HVAC contractors.

Once upon a time if you purchased the "lower end" machinery, a 5-year parts warranty would come with some unitary equipment. Then a company named Goodman began to offer a 10-year warranty on parts and the compressor. It used to be 1-year parts and 5-year compressor. Then it was 5-years parts and 5-years compressor. Then in the name of competition 5-year parts and 10-year compressor. Then if you ordered "higher end" equipment, manufacturers began to offer 10-year parts and 10-year compressor warranties. Now mostly everything in unitary equipment offers 10-year parts and 10-year compressor. This is basically saying the manufacturers are "putting their money where their mouth is". They are telling the contractors and the consumers they are standing behind their products.

Well as these parts begin to fail as mechanical products do…the process of attaining these warranty parts can be arduous. Remember we install products for homeowners that have a warranty from the product manufacturer. The homeowner does not call in the broken part to the manufacturer, we the contractors do. We in essence are the middle man so to speak in obtaining this part for the customers as we represented the product to the consumer. The manufacturer has appealed to the contractor to sell their product with these warranties.

Here lies the problem. The time-consuming administration of creating a case number, speaking to a manufacturer's technical department and obtaining the part for the consumer is not being compensated by the manufacturers to the contractor. The cost of the time to attain the part and the shipping costs is all becoming an administrative nightmare to the contractor. Now manufacturers are charging us for the warranty part and then we have the pursue the credit via their process.

By summer's end, there can be over $100,000.00 of parts that credits are being pursued for from warranty failures. Mitsubishi and other ductless split units are now offering 12-year parts and compressor warranties.

Maybe the responsibility to obtain the part should be that of the consumer after its identified failure by the contractors. What are your thoughts and experiences regarding warranty parts from HVAC manufacturers?

Editor's Notes *By Jason Staiano, National Compressor Exchange*

Beyond the Tool Bag: Why Continuous Education is Our Strongest Competitive Advantage

In the HVAC/R industry, the equipment, regulations, and customer expectations we face today look vastly different than they did even five years ago. From navigating Local Law 97 compliance and A2L refrigerant safety protocols to mastering smart controls and advanced diagnostic tools, the pace of change across the industry isn't slowing down—it's accelerating.

As business leaders, suppliers and contractors, our primary responsibility to our clients isn't just showing up when something breaks or supply a product for the sake of making a sale; it's making sure our teams have the knowledge to deliver the right solution every single time.

Investing in continuous training for our team; technicians, estimators, sales staff and office managers is no longer an optional perk—it's a core operational strategy. A team that stays up to date:

- Eliminates Costly Callback Friction: Well-trained team members provide the right product for the right solution from the start, and technicians diagnose root causes correctly on the first visit, protecting your labor margins and building client trust.

- Positions Your Business as a Trusted Advisor and Resource: When clients face complex retrofit decisions or efficiency mandates, they don't just want an installer or supplier trying to just make a sale —they want an expert who can guide them through equipment selection, utility incentives and provide product knowledge.

- Drives Employee Retention: Team members want to work for companies that invest in their growth, money is not always the main driver for retention or job satisfaction. Providing structured education and access to trade certifications keeps your best talent in-house.

Building a culture of learning doesn't mean sending your entire team away for weeks at a time. It means taking advantage of manufacturer seminars, reading trade journals, leveraging MACC technical workshops, and fostering an environment where experience is shared across the company.

The companies who will thrive over the next decade won't necessarily be the biggest, they will be the most adaptable and informed. Making education and training a priority for our teams today will continue setting the standard of excellence for tomorrow.

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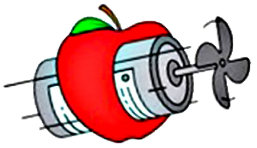
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What an incredible day on the course!

MACCNY's 47th Annual Golf Outing was a tremendous success! Thank you to everyone who joined us for a fantastic day of golf, networking and camaraderie. It was wonderful to bring together so many members, industry partners, colleagues, and friends.

A special thank you to our generous sponsors: **B&F Johnstone Supply, Nationwide Coils, Milwaukee Tool, Carrier Enterprises, USI Insurance, Daikin Comfort Technologies, Sid Harvey's, Zisholtz & Zisholtz, LLP, Homans Associates & Mitsubishi, Insignis Financial, and NALCO/Ecolab**. Your continued support helps make events like this possible, and we truly appreciate your commitment to MACCNY and our industry.

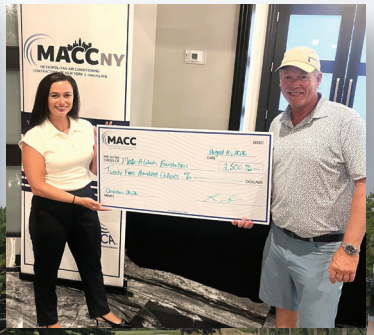
Most importantly, thank you to everyone who attended and made the day so memorable. We hope you had a fantastic time, and we can't wait to welcome everyone back for **MACCNY's 48th Annual Golf Outing!**


















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MARK SHIVERS
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Spotlight: BARBARA DEMATTEO, HUMAN CAPITAL BUSINESS ADVISOR, RIMON LAW



"Figure it out." That was the entire training Barbara DeMatteo received before her first job interview - the one where she was the interviewer. It was more than 35 years ago, at a financial firm that had just moved from Manhattan to Long Island and needed to grow from 60 employees to 1,000 in a single year. Her boss told her she had an interview to conduct the next morning. Barbara said she didn't know how. Her boss said, "figure it out."

"The candidate was a polished, retired New York City police sergeant, and I was intimidated, inept, and completely inappropriate," Barbara laughs. "I look back and think, over the years, I can only imagine what he was saying about this foolish young girl who didn't know what she was talking about." Since that morning, she has interviewed thousands of people and taught many more how to do it well.

Today, Barbara is a Human Capital Business Advisor with Rimon, where she works with companies that don't have a human resources department, and with the ones that do. "We become their HR partner and help them navigate the people's issues that come with running and growing a business," she explains. For companies that already have HR, she is the one HR calls, providing training, development, and employee handbooks. Her clients range from two employees to thousands.

Human resources was not Barbara's original plan. She graduated from St. John's University with a degree in criminal justice and wanted a career in law enforcement. She took the New York City police test, the Nassau County test, and the Suffolk County test, and she interviewed with the CIA. In the early 1980s those processes took forever, so she took a job at Dreyfus, the mutual fund company, in Manhattan. Two years later the city and Nassau County called. By then she was working and not looking for change. "I probably would have been hired, and I'd be on my second career with a full pension right now," she laughs. Instead, her boss told her to do an interview, and that turned into the rest of her career.

Barbara has watched the field change completely along the way. "Back then it was called personnel, then it became human resources, and now it's human capital," she says. "It used to be a transaction. You were an employee; you were an employee number." The work now is about employee relations, meaning how you build a culture people want to join and then keep them wanting to stay. Today, applicants are interviewing the company as much as the company is interviewing applicants.

Another big shift is in employment law, which has become complex at both the federal and state level. "It's no longer black and white," she says. "It really never was, but now it's very big areas of gray, because it is very easy for an individual to file a claim."

When you ask Barbara what she loves about her work, she answers quickly and enthusiastically, "all of it!" She gets real satisfaction from helping owners and CEOs through hard situations, and just as much from helping employees get what they want for themselves and their families. Training is one of her favorite areas. Teaching managers to be better managers of people, and coaching executives to be better leaders, is "really where my heart lies." Asked what she would change, and she answers even faster and more emphatically, "Nothing!" Her only wish is to meet more companies that want their managers to grow.

Barbara advises that anyone entering the field should enjoy working with people. They need to have empathy and integrity. "Doing the right thing when nobody's looking," as she puts it, has carried her through more than 20 years with the same consulting firm under different names.

Outside her job, Barbara shares her wisdom as a mentor with the Moxxie Mentoring Foundation, a Long Island organization that works with young women from their junior year of college through their first years on the job. Its motto is 'get your moxxie on,' empowering women to stand up for themselves and make their voices heard. "Women are afraid to ask for a raise. Ask for it," she says. "What's the worst thing that can happen? Somebody's going to say no?"

Barbara is also happy to once again be a part of MACC. Her connection to the organization goes back years. When she joined the consulting world at Portnoy, Messinger, Pearl & Associates, attorney Alan Pearl was deeply involved in the association, and the two of them gave a number of presentations to members. That is how she got to know many members, John DeLillo among them. The firm eventually became part of Rimon, and life pulled her toward other networking, but she pushed to re-join, and this year she did. "I am thrilled to be able to come back to MACC and support the members with knowledge and information and protect everybody's business from potential liability as it relates to employees and employment law," said Barbara.

Outside the office, Barbara lives on Long Island and is happiest outdoors with her hands in her garden. If she weren't in human resources, she says, she would be in the gardening and landscaping business. "I'm happy when I'm covered in mud, head to toe."

For someone whose career began with three words of instruction, Barbara has spent 35 years making sure nobody else has to 'figure it out' alone. "Every employee is a company's greatest asset," she says. "If we find out what each individual wants, and we can meet their needs as well as them meeting ours, you'll have happy people who will stay with you forever." Simple, and it is the exact reason why the companies that work with her keep her around.

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Statement from Stuart S. Zisholtz, Esq.

WHAT DOES A MECHANIC'S LIEN DO FOR YOU?

The importance of filing a mechanic's lien timely cannot be emphasized enough. Many times it is the difference between getting paid and not getting paid.

If the owner owes the general contractor as much as or more than your Mechanic's Lien, the likelihood of recovery is very high. However, as time passes, the likelihood that the owner paid the general contractor increases. Once that happens, the power of the Mechanic's Lien decreases.

If you are the unfortunate "dupe" (or dope) who allowed your lien time to expire because you believed "the check is in the mail" or "I was promised money next week and will be able to pay you", what do you do?

You can sue the general contractor for breach of contract and hope he does not file for bankruptcy, disappear or become defunct. You can also sue the general contractor as well as the individual officers and directors of the corporation who control the funds for diversion of trust funds.

Normally, the law shields a party from personal liability for a corporate debt. However, the Lien Law allows a subcontractor to sue the individual officers and directors who control the trust funds and are responsible for diverting the funds specifically allocated to pay the subcontractors.

The Lien Law requires that any funds received by the general contractor on a specific job must be used to pay the subcontractors performing work on that project. The law applies even in bankruptcies. It is a very powerful weapon but I caution you that it is no substitute for a timely filed mechanic's lien.

This scenario can be compared to a trust account set up for a specific purpose. The money in the trust account cannot be used for anything other than for what it was specifically designed for. Any unauthorized payments by the executor of the trust results in personal liability.

It is imperative, however, that your books and records be sufficient to establish your claim. Once that is done, all other areas usually fall into place.

Recently, we entered a judgment in excess of $400,000 against the officers of a defunct corporation for diverting trust funds. The likelihood of collecting on the judgment directly from the officers is very good because we located the officers' assets. Keep in mind, however, that a timely filed Mechanic's Lien would have avoided all of these additional proceedings and expedited recovery.

Never let your lien time run out!!

For a free copy of our most updated pamphlet pertaining to Mechanic's Liens and payment bonds, kindly contact me.

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New York Employees Gain New Rights to Access Their Personnel Files

New York employers will soon face new requirements regarding employee personnel records.

On September 9, 2026, Governor Kathy Hochul signed Senate Bill S.3460 into law, creating a new Section 210-b of the New York Labor Law. The law gives current and former employees the right to obtain copies of their personnel records and establishes new requirements for employers regarding negative information placed in an employee's file.

The new law takes effect November 8, 2026.

What Employers Need to Know

Under the new law:

- **Personnel file requests:** Employers must provide requested personnel records within five business days, at no cost to the current or former employee. Employers are generally not required to allow an employee to review their personnel record more than twice during a calendar year. However, a review associated with newly added negative information does not count toward those two annual reviews.
- **Negative information:** Employees must be notified within 10 days when information is placed in their personnel record that may negatively affect employment, promotion, compensation, transfer, or disciplinary action.
- **Employee response:** Employees who disagree with information in their file may submit a written statement explaining their position, which must be maintained with the record.
- **Record retention:** Personnel records must generally be maintained throughout employment and for three years after employment ends.

- **No retaliation:** Employers may not retaliate against employees for exercising their rights under the law.
- **Penalties:** Violations may result in fines ranging from $500 to $2,500.

What Should Employers Do?

Employers should review their personnel-file procedures before the law takes effect. HR should establish a process for receiving and responding to requests, notifying employees when negative information is added to their files, maintaining employee rebuttals, and retaining records for the required period.

Managers should also be reminded that written warnings, performance documentation, disciplinary records, and other employment-related documents should always be factual, professional, and appropriate for the employee to review.

With employees gaining greater access to their personnel records, good documentation practices will be more important than ever.

This information is provided for general informational purposes and is not intended as legal advice. Contact Rimon Law if you need further assistance.

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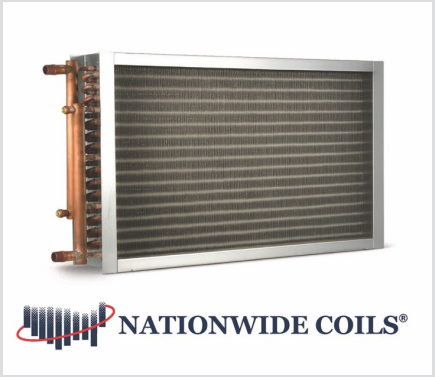
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CALENDAR | 2026

JAN 15
Board Orientation
Blackstone's
4 – 8 PM

FEB 12
Membership MTG
The Halston
5:30– 8 PM

APR 9
Membership MTG
The Halston
5:30– 8 PM

JUN 12
Mets Outing
Citi Field
7 PM

AUG 10
Golf Outing
Village Club
9 AM

Oct 8
Membership MTG
The Halston
5:30– 8 PM

NOV 5
Membership MTG
The Halston
5:30– 8 PM

DEC 3
Holiday Party
Rare 650
6:30– 10:30 PM

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