

# The Business Council of Westchester

## 2017 Legislative Agenda



Anthony J. Justic  
*Chairman of the Board*

Dr. Marsha Gordon  
*President/CEO*

George Lence  
*Vice Chair Governmental Action*

John Ravitz  
*Executive Vice President/COO*

**Build. Connect. Win.**

**White House**

Donald J. Trump, *President*  
Mike Pence, *Vice President*

**United States Senate**

Charles E. Schumer  
Kirsten Gillibrand

**United States House of Representatives**

16<sup>th</sup> C.D. Eliot L. Engel  
17<sup>th</sup> C.D. Nita M. Lowey  
18<sup>th</sup> C.D. Sean Patrick Maloney

**New York State Public Officials**

Andrew M. Cuomo, *Governor*  
Kathy Hochul, *Lt Governor*  
Thomas DiNapoli, *Comptroller*  
Eric T. Schneiderman, *Attorney General*

**State Senate**

34<sup>th</sup> S.D. Jeff Klein  
35<sup>th</sup> S.D. Andrea Stewart-Cousins  
36<sup>th</sup> S.D. Jamaal Bailey  
37<sup>th</sup> S.D. George Latimer  
40<sup>th</sup> S.D. Terrence Murphy

**State Assembly**

88<sup>th</sup> A.D. Amy Paulin  
89<sup>th</sup> A.D. J. Gary Pretlow  
90<sup>th</sup> A.D. Shelly Mayer  
91<sup>st</sup> A.D. Steve Otis  
92<sup>nd</sup> A.D. Thomas J. Abinanti  
93<sup>rd</sup> A.D. David Buchwald  
94<sup>th</sup> A.D. Kevin Byrne  
95<sup>th</sup> A.D. Sandra R. Galef

**Westchester County Public Officials**

Robert P. Astorino, *County Executive*  
Timothy Idoni, *County Clerk*  
Anthony Scarpino, Jr., *District Attorney*

**Board of Legislators**

1<sup>st</sup> District John G. Testa  
2<sup>nd</sup> District Francis T. Corcoran  
3<sup>rd</sup> District Margaret A. Cunzio  
4<sup>th</sup> District Michael B. Kaplowitz, *Chairman*  
5<sup>th</sup> District Benjamin Boykin  
6<sup>th</sup> District David B. Gelfarb  
7<sup>th</sup> District Catherine Parker  
8<sup>th</sup> District Alfreda A. Williams  
9<sup>th</sup> District Catherine Borgia  
10<sup>th</sup> District Sheila Marcotte  
11<sup>th</sup> District James Maisano, *Vice Chairman*  
12<sup>th</sup> District Mary Jane Shimsky  
13<sup>th</sup> District Lyndon Williams  
14<sup>th</sup> District David J. Tubiolo  
15<sup>th</sup> District Gordon A. Burrows  
16<sup>th</sup> District Kenneth W. Jenkins  
17<sup>th</sup> District Virginia Perez

**Mayors**

Richard Thomas, *Mt. Vernon*  
Noam Bramson, *New Rochelle*  
Frank Catalina, *Peekskill*  
Thomas Roach, *White Plains*  
Mike Spano, *Yonkers*

**The Business Council of Westchester's top priority is to help create economic opportunity for all in Westchester County.**

**BELOW** BCW members gather in the NYS Assembly Chamber during their 2016 Albany Lobby Day.

**Overview**

The Business Council of Westchester (BCW) is the county's premier business membership and advocacy organization. The Business Council of Westchester's top priority is to help create economic opportunity for all in Westchester County.

The Business Council of Westchester represents over **1,000 members**, ranging in size from multinational corporations, leading global bio-tech companies, professional service firms, hospitals and universities, mid-size businesses, not-for-profit organizations and small business owners in every sector of the county's diverse economy. The members represent over **200,000 employees** in Westchester County and beyond. Most importantly the members continue to help drive the county's economy in creating economic growth and jobs. The Business Council of Westchester is proud of its open, inclusive and collaborative culture which is fostered through the involvement of its members and the strong leadership and dedication of its Board of Directors. Many of The Business Council's members conduct business on a regional, state-wide, national and international level, which has served to create opportunities for business growth in Westchester.

The Business Council of Westchester is a private not-for-profit corporation funded by annual investments by its members.



# Government Action Council

**The BCW works with local, state and federal elected officials to convert legislative goals into reality.**

**BELOW** The BCW's Political Leadership Speaker Series brings key government officials to meet with BCW members. *left to right:* Tony Justic; Ed Cox, Chair of NYS Republican Committee; BCW Board Member Tara Rush-Tripp, Heineken USA; Marsha Gordon; Basil Smikle, Executive Director of the NYS Democratic Party; John Ravitz.

**TOP RIGHT** Former MTA President Tom Pendergast answers questions from John Ravitz and BCW Board Member George Lence.

**BOTTOM RIGHT** Mayors Noam Bramson, New Rochelle; Richard Thomas, Mt. Vernon; Mike Spano, Yonkers, Tom Roach, White Plains participate in BCW's KeyBank Speaker Series.



## Improved Business Climate

The mission of The Business Council of Westchester's Government Action Council is to provide leadership in public policy and involve our members in helping to advocate for economic opportunity in Westchester County.

To accomplish this, the Government Action Council will:

- Educate and inform the business community about relevant county, state and federal policy issues.
- Review county, state and federal legislation and regulations to assess potential impacts on the business community.
- Influence public policy outcomes through advocacy when the business community's interest may be affected.
- Serve as an information resource and clearinghouse for the business community and governmental leaders.
- Leverage public policy issues and legislation to promote business growth and create a more competitive business environment.
- Look beyond the borders of Westchester County to address regional issues impacting the business community.

## The important role The Business Council of Westchester's Legislative Agenda performs

Every year, legislative bills that are passed or not passed in local, state and federal legislatures have a powerful impact on the Westchester business community's ability to serve its stakeholders. Business leaders, whether they represent large, medium or small sized communities owe it to themselves, their employees and their shareholders (if they work for a publicly traded company), to offer their opinion and expertise on important policy issues.



In order to address this critical responsibility, The Business Council of Westchester's Government Action Council creates a Legislative Agenda each year. All Business Council members are encouraged to contribute their suggestions and expertise. The Business Council also works with local, state and federal elected officials to convert legislative goals into reality. Included in this overall effort is The Business Council of Westchester's annual Albany lobby day which takes place at the beginning of the state's legislative session. The Government Action Council also meets on a regular basis with local, state and federal elected officials, agency representatives and key policy stakeholders to ensure that positions on legislation and regulatory matters are addressed in a timely manner. Every year the work of The Business Council's Legislative Agenda and Government Action Council promotes pro-business recommendations that help the county's economic future.

## Current Challenges and Priorities

In 2017, Government at all levels will face numerous challenges that our elected officials will be working on. The Business Council of Westchester will continue to call for fundamental reforms in the way our county, state and federal governments conduct business. The Council will continue to urge our elected officials to adopt public policies that will lead to sustainable economic growth that creates new jobs and an accelerated and lasting economy.

The Business Council of Westchester looks forward to continuing meaningful discussions with our county, state and federal elected officials on numerous issues to ensure that the collective voice of the county's business community is heard.



## County

**Westchester County needs to continue to pass budgets that are built on fiscal integrity and sound principles.**

**BELOW** The BCW's Annual Reception for Westchester County Board of Legislators. *left to right:* Vice Chair Jim Maisano; Chair Michael Kaplowitz; Marsha Gordon, BCW member Roger Woolsey, CEO, Million Air; Legislator Lyndon Williams.

**RIGHT** 2017 BCW Youth Summit. *left to right:* Donovan Beckford, Executive Director, Westchester County Office of Workforce Development and Westchester-Putnam Workforce Development Board; Rob Astorino; Marsha Gordon; MaryEllen Odell, Putnam County Executive; Tony Justic; Bill Moony, Jr., Executive Director, Westchester County Office of Economic Development.



### Continuing to be Fiscally Responsible

The Business Council of Westchester once again commends Westchester County's lawmakers on the passage of a fiscally responsible \$1.8 billion budget for 2017. The Business Council appreciates that this year's county budget does not raise the county tax levy, was passed on time and did not include any fiscal gimmicks. This year's budget sends a strong message to the business community that the county's fiscal house is in order by protecting the county's bond rating, which is critical to attracting and retaining employers in Westchester County. This year's budget also sends a strong and consistent message to the business community that Westchester's County's government is serious about creating an environment where businesses can grow and prosper.

The Business Council also appreciates that the County Executive has taken a leadership role in promoting a smart public-private partnership proposal for Westchester County Airport. The Business Council has long been a strong advocate for the adoption of state-wide public-private partnership legislation and hopefully the plan in this year's county budget will be a model for a state-wide initiative.

Westchester County needs to continue to pass budgets that are built on fiscal integrity and sound principles. The Business Council applauds the ongoing bi-partisan work that is being done to strike the right balance for businesses, taxpayers and those who rely on important social services. It is also important to note that by continuing to deliver on-time balanced budgets the

County Executive and Board of Legislators are proving that Westchester is a business friendly county.

There is still much work that can and needs to be done to continue to help improve the county's fiscal matters. The Business Council will continue to advocate for strong social structural reforms that are important to strengthening the county's

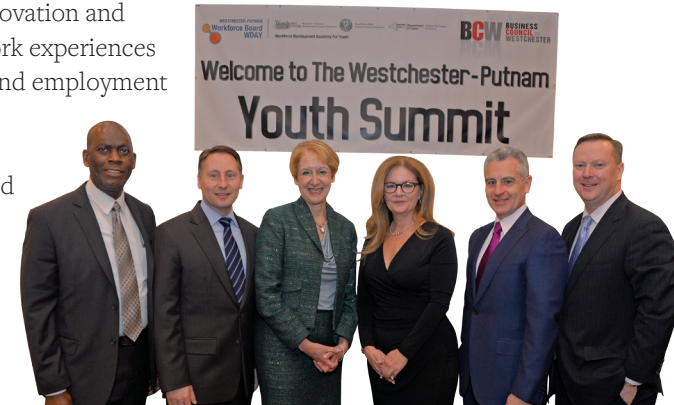
long-term financial condition. This will require continuing to identify recurring benefits and savings, much needed concessions from labor unions in future contract negotiations, treating reserve funds judiciously, consensus revenue projections and making real efforts to consolidate services between local governments. The Business Council also supports the ongoing important work that the county's Local Development Corporation performs, which has helped small businesses and not-for-profits receive necessary funding.

### Workforce Development

In 2016, The Business Council continued to stand committed in its efforts to provide the Westchester business community with a prepared and skilled future workforce. Working through partnerships and collaboration with the Westchester-Putnam Development Board and local youth-serving organizations, The Business Council provides opportunities to connect local youth with the tangible skills necessary for being productive in the workforce.

For the past seven years, The Business Council has coordinated successful youth workforce initiatives that have provided a proven winning solution for both businesses and the county's youth. By supplying the business community with a pipeline of work-ready young adults, these efforts have helped to streamline recruitment and provide employers with access to untapped talent. Annually, The Business Council's Private Sector Summer Jobs Initiative seeks to connect 225 young adults between the ages of 18-24 in summer jobs. Through strong connections with the business community and working with our partnership youth organizations, this program has proved to be successful placing young adults in summer jobs since its inception. The Private Sector Summer Jobs program has served as a great resource to local businesses by providing them with motivated, talented eager young adults to employ. The Business Council will continue to build connections between the next generation of workers and the business community; helping to ensure that our future workforce remains in Westchester.

The Business Council has worked directly with employers and job seekers to ensure that youth in the Workforce Development Academy for Youth (WDAY) have access to a variety of work experiences as required under the new federal workforce legislation, the Workforce Innovation and Opportunity Act (WIOA). Work experiences include summer and year-round employment opportunities, mentoring, pre-apprenticeship programs, internships, job shadowing and on-the-job-training.



## County continued

**The BCW is committed to helping young people gain the skills they need to compete in a global economy.**

**RIGHT** Samuel Cooper, Regeneron; Dani Glaser, Green Team Spirit & Westchester Green Business; Renée Brown, LeChase Construction; Joanne Deyo, Regeneron; Kevin Plunkett, Westchester County Executive's Office; Marsha Gordon; Mike Kaplan, Regeneron

In 2016, The Business Council held the 5th Annual Youth Summit which was entitled "READI... Aim.... Hire!" The theme utilized a new soft skilled training initiative entitled READI, which was developed based on needs identified by the business community. This curriculum and public education campaign reflects the work attributes employers seek when hiring. This past year, 300 young adults attended the Youth Summit where they gained knowledge on how to become READI through interactive skill building activities while also exploring career pathways, how to utilize technology and social media in a responsible manner and create a personal brand.

The Business Council is committed to helping young people gain the skills they need to compete in a global economy. These workforce programs have provided hundreds of local young adults and college students with positive work experiences, while providing local employers with immediate support and a long-term recruitment pool of educated and talented workers.

### Westchester Green Business

Established in 2009, Westchester Green Business (WGB) is a Business Council of Westchester program, developed in partnership with Westchester County and administered by Green Team Spirit. Business leaders who aspire to create a more sustainable organization by making a commitment to become a certified "Westchester Green Business" are provided with a comprehensive toolkit to measurably decrease their company's environmental impact. These organizations work closely with WGB staff to learn exactly where resources are wasted, identify opportunities to increase efficiency and save money, and implement the necessary changes to gain certification. The WGB program has been recognized by New York State (NYSERDA) as a replicable model and is now available to all New York State businesses. Con Edison has been a Platinum Sponsor of the program since its inception.



**Westchester  
Green Business**

**BCW** BUSINESS  
COUNCIL OF  
WESTCHESTER

Westchester  
gov.com Robert P. Astorino  
Westchester County Executive

*Notable accomplishments from the past year include:*

### NYSERDA Grant Contract Signed

Westchester Green Business was officially awarded \$540,000 in funding through the Cleaner, Greener Communities initiative (CGC), to expand the program throughout New York State. The grant will enhance the program's regional and statewide impact, leading to a reduction of greenhouse gas emissions and the generation of economic benefits.

### Launch of New Internship Program to Fuel Green Careers

WGB launched a new Green Business Internship Program for qualified college-level interns to work with Westchester-based organizations on advancing their internal sustainability efforts leading to green business certification. Prior to beginning the internship, students participated in a two-day training session at the Greenburgh Nature Center, a Business Council member, which was made possible through a grant from the Westchester Community Foundation.

### Leaders in Sustainability Speaker Series & Industry Forums

The highly successful speaker series entered its second year in partnership with Westchester Community College to shine the spotlight on business leaders demonstrating excellence in sustainability. Well-attended roundtable discussions were also organized to promote industry peer collaboration for Health Care, Library and Real Estate sectors.

### Successful 2016 Recognition Event

Westchester County Executive Rob Astorino and Dr. Marsha Gordon, President and CEO of The Business Council of Westchester, hosted the Westchester Green Business Challenge's 6th Annual Recognition Event and Awards Ceremony at the Briarcliff Manor. Joined by WGB Program Directors Dani Glaser and Scott Fernqvist, organizers recognized a prestigious group of Westchester businesses that have demonstrated outstanding performance in environmental sustainability.



2016 winners in their respective categories include:

- > *Charles W. Brown, Jr Sustainability Award:* Regeneron Pharmaceuticals, Inc.
- > *Organizational Commitment:* Cerebral Palsy of Westchester
- > *Energy:* Diamond Properties, LLC
- > *Materials Management:* Montefiore New Rochelle Hospital, Montefiore Mount Vernon Hospital
- > *Transportation:* Atlantic Westchester, Inc.
- > *Land Use:* Greenburgh Nature Center
- > *Water Resources:* Smiles on Hudson Dentistry

## New York State

**BCW continues to advocate that state government work to remove burdens and obstacles that prevent economic growth and job creation.**

**BELOW** Lt. Governor Kathy Hochul and Marsha Gordon lead a Westchester Women in Business symposium.

**RIGHT** NYS Assembly Speaker Carl Heastie answers questions from John Ravitz during a BCW Political Leadership Speaker Series event.

The Business Council of Westchester continues to advocate that state government work to remove burdens and obstacles that prevent economic growth and job creation by stressing that the impact on taxes, business fees, burdensome regulatory requirements and lengthy approval processes cause real issues in bringing jobs to Westchester and the rest of the state.

### Fiscal Reform

The Business Council has consistently called for the adoption of necessary steps that are needed to solve the state's structural and ongoing fiscal problems. It is essential that the state make serious efforts to reduce costs for job creators, taxpayers, local government and school districts. To that end, The Business Council will continue to advocate for strong mandate and regulatory relief legislation during the 2017 legislative session.

New York has too many state laws and regulations that contribute to the high costs of local government. Westchester government, like other local municipalities across the state, continues to be hit with mandates and fees that cause serious fiscal consequences. Albany must make mandate relief a top priority this year and The Business Council will meet with members of the Westchester State Legislative Delegation to urge them to concentrate on passing meaningful mandate relief legislation this year.



In addition to mandate relief, it is incumbent on the State Legislature to:

- **Continue to create enhanced tax credits for small businesses** and adopt new small business tax reform policies that encourage businesses to have the resources to expand in New York State.
- **Make the pension system more predictable and affordable** - The state should allow local governments and school districts the ability to manage their current and future pension costs. The Business Council will continue to urge for the creation of a plan to give employees the option of a reduced (affordable) defined benefit plan and defined contribution plan that is controlled by the employees and does not unduly burden taxpayers.
- **Continue to pass on-time budgets** but in the “light of day” - The Business Council urges the Governor and the Legislature to continue to pass on-time balanced budgets, but these actions should not occur in the early hours of the morning. Debating and voting on the State's Executive Budget should be done in a transparent manner that gives the public the opportunity to have a clear understanding of the state's spending plan. On a positive note, fiscal discipline, which had not been seen in Albany for many years, has sent a positive message to the business community that Albany continues to strive to keep its fiscal house in order.
- **Reduce the costs of construction on public-private projects** - The state must reduce the costs of construction by repealing the Wicks Law and reforming the Public Construction Act.
- **Reform the Scaffold Law** - Reforming this law will continue to be one of the major legislative priorities for The Business Council in 2017. The law, (Labor Law 240/241) was first enacted in the late 19th century. It holds property owners, employers and contractors **ABSOLUTELY LIABLE** for “gravity related” injuries that happen on the job. What this means is that there is no defense from a lawsuit, even if worker's gross negligence contributed to the accident. Even parties that had no supervisory control over the worker are held liable. New York is the **ONLY** state in the country that still keeps this law on the books.



## New York State continued

**It is clear that New York State must continue to make increasing private sector job growth a top priority.**

**RIGHT** The BCW's annual Business Expo, the largest table top trade show in the Hudson Valley, attracts over 1,800 people.



In addition:

- < The Scaffold Law costs taxpayers \$785 million annually.
- < Local governments pay higher costs for capital projects whether the work is done directly or through private contractors.
- < More than half of the top 30 highest settlements resulted from Scaffold Law claims, and of those, 25% were against public entities.
- < The Scaffold Law is estimated to add \$200-\$400 million in additional costs to the construction of the new Tappan Zee Bridge.
- < To date, 33 County Legislatures in New York have passed resolutions calling on the state government to reform the Scaffold Law.
- < The number of Scaffold Law cases has increased 500% since 1990, even though the rate of injury has decreased.
- < The Scaffold Law costs the private sector an estimated \$1.49 billion annually.

It is important to note that reforming the Scaffold Law would not diminish worker safety rules and regulations. Over the last five years, The Business Council has taken a leadership role in a state-wide organized effort to reform the Scaffold Law, which has included meeting with every member of the Westchester state legislative delegation both in Albany and in their district offices.

- > **Prohibit New Mandates** - The state should not impose any new mandates on municipalities, school districts and taxpayers. The Business Council urges the Governor and the Legislature to create meaningful legislation during the 2017 legislative session that focuses on alleviating the burdens of mandates that are detrimental to local municipalities.

- > **Small Business Tax Reform** - There has been positive movement in recent years to adopt business tax reductions for small businesses. The Business Council urges the Governor and State Legislature to continue to provide small businesses with more tax cut opportunities.
- > **Reform the State Environmental Quality Review (SEQR)** - In Westchester County and in other counties across the state, it is clear that the SEQR processes has been used to cause serious delays in getting projects completed in a timely manner. This delay causes local municipalities to at times abandon economic development projects, which then prevents new jobs and revenue from being generated. The Business Council urges the Governor and the Legislature to amend and in some cases eliminate the SEQR rules and regulations that have been documented to cause unnecessary delays for important projects throughout the state.
- > As already stated, The Business Council urges the Governor and the Legislature to pass **Public Private Partnership** legislation which would enable New York State to be on the forefront of the public-private partnership movement. If passed, this legislation would allow New York to authorize private entities to design and build, finance, operate and maintain public infrastructure. Public Private Partnership projects would create new jobs that would bring major revenue to Westchester County and the rest of the state.

### Economic Development



Comparative employment trends continue to be the best available indicators of whether New York State's fiscal policies are fostering economic growth. It is clear that New York State still must continue to make increasing private sector job growth a top priority. We have seen significant improvements in this area for both Westchester County and the Hudson Valley Region. In January 2017, the New York State Department of Labor announced that the unemployment rate in Westchester County remained at 4.0%, the lowest since December 2006. The unemployment

## New York State continued

**The BCW supports adopting broad reforms in the state's business tax to reduce compliance costs and make the state's tax code more supportive on in-state investments and job creation.**

rate is unchanged from November 2016 and down from 4.1% in December 2015. In December of 2016, there were 44,900 unemployed in the region, down from 45,400 in November 2016.

The Business Council will continue to advocate that the most effective economic development program is the creation of a more competitive business environment, which can only occur when New York State acts to lower state imposed taxes, fees, assessments and employer mandates. That is why The Business Council of Westchester supports Senator Terrence Murphy's Regulatory Fiscal Accountability Act of 2017. New York State must do all that it can to remove these types of obstacles that only detract from businesses coming to New York or detract those that are already here from staying and growing by creating more jobs.

In 2017, The Business Council of Westchester will also focus on the following New York State economic development issues:

- > **Workers' Compensation Reform** - The Business Council of Westchester will continue to work with The Business Council of New York State to urge the Governor and the Legislature to pass meaningful Workers Compensation measures that will address the fact that the workers' comp system continues to grow each year due to the more than doubling of maximum benefits and slow implantation of key cost savings reforms.
- > The Business Council will continue to support the Governor's continuation of the state's **Regional Economic Development Councils**, which for the last six years have helped create a comprehensive strategic plan that has catalyzed job creation and economic development in the state. In 2016, the Mid-Hudson Valley (which includes Westchester County) Region received the "Top Regional Performance" Award and received \$83.3 million dollars which will be used to fund transformative and sustainable projects all across the region.

- > The Business Council supports the continuation of the state's **Qualified Emerging Technology Company Tax Credit** for capital training investments.
- > The Business Council supports the Governor's proposal to extend the continuation of the **Post-Production Film Tax Credit** until 2022, which will continue to allow New York State to be a leader in the post-production sector. It is important to note that in 2016, 185 film and television projects applied for the credit, which the state estimated would generate a record-breaking number of new hires and bring in over \$3.3 billion of revenue to the state.
- > The Business Council supports **adopting broad reforms in the state's business tax** to reduce compliance costs and make the state's tax code more supportive on in-state investments and job creation.
- > The State's millionaires' tax (a surcharge on the personal income tax) was enacted during the economic recession of 2009 as a temporary revenue raising measure. The Business Council believes that temporary tax hikes should be just that, temporary, to address fiscal crises. Additionally, the Assembly not only wants to extend the tax, but it has proposed increasing the temporary tax rates to even higher levels. The Business Council urges that the state learn to live within its means and not rely on tax revenues enacted during fiscal emergencies to fund its every day expenses. Therefore, the millionaires' tax should sunset as the law provides at the end of this year.

### New York Must Stay Competitive in the Crowded Gaming Field

As Governor Cuomo hails the opening of upstate casinos in the Southern Tier, Finger Lakes, and the Capital Region, lauding the creation of thousands of construction and permanent jobs, and millions of dollars in revenue, The Business Council of Westchester feels compelled to remind both the Governor and State Legislature to look south. The state, Hudson Valley, and Westchester County are at risk of losing on the gambling bet, and losing big.

New York is a leader in the gaming industry worldwide and Westchester County is home to one of the most prominent casinos and entertainment destinations in the tri-state area, Empire City Casino. With an annual payroll over \$45 million and more than 1300 employees representing 14 unions, Empire City is critical to the economic growth of this county and the state as a whole.





## New York State continued

Each year New Yorkers statewide directly benefit from the nearly \$300 million Empire City generates for education.



Each year New Yorkers statewide directly benefit from the nearly \$300 million Empire City generates for state education. Comparatively, the new full-gaming casinos licensed upstate, the fourth of which is set to open in the Catskills in 2018, are projected to generate a combined \$260 million for education annually. Simple math demonstrates that these four full-gaming casinos will provide less per year for education than Empire City does on its own as a VLT facility. Empire City generates hundreds of millions more to support the horse racing industry, as well as state and local governments. These funds are a result of an effective 70% tax rate paid by Empire City and an additional 10% directed to racing.

Empire City's success has been achieved despite not being able to offer full-gaming with live dealers, hampering its ability to compete on a level playing field. As recently noted in statements by Governor Cuomo, New York residents still spend their entertainment dollars at casino destinations beyond our state borders. Estimates show that spending reaches nearly \$3 billion annually at casino resorts in neighboring states, not including spending by New York's 60 million annual tourists who currently look beyond New York's borders for gaming and entertainment.

Competition is intensifying as neighboring states aggressively pursue new casinos and gaming opportunities that threaten New York's existing casino revenues and jobs. New Jersey, Massachusetts, Connecticut and Pennsylvania all have plans to expand full-gaming properties within close proximity of New York's casinos. New York must not stand by idly as neighboring states take action. Recognizing the need to better compete, New Yorkers approved seven new casinos in a referendum in 2013. Four of the licenses have been awarded. The remaining casino licenses are not scheduled to be awarded for another five years, at the earliest.

Empire City has been put in the untenable position of not only lying in wait for five years while full-gaming casinos develop around them, but also having to then

make their case for a full-gaming license after decades of demonstrating a record of success. Westchester County knows that the case has already been made and there should be no disputing that Empire City is the only suitable option in this region for a full-gaming license.

With 8 million visitors a year, Empire City has proven they can compete and draw tourists and gaming dollars to their facility. The economic benefits of this success for Westchester County and the Hudson Valley cannot be overstated. In order for Empire City to physically expand to meet market demands, their hands must be untied. They have been prohibited from using technology to grow their business with amenities such as internet gaming, despite new competition from daily fantasy sports wagering posing additional competitive challenges. Additionally, Empire City has the opportunity to generate significantly more revenue with the ability to host poker tournaments and implement sports betting.

In light of these facts, The Business Council calls on Governor Cuomo and the State Legislature to **remove** the roadblocks that prevent Empire City from developing its full potential as a destination resort to stem the hemorrhage of New York dollars to neighboring states. To do otherwise, is to put at great risk hundreds of millions of dollars of revenue the state has come to depend on, and will allow our neighboring states to continue to increase revenues and develop their workforces using dollars originating from New York.

More than \$500 million of private investment has been made in Empire City and the property is ripe for development. The state must not stand in the way of allowing this vital economic engine to reach its full potential and fairly compete with full-gaming facilities being developed in close proximity to our New York borders. If the state continues to prohibit Empire City to transition into a full gaming facility for the next five years, it must at least provide incentives that help Empire City improve its facilities in anticipation of a full-gaming license being awarded.

And most importantly, as Governor Cuomo and our state legislators consider where to site the additional full-gaming casino licensed facilities, they must consider the recent experience on Long Island, where both counties struggled to site new VLT facilities due to community objections. This should serve as an example and cause for concern. Westchester County businesses and residents will not stand idly by while their communities are put in upheaval to site new casino developments, when Empire City is perfectly positioned to become one of the greatest economic successes the region and state has seen in our lifetimes.

The Business Council calls on our state leaders and the legislature to put in place a path for Empire City to continue to grow and strive, and to understand the risk that is facing hundreds of millions in annual revenue and 1300 jobs. The Business Council looks forward to being a part of these discussions.

## New York State continued

**Indian Point  
alone, prevents  
the release of 8.5  
million metric tons  
of carbon dioxide  
annually, which  
is equivalent to  
keeping 1.6 million  
cars off the road.**

### Housing Issues

The Business Council of Westchester joins the Hudson Gateway Association of Realtors in supporting the following legislation;

- ▶ Assembly Bill #A.79 & Senate Bill #S.548 introduced by Westchester Assemblyman David Buchwald and Senator George Latimer to increase the minimum price threshold at which the so called “Mansion Tax” is triggered. The Mansion Tax imposes an additional 1% tax on buyers who purchase a home for \$1 million or more.
- ▶ Assembly Bill #A.1120 and Senate Bill #S.5644 which would bring greater transparency to the process of considering the sales of shares in a co-operative housing corporation by requiring a timeline for cooperative boards to act on applications, as well as producing a written statement of reason when withholding consent to purchase.



### Energy Infrastructure Is Critical For Our Region's Economy

The Business Council of Westchester believes economic growth, energy independence and environmental protection are compatible and complementary goals. Westchester County embodies these goals and that is why it is a great place to live, work, grow a business and raise a family. However, New York's energy future is extremely unsettled and further compounded by the announced closure of the Indian Point Energy Center in 2021. The Business Council of Westchester sees a need for active engagement by our business community in energy issues. To begin with, the state must upgrade our electric transmission system; address the prospect of increasing electric rates; and enhance the reliability of our electricity supply.

According to the New York Independent System Operator (NYISO), tasked with ensuring the reliability of our electric system, energy demand during periods of peak usage, such as the summer months, will continue to increase through 2026. (Source: 2016 NYISO Power Trends p.10)

The increase in the demand for electricity occurs even with the implementation of energy efficiency programs. In addition to reliability concerns, the rising cost of electricity is a serious concern for consumers and businesses large and small. On average 26% of a consumer's electric bill consists of state and local taxes, fees and assessments. A key to revitalizing New York's economy is to make energy costs more competitive.

To meet these challenges and to ensure the continued revitalization of New York's economy, The Business Council of Westchester offers the following energy policy recommendations:

#### ▶ Support the Operation of the Indian Point Energy Center

In January of 2017, Entergy and the State of New York announced that the Indian Point Energy Center would cease operations by 2021. The early and orderly shutdown is part of a settlement agreement in which New York State has agreed to drop legal challenges and support renewal of the operating licenses for Indian Point, located in the Village of Buchanan. Under the settlement, Entergy will continue to pursue license renewal, unopposed by the state, for the remaining operating years.

The Business Council of Westchester has long supported the safe operation of Indian Point. We continue to strongly support the facility's license renewal application. Indian Point provides 11% of the state's electricity and more than 25% of that electricity used in the Hudson Valley and New York City. In addition, Indian Point provides economic and environmental benefits; the region's largest clean power source employing approximately 1,000 individuals. Indian Point alone, avoids the release of 8.5 million metric tons of carbon dioxide annually, which is equivalent to keeping 1.6 million cars off the road.



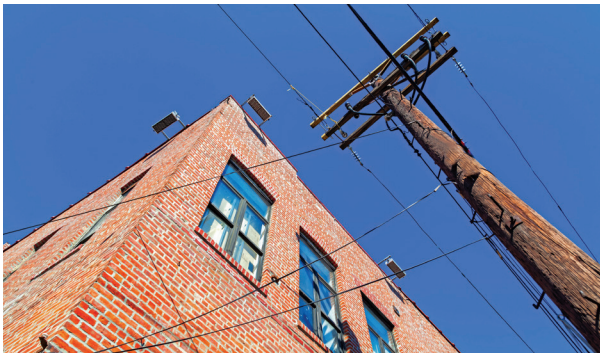
## New York State continued

**The BCW recognizes that in-state power generation, “Made in New York,” enhances our energy security and economic prosperity.**

As the facility continues to operate and provide electric, economic and environmental benefits through 2021, The Business Council of Westchester opposes any efforts that would target or penalize the Indian Point Energy Center in an already challenging business environment. The Business Council of Westchester will continue to advocate for a competitive business environment, free of new taxes, fees or assessments.

### ► Lower Energy Costs for all New Yorkers to Spur the Economy and Benefit Consumers

Up to 26% of a typical New Yorker’s monthly electric bill is for taxes, fees, and surcharges, according to the Public Policy Institute of New York. Once energy taxes come into being, they rarely get repealed. In 2009, at the height of the financial crisis and the need for drastic fiscal measures in Albany, the state adopted an explicit, “temporary” 2% tax on all electricity bills. In 2014, the first steps to end this “temporary” tax were enacted into law when the state began to phase out this 18-a assessment. The 18-a assessment is reduced to 1.63% in 2014; 1.00 for 2014, and 0.73% for 2016. Repeal the assessment – known as the Section 18-a energy gross receipts assessment- on energy consumers. By repealing this assessment, business and residential consumers of electricity will save \$200 million. Policymakers should immediately halt all 18-a collections to eliminate the burdensome tax immediately before the current expiration date of 2017.



The Public Policy Institute has also called attention to four alternative energy fees the state imposes. These include New York’s participation in the Regional Greenhouse Gas Initiative, the Energy Efficiency Portfolio Standard, Renewable Portfolio Standard, and Systems Benefit Charge (SBC). PPI estimates the total haul for these “off budget” items in 2009 was \$569 million. It is estimated that the downstate region was hit with \$505 million in fees and taxes related to 18-a, SBC, and Demand Side Management in 2013. Other programs collected an additional \$431 million during the same time period.

### ► “Made in New York”

The Business Council of Westchester recognizes that in-state power generation, “Made in New York,” enhances our energy security and economic prosperity. The “Power NY” power plant siting law provides for the expedited siting, construction, and operation of new sources of power to complement the state’s existing portfolio. As the state considers new energy infrastructure, the focus must be on in-state generation that strengthens and enhances New York’s economy by providing jobs and a world-class infrastructure.



### ► Reforming Energy Vision

According to the New York Public Service Commission, Reforming the Energy Vision (REV), is “an energy modernization initiative that will fundamentally transform the way electricity is distributed and used in New York State. This unprecedented effort will create the power grid of the future and forever change the way consumers buy and use energy.” REV seeks regulatory changes that will promote energy efficiency, renewable energy production, and wide deployment of “distributed” energy resources such as micro-grids, on-site power supplies and storage. As the New York State Public Service Commission (NYS PSC) studies and considers various aspects of REV, it should be guided by some fundamental and transparent principles.

The impact to consumers of REV must be thoroughly documented and communicated. The NYS PSC must place an emphasis on market driven solutions so that REV does not lead to higher electricity costs through ratepayer assessments. Only those proposals that will provide clear benefits to electric consumers should be adopted.

## New York State continued

**For the past four years the BCW has continued to educate the business community on all the aspects of the New York State of Health Exchange, including what tax credits were available for employers.**

### > Sustainability

New York State is a leader in sustainability and conservation initiatives. Policymakers have put forward numerous proposals to reduce carbon emissions, unleash the potential of renewable energy, and create a new generation of “green jobs.”

- < Renewable energy such as wind, solar, and hydro power can help address the state’s growing needs.
- < The development of “green” infrastructure, including green building materials and construction, storm water conservation, and the expansion of tree cover in urban areas, is critical to Westchester’s growth and future quality of life for its residents and employees. The Business Council supports private-public partnerships and incentives to further these initiatives.
- < Energy efficiency programs provide substantial and tangible ways for businesses and consumers to cut electricity usage and costs. Such programs are an important component in addressing electricity supply challenges and improving sustainability.

### **Natural Gas Infrastructure - Algonquin Pipeline System - Spectra Energy**

The demand for natural gas in New York State is growing and projections indicate that this trend will persist for the foreseeable future. Both the federal government and numerous state/local governments have encouraged the increased use of natural gas because the science is clear: natural gas is an environmentally preferable alternative to coal or oil.

This is due to the fact that the use of natural gas produces far fewer greenhouse gas emissions than either alternative. The Algonquin Pipeline System helps provide clean, affordable natural gas to homes and businesses in the Northeast.



The Algonquin natural gas pipeline system has been operating safely in New York, and more specifically in Westchester County, since the early 1950’s. The Algonquin Incremental Market (AIM) project involved upgrading Algonquin’s existing pipeline system within our region. The Algonquin expansion project directly and indirectly created economic benefits for New York State and Westchester County, by increasing both state and local tax revenues as well as generating local jobs. Construction on the AIM project is complete and the pipeline is currently safely delivering new supplies of much needed domestic natural gas to the Northeast.

The Business Council of Westchester supports legislation that would provide incentives to facilitate the extension of natural gas distribution lines in New York. Clean burning natural gas is a cost effective energy source. Therefore access should be expanded wherever possible to the residents and businesses of New York.

### **Health Care**

Over the past four years, The Business Council continued to educate the business community on all the aspects of the New York State of Health Exchange, including what tax credits are available for employees. Information was also shared regarding the different mandates that employees needed to be aware of under the Affordable Care Act. The Business Council also served as a Navigator to help businesses and individuals enroll in the New York State of Health Exchange. As of September 30, 2016, The Business Council’s Navigator had enrolled 1,230 Westchester residents in the program. The Business Council will carefully monitor the New Administration in Washington’s proposed changes to the Affordable Care Act once they are issued.

On other health care legislative issues, The Business Council supports:

- > The adoption of strong transparency regulations for the Department of Financial Services that sets the rates for the plans under the New York State of Health Exchange.
- > Placing a moratorium on new mandates due to changes imposed by the Affordable Care Act.
- > Supports the repeal of the New York Health Care Reform Act taxes set to sunset on December 31, 2017.
- > The enactment of Medical Liability Tort Reform to rein in the cost of medical malpractice insurance.



## New York State continued

**BCW is extremely proud that Westchester County has become the home of some of the leading bio-tech companies in the country.**

### Bio-Tech Life Sciences

The Business Council is extremely proud that Westchester County has become the home of some of the leading bio-tech companies in the country. Not only have these companies created new jobs, but they have also increased their property footprint throughout the county and generated revenue to many of the local municipalities. The Business Council supports initiatives that will continue to give the bio-tech industry the support they need to grow in New York State.

The Business Council supports the Governor's proposal in the 2017 Executive Budget to invest \$650 million dollars to continue to grow New York's Life Science Cluster. Under this proposal:

- Existing life science businesses would be eligible for an annual allocation of \$10 million in Excelsior Tax Credits.
- New life science businesses would receive a 15% refundable tax credit on all new qualifying research and developmental expenditures. Small businesses in the life sciences industry could be eligible for 20% credit.
- Angel investors would receive as credit of 25% of their investment with a maximum of \$250,000 per investor.

If adopted, these measures will ensure that the momentum that has been building in New York State for the bio-tech and life sciences community continues to move in a positive direction.

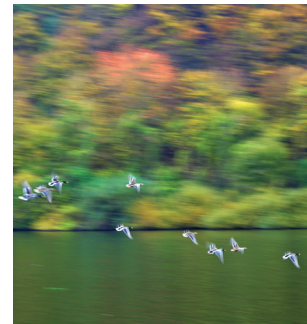
The Business Council **opposes** pharmaceutical price control which is being advanced in the Governor's Budget. His proposal would require manufacturers to give the state's Department of Health proprietary information about research, marketing and manufacturing costs; whereby the state would then set a price ceiling for certain drugs and require a manufacturer to give the state rebates on the drug. It



would also impose a surcharge on high-priced drugs when they are sold into New York State. The Business Council believes it is bad precedent for state government to control prices and is opposed to requiring private businesses to divulge proprietary information.

Over the last ten years, Westchester County has seen a tremendous growth in the bio-tech sector that has created hundreds of new private sector jobs. New York State cannot afford to put major obstacles in the way of leading bio-tech companies which could cause them to leave New York permanently due to these severe measures.

### Environment



Improving and investing in Westchester's clean water infrastructure projects is a top priority of The Business Council. It is the reason why The Business Council is a member of the Clean Water Jobs Coalition which is calling on both the Governor and the Legislature to add the necessary funding so that key projects can move forward throughout Westchester County through New York State's Clean Water Grant. These projects will help to create new jobs and send a strong message to the business

community that the county is working to make the right investments in this area for the environment and for the local economy.

### Transportation

As an advocate for initiatives that will strengthen the state's economy, The Business Council has taken a leadership role in dozens of important transportation issues. The creation of the new Tappan Zee Bridge was a top priority of The Business Council, and since the work began on building the new bridge three years ago, The Business Council has continued to involve its members in the most significant infrastructure project in the nation.

Two years ago, The Business Council joined the state-wide organization "Rebuild New York" to urge the Governor and State Legislature to fund state and local roads, bridges and other transportation systems such as airports and rail that need major repairs. There is widespread agreement that New York needs to invest more in its infrastructure to remain competitive and create jobs. It is important that equitable funding for transit, roads and bridges be enacted and The Business Council strongly supports funding parity between the capital plans of the Metropolitan Transportation Authority and the New York State Department of Transportation in the 2017-18 State Budget.

## New York State continued

**The BCW joined a coalition of civil rights, education, parent and business organizations to send a strong message to the Governor and the Legislature that schools must raise the achievement of all their students.**

**RIGHT** The BCW supports the efforts of Cardinal Dolan who has led the efforts to pass the Education Tax Credit bill. The Cardinal was the Guest of Honor at the BCW's 2016 Annual Dinner.



It is imperative that as The Business Council looks to recruit new businesses and encourage existing businesses to grow in Westchester County, that we are able to provide them with a solid functioning and safe infrastructure. Businesses need to know that Westchester's roads, bridges and tunnels are safe and user friendly.

### Allow Westchester County to Regulate Ride-Sharing Companies

Both the Governor and the Legislature have stated that implementing a statewide ride-sharing program for New York State will be a priority in 2017. Given Westchester County's own robust licensing and regulatory enforcement agency, The Westchester County Taxi and Limousine Commission (WCTLC), and given its reciprocity agreement with New York City, The Business Council **urges** the Governor and the Legislature to exempt Westchester County from legislation that would allow the state to regulate ride-sharing (also known as Transportation Network Companies). Ride-sharing companies operating legally in Westchester should do so under the WCTLC authority whose rules and regulations set standards for drivers, vehicles and base stations to protect the safety of Westchester's residents and visitors.

### Education

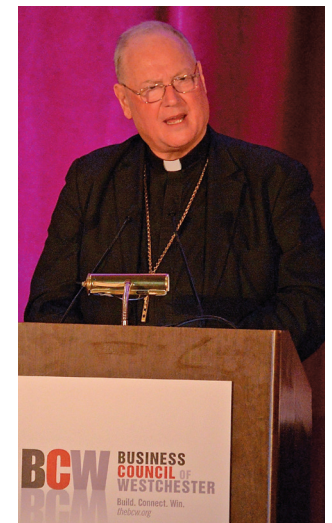
Preparing New York State's students to possess the skills needed to attend college and/or prepare them to enter the work force is a top priority of The Business Council. In 2015, The Business Council submitted testimony to the Governor's Common Core Task Force in regard to the future of higher educational standards in New York State. In 2016, The Business Council joined a coalition of civil rights, education, parent and business organizations to send a strong message to the Governor and the Legislature that schools must raise the achievement of all their students.

Under the new federal education law, the "Every Student Succeeds Act" (ESSA), New York State must set new school performance expectations. The Business Council as part of the above mentioned coalition urges the state to:

- ▶ Set the same long-term goal for all groups of students.
- ▶ Set ambitious, but attainable goals.
- ▶ Create meaningful measurements of the interim progress towards the goals.

The Business Council will continue to advocate that all changes in these areas are designed to increase parent confidence, which includes shorter age appropriate tests, computer adaptive testing, a review process of the new standards and a stronger mechanism to get more feedback from teachers. Employers in Westchester County need to know that our education system is giving students the tools they need to compete and succeed in an increasingly competitive global economy.

The Business Council will continue to support the passage of the Education Tax Credit Legislation that passed the New York State Senate last year. The legislation would provide a dollar-for-dollar credit against New York's personal income, corporate franchise, bank and insurance taxes for donations to education related entities. The sole purpose of the legislation is to increase charitable donations from individuals and businesses to schools, school districts and not-for-profit community based organizations that operate pre-kindergarten programs, provide visual arts, music, tutoring, college or career readiness or other instructions during or after school. The Business Council strongly urges the State Assembly to join the Senate in passing this important legislation.



## New York State continued

The BCW believes that creating a program which will make college affordable for all New York students is important but must be done in a responsible way.

The Business Council of Westchester supports the expansion of the high quality CTE Programs, including expanding access to P-Tech schools and establishing regional high schools.

### Higher Education



The Business Council believes that creating a plan which will make college affordable for all New York students is important, but must be done in a responsible way. The Governor's proposed \$163 million dollar free tuition program for CUNY and SUNY colleges raises many questions that must be answered. The Business Council is concerned that the proposal does not create a level playing field, and will end up hurting the small private colleges in Westchester County and the rest of the state and could cause a decrease in student enrollment for those important institutions. If the Governor and the Legislature wants to address this issue, they must not lose sight of the important role that New York's small private colleges play in educating our

## Federal

The BCW will continue to work with our Congressional delegation in 2017.



The Business Council will continue to work with our Congressional delegation on numerous issues in 2017 including the following:

- ▶ Supporting common-sense tax reform to simplify the process and lower rates for businesses and individuals to help stimulate economic growth and create new private sector jobs.
  - ▶ Reducing regulatory burdens to ease the bureaucracy with which businesses continue to struggle.
  - ▶ Supporting the reauthorization of the Perkins Career and Technical Education Act, which provides an increased focus on the academic achievement of career and technical education students and strengthens the connections between secondary and postsecondary education.
  - ▶ Investing in federal R & D programs that help businesses develop new technologies, which then creates new private sector jobs.
- ▶ The Business Council has taken a leadership role urging the United States Department of Homeland Security to **terminate** the rulemaking process of the United States Coast Guard regarding proposed new anchorage grounds on the Hudson River. If the plan were to be approved 10 floating "parking lots" for 43 barges each potentially filled with 4 million gallons of explosive crude oil would cause a huge safety, economic and environmental hardship for the Hudson Valley Region. The Business Council has stated that this ill-advised plan jeopardizes the region's 85,000 job-strong tourism industry.
- ▶ Immigration Reform is a top priority for the Trump Administration and the President's recent Executive Order banning refugees from seven countries has already been struck down by the Courts. Many industries that play an important role in Westchester County and New York State would have been severely hurt if the President's Executive Order had been enforced. According to a National Science Foundation report, 18% of the science and engineering workforce are made up of immigrants. There has also been an increase of qualified immigrant professionals in the health care, life science, and computer sectors. All of these industries must be able to hire the best trained individuals to fill critical positions. Additionally, the Executive Order would create negative ramifications for our county's higher education community. The Business Council urges the President and legislative leaders to focus on immigration reform that protects our country's security, but never loses sight of the important role that immigrants have in creating economic prosperity for our county, state and country.

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