



2019 LEGISLATIVE AGENDA



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Dr. Marsha Gordon, *President/CEO*

George Lence, *Vice Chair Governmental Action*

John Ravitz, *Executive Vice President/COO*

Andra Horsch, *Vice President of State Government Affairs*



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Mike Pence, *Vice President*

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Charles E. Schumer
Kirsten Gillibrand

UNITED STATES HOUSE OF REPRESENTATIVES

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17th C.D. Nita M. Lowey
18th C.D. Sean Patrick Maloney

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Kathy Hochul, *Lt Governor*
Thomas DiNapoli, *Comptroller*
Letitia James, *Attorney General*

STATE SENATE

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35th S.D. Andrea Stewart-Cousins
36th S.D. Jamaal Bailey
37th S.D. Shelley Mayer
40th S.D. Peter Harckham

STATE ASSEMBLY

88th A.D. Amy Paulin
89th A.D. J. Gary Pretlow
90th A.D. Nader J. Sayegh
91st A.D. Steve Otis
92nd A.D. Thomas J. Abinanti
93rd A.D. David Buchwald
94th A.D. Kevin Byrne
95th A.D. Sandra R. Galef

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Timothy Idoni, *County Clerk*
Anthony Scarpino, Jr., *District Attorney*

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Mike Spano, *Yonkers*

The BCW's members represent over 200,000 employees in Westchester County and beyond.



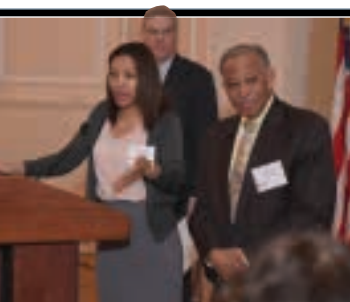
2019 OVERVIEW

The Business Council of Westchester (BCW), the county's only business membership organization, focuses on economic development and advocacy. The over 1,000 members include multinational corporations, hospitals, universities, biotech pioneers, not-for profits, entrepreneurs and companies of all sizes. As the most influential economic development and advocacy organization in Westchester the BCW's members enjoy unparalleled access to today's top leaders, diverse business development opportunities and lawmakers at all level of government.

The BCW's 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 BCW 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 BCW's members conduct business on a regional, state-wide, national and international level, which has served to create opportunities for business growth in Westchester and the Hudson Valley.

The BCW is a private not-for-profit corporation funded by annual investments by its members.

ABOVE NY State Senate Majority Leader Andrea Stewart-Cousins welcomes BCW members to Albany for the BCW 2018 Annual Albany Lobby Day.



BCW's Legislative Agenda promotes pro-business recommendations that help Westchester and the Hudson Valley's economy.



GOVERNMENT ACTION COUNCIL

IMPROVED BUSINESS CLIMATE

The mission of the BCW'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 and the Hudson Valley.

To accomplish this, the BCW's 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 and the Hudson Valley to address issues impacting the business community.

THE IMPORTANT ROLE OF THE BCW'S LEGISLATIVE AGENDA

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 BCW's Government Action Council creates a **Legislative Agenda each year**. All BCW members are encouraged to contribute their suggestions and expertise in this process. The BCW also works with local, state and federal elected officials to convert legislative goals into reality. Included in this overall effort is the BCW's annual Albany Lobby Day which is held during the state's legislative session. The Government Action Council also meets on a regular basis with local, state and federal elected officials and agency representatives to ensure that positions on legislation and regulatory matters are addressed in a timely manner. Every year the work of the BCW's Legislative Agenda **promotes pro-business recommendations** that help Westchester and the Hudson Valley's economy. Every Westchester County elected official will receive a copy of the BCW's 2019 Legislative Agenda.

CURRENT CHALLENGES AND PRIORITIES

In 2019, Governments at all levels will face many challenges that our elected officials will be working on. The BCW will continue to call for fundamental reforms in the way that our county, state and federal governments conduct business. The BCW will urge our elected officials to adopt policies that lead to sustainable economic growth that will create new jobs in all business sectors.

ABOVE LEFT Westchester County Board of Legislators Chairman Benjamin Boykin and Legislator Virginia Perez brief BCW members at the 2018 Board of Legislators' Reception.

ABOVE RIGHT BCW Executive Vice President John Ravitz is greeted by NY State Assembly's Sergeant-at-Arms Wayne Jackson in the NY State Assembly Chamber during the BCW 2018 Annual Albany Lobby Day.

ABOVE Members of the Westchester County Board of Legislators attended the 2018 Annual Board of Legislators' Reception.



The BCW urges the County Executive and the Board of Legislators to promote and adopt smart private-public partnerships that will create solid economic growth opportunities.



COUNTY

REMAINING FISCALLY RESPONSIBLE

In 2019, the BCW looks forward to continuing to work with Westchester County Executive George Latimer and the members of the County Board of Legislators. In December of 2018, the Board of Legislators voted and approved a budget that for the second year in a row raised the county's tax levy. During last year's county budget deliberations the BCW raised numerous concerns about the proposed budget that once again raised taxes and relied on fiscal gimmicks and one-shot sources for revenue. The economic health of Westchester County is dependent upon our county government making the right decisions to ensure fiscal stability for the future. The County budget should send a strong message to the business community that its county's fiscal house is in order and that it will protect its bond rating, which is critical to attracting and retaining employees. It needs to be noted, that in 2018, one bond rating agency, Moody's Investor Services lowered the county's rating to reflect what it described as "continued deterioration of (its) financial position resulting from large one-time expenses over the past two years." In 2019, the BCW will again urge the County Executive and the Board of Legislators to pass an on-time budget that does not raise taxes or include any fiscal gimmicks. Both branches of County government need to send a strong message that Westchester is focused on creating an environment where businesses can grow and prosper.

In 2018, the BCW held numerous "round-table" discussions with members of the Board of Legislators to discuss concerns about specific pieces of legislation that the Board was proposing to adopt. During these sessions, business owners of all sizes gave concrete examples on how their

businesses would be impacted in ways that would hurt their day to day operations if certain legislation was passed. In the case of the Earned Sick Leave Bill, BCW members raised many valid issues that should been addressed in the final legislation that was passed and signed into law.

In 2019, the BCW will again remind county government that Westchester prides itself in having a strong vibrant workforce. We have employers who are committed to their employees. Passing legislation that becomes **direct mandates** and cause unintended consequences to businesses sends a message to employers, that in Westchester County, government will determine how they manage their workforce. Creating that type of environment will not help bring more permanent jobs to Westchester.

The BCW also urges the County Executive and the Board of Legislators to promote and adopt smart private-public partnerships that will create solid opportunities for real economic growth. The BCW has always supported a public-private partnership proposal for Westchester County's Airport because the airport is an important economic development tool to recruit and retain jobs in the county. In 2017, the BCW was excited to see that a bipartisan six- member task force comprised of members of the former County Executive's administration and the Board of Legislators recommended one of the firms that submitted an RFP to become a partner with the county in operating the airport.

Unfortunately, in 2018 there was no significant action taken on this critical proposal. In fact, opponents of this new partnership dominated the discussions, calling for severely restricting airport operations and even suggesting that the airport be closed. Believing that a voice of reason needed to be part of the discussion regarding the future of the airport, the BCW created the **Coalition For Westchester Airport** to remind our political leaders of the following important facts:

ABOVE NY State Lieutenant Governor Kathy Hochul joins BCW President & CEO Marsha Gordon for a Women in Business roundtable discussion.

ABOVE LEFT BCW Chairman of the Board Anthony Justic, County Executive George Latimer, and Leslie Gordon, President & CEO of Feeding Westchester, discuss the county's 2019 executive budget at the BCW's KeyBank Speaker Series.

ABOVE RIGHT Westchester Board of Legislators Benjamin Boykin, BCW President & CEO Marsha Gordon and BCW Chairman of the Board Anthony Justic at the 2018 Annual Board of Legislators' Reception.



The BCW will continue to serve as the bridge between the new generation of workers and the business community.



County *(continued)*

- The airport is a key element in the county's transportation infrastructure.
- The airport is one of the county's most valuable economic assets.
- The airport is essential to attract and retain businesses in Westchester.
- The airport employs thousands of people in diverse industries.
- The airport is a tool for workforce development and training.
- The airport helps maintain a healthy tax climate.

Over 100 businesses have joined the Coalition For Westchester Airport as it continues to advocate for a new partnership between the county and an operator with a proven track record who will improve essential services and address important environmental and quality of life issues that the business community, the traveling community and the neighboring community are experiencing at the airport. The Coalition will continue to stay laser-focused in 2019 on finding a solution that will **enhance and not expand the airport**.

There is still much work that can and needs to be done to help improve the county's fiscal matters. The BCW will continue to advocate for strong structural reforms that are important to strengthening the county's long-term financial condition. This will require continuing to identify recurring benefits and savings and concessions from labor unions in future contract negotiations. The county must also treat its reserve funds judiciously and make real efforts to consolidate services between local governments.

The BCW continues to support the important work of the county's Local Development Corporation, which has helped small businesses and not-for-profits to receive funding and helped generate new programs and jobs.

WORKFORCE DEVELOPMENT

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

For the past nine years, the BCW 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, our efforts have helped to streamline recruitment, providing employers with access to untapped talent. Annually, the BCW's Private Sector Summer Employment 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 in placing young adults in summer jobs since its inception. The Private Sector Summer Employment Initiative has served as a tremendous resource to local businesses by providing them with motivated, talented and eager young adults to employ. The BCW will continue to serve as the bridge between the new generation of workers and the business community; helping to ensure that our future workforce remains in Westchester County.

It is important to note that the BCW works directly with employers and job seekers to ensure that the County's youth who are participating in the Workforce Development Academy for Youth (WDAY) have access to a variety of meaningful work experiences as required under the federal Workforce Innovation and Opportunity Act (WIOA). Work experiences include summer

ABOVE Members of the BCW's Coalition for Westchester Airport announce their mission statement at a press conference.

ABOVE Westchester youth checking in to attend the BCW's 2018 Westchester-Putnam Youth Summit.



The BCW serves as an information resource and clearinghouse for the business community and governmental leaders.



County *(continued)*

and year-round employment opportunities, mentoring, pre-apprenticeship programs, internships, job shadowing and on-the-job-training.

The BCW will continue our commitment to helping young people gain the skills they need to compete in a global economy. Combined, 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.

GREEN BUSINESS PARTNERSHIP

Established in 2009 as a program of the Business Council of Westchester in partnership with Westchester County and Green Team Spirit LLC., the Green Business Partnership (GBP) provides a diverse group of businesses and non-profits with the tools, training, and expertise needed to reduce carbon emissions and integrate environmentally sustainable practices into company operations. The GBP program “democratizes” sustainable business by making it accessible and affordable for any organization, regardless of size and industry.

GBP utilizes a collaborative, peer-sharing approach, a model that has been recognized by the New York State Energy Research and Development Authority (NYSERDA) as replicable for businesses across New York State and beyond. Based on policy, action and performance, it is the only program of its kind where members make an organizational commitment to sustainability and track facility-based metrics (such as energy use, water consumption, volume of waste, and refrigerant use) as well as transportation, behavioral, and purchasing activities. The program

currently reaches upwards of 17,000 employees across more than 120-member organizations, 36 of which are certified green businesses.

Highlights from the past year include:

- **GBP Portal Launched:** The GBP launched a new online portal that guides members through the entire green business certification process. It also helps to increase program efficiency, scale expansion by erasing geographical restrictions, and facilitate the aggregation of valuable sustainability metrics across all industries and sectors of the business community. The tool has been instrumental in GBP’s efforts to expand throughout New York State and attract new partners, such as the New York Library Association, which has fully integrated GBP’s tools into its statewide sustainability initiative.
- **Expanded Internship Program:** The GBP expanded its Green Business Internship & Training Program to support members in their efforts to achieve green business certification. To date, 40 interns from local colleges and universities have graduated from the training program. The program has proven to be an effective way for businesses to advance their sustainability goals while providing students with valuable skills and career opportunities in the growing green economy.
- **Leaders in Sustainability Speaker Series & Roundtable Forums:** This highly successful forum entered its fourth year in partnership with Con Edison and Westchester Community College to educate the business community about key trends and topics, including the growth of commercial solar, green real estate and sustainable procurement. Realizing that peer-to-peer collaboration is key to progress, several smaller roundtable industry forums and lunch & learn training sessions were organized throughout the year.

ABOVE Speakers and Program Partners at the GBP’s Leaders in Sustainability Speaker Series event held on March 16, 2018 featuring the New York Library Association’s Sustainability Initiative.

ABOVE LEFT Deputy County Executive Kenneth Jenkins, Marsha Gordon, Jane Solnick (Con Edison), Dani Glaser and Scott Fernqvist (GBP) at the 2018 GBP Awards Ceremony held at Factoria in Peekskill.

ABOVE RIGHT The 2018 class of green business interns trained by GBP staff to help members achieve certification.



Quality parks and recreational facilities are cited as one of the top three reasons that businesses use to decide the location of their business.



County *(continued)*

- **Recognizing Green Business Achievements:** Green business certification ceremonies were held across the region and the 8th Annual Green Business Awards Ceremony at Factoria in Peekskill was a major highlight from the past year. Dr. Marsha Gordon, President and CEO of the BCW was joined by Deputy County Executive Kenneth Jenkins and Green Business Partnership Directors Dani Glaser and Scott Fernqvist to recognize program sponsors and a prestigious group of honorees for outstanding achievement, including the Greenburgh Nature Center, Yonkers Tennis Center, White Plains Linen, Pell Wealth Partners, Arc of Westchester, Teatown Lake Reservation and Birdie's Auto Spa.

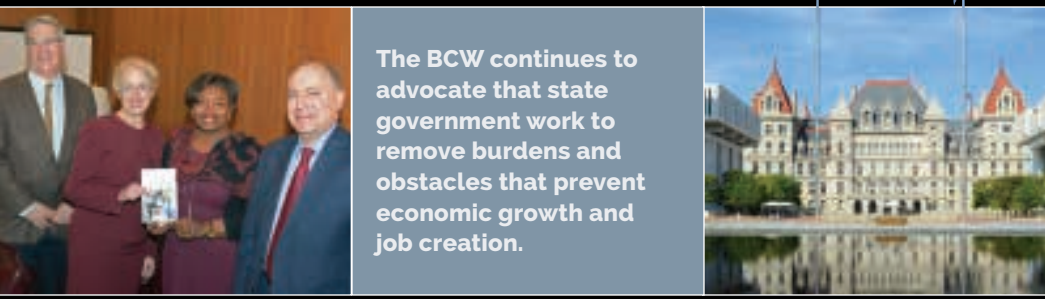
PARKS: *a key component that make and keep Westchester County as the place to work, live and play today and into tomorrow.*

Parks and open spaces are critical to the economic, environmental and social health of Westchester County. Quality parks and recreational facilities improve the economic climate and well-being of the community by attracting business and tourism. Studies have demonstrated that quality parks and recreational facilities are cited as one of the top three reasons that businesses use to decide the location of their business.

Businesses want to locate in communities with quality parks and recreational facilities for the same reasons that individuals do. Parks provide a sense of public pride and cohesion to every community in the county. Quality parks and recreational facilities help to attract and keep the best employees who, in turn, live and raise their families within the community. The growth of a business in a smart and comprehensive manner means more jobs, a higher tax base and a healthier local economy.

Westchester County Public Policy Priorities:

- Proper investment in our parks is vital for ensuring the facilities are safe, clean and affordable. Currently, there is over a \$400 million dollar multi-year backlog of previously approved capital projects to address the infrastructure of our county parks. The monetary cost to rehabilitate and enhance these facilities increases the longer the work is delayed and must be addressed immediately.
The Business Council recommends bringing private sector expertise in the form of Construction/Project Manager contracts that aggregate projects under one entity to achieve both economies of scale and to provide proper incentives for completing projects in an expeditious manner. This can be accomplished without adding to the county staff headcount, while prioritizing and implementing the needed infrastructure projects. Prompt handling of these projects would have an enormous, positive, billion-dollar impact on Westchester's economy.
- Protection of our parks and open space is critical, particularly in the mid to southern parts of the county where open space is scarce. Increased development for both businesses and multifamily residential projects will only increase demand on the land and programs.
- Parks should never be sold or leased without proper local and state legislative authorization. The Business Council supports revising county law to clear up any ambiguities so that if, in the rare cases it makes sense, alienation of parks, which is land that is held in the public trust, can only be accomplished by state-enabling legislation.
- Continue to incorporate the use of parks and open spaces within the county to help address the effects of extreme weather events. "Green infrastructure" provides storm water management and flooding mitigation at a much-reduced cost than "gray infrastructure".



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

STATE

2019 will bring big changes to Albany as the Democratic party assumes the majority in the State Senate, ushering in full Democratic control of the Governorship and both houses of the State Legislature. The BCW and Westchester County are well poised for these changes with Andrea Stewart-Cousins, a Yonkers native, recently appointed Senate Majority Leader.

As the new session gets underway, the BCW looks forward to working collaboratively with her to advance the needs of Westchester's business community; as well as educating and working with the newly appointed Senate Committee Chairs so that the issues of Westchester's business community are understood and met.

Most importantly, it is critical that New York State remains competitive. The BCW 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 for creating new jobs in Westchester County and the Hudson Valley.

In 2019, the state will be facing a \$3.1 billion dollar deficit. We still do not know the full ramifications of Washington's tax legislation that passed in December of 2017, especially with regard to state and local tax deductions now capped at \$10,000. We need to see what unintended consequences this may bring to the business community. Due to these fiscal challenges, the BCW once again is calling 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.

New York has too many state laws and regulations that contribute to the high costs of local government. Westchester, like other municipalities across the state, continues to be hit with mandates and fees that cause serious consequences. State Government must make mandate relief a top priority. This year, the BCW will again meet with the county's state legislative delegation to urge them to concentrate on serious mandate relief legislation.

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.
- Pass a serious regulatory reform package to help reduce the state's onerous regulatory burden. New York has approximately 140,000 pages of regulations. From 2006 to 2015, 2,750 new rules were proposed by New York state agencies, an average of 275 each year. The regulatory barrage in New York must end. Businesses that are looking to relocate or expand in New York need to see that state government is being proactive in removing obstacles and burdens that have a negative impact on their day to day operations.
- Continue to pass on-time budgets in the "light of day." The BCW urges the Governor and the Legislature to get back to passing an on-time balanced budget that is fiscally responsible. The passing of the state budget should not occur in the early hours of the morning. Debating and voting on the 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.
- Reduce the cost 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 written 134 years ago in 1885 has recently gained momentum in light of new transportation infrastructure projects and the need for more affordable housing and new schools. The BCW has taken a leadership role in a state-wide coalition that has been making strides in reforming this old law and it will continue to be one of the major legislative priorities for the BCW in 2019. The law (Labor Law 240/241) holds property owners, employers and contractors ABSOLUTELY LIABLE for "gravity related" injuries that happen

ABOVE LEFT BCW Executive Vice President John Ravitz, BCW President & CEO Marsha Gordon and George Lence, Chair of the Government Action Council, present NY State Senate Majority Leader Andrea Stewart-Cousins with the BCW's 2018 Legislative Agenda.

Reforming the Scaffold Law would not diminish worker safety rules and regulations.



State *(continued)*

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.

In addition:

- The Scaffold Law costs taxpayers \$785 million annually and private businesses that work on public projects \$1.49 billion per year.
- The law added between \$200-\$400 million in additional costs to the construction of the Tappan Zee Bridge replacement, the Mario M. Cuomo Bridge.
- 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.
- To date 33 County Legislatures in New York have passed resolutions calling on 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.

It is important to note that reforming the Scaffold Law would not diminish worker safety rules and regulations. Over the last eight years, the coalition's efforts have included meeting with every member of the Westchester state legislative delegation both in Albany and in their

district offices. Reforming this law would create jobs, help revitalize our infrastructure and provide a major boost to New York's economy.

In 2019, the BCW urges the state legislature to:

- Prohibit new mandates. The state should not impose any new mandates on municipalities, school districts and taxpayers. The BCW urges the Governor and the Legislature to create meaningful legislation that focuses on alleviating the burdens of mandates that are detrimental to local municipalities.
- Enact small business tax reform. There has been positive movement in recent years to adopt business tax reductions for small businesses. The BCW urges the Governor and State Legislature to continue to provide small businesses with more tax cut opportunities.
- Reform the state environmental quality review (SEQR) process. In Westchester County and in other counties across the state, it is clear that the SEQR process 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 BCW 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.
- Pass Public Private Partnership legislation. This legislation would allow New York to authorize private entities to design and build, finance, operate and maintain infrastructure. Public Private Partnership projects would create new jobs that would bring major revenue to Westchester County and the rest of the state.

ABOVE BCW member Joanne Fernandez, Entergy; BCW President & CEO Marsha Gordon; Senator Shelley Mayer; BCW Board Members George Lence, Nicholas & Lence; and Taryn Duffy, Empire City Casino.

ABOVE BCW President & CEO Marsha Gordon introduces BCW Board Member Elizabeth Bracken-Thompson who served as the moderator for the BCW's People's United Bank Leadership Conversation "Fathers & Daughters in Leadership."

State *(continued)*

- Expand and make permanent the extension of the design-build method of project delivery. The design-build model was used successfully in the New Mario Cuomo Bridge project.
- Pass amendments to the state's Minority and Women's Business Enterprises (MWBE) program to ensure that it includes realistic, attainable participation targets and provides waivers that are fairly applied.
- Enact legislation authorizing minority non-CPA ownership in public accountancy firms.

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 must continue to make increasing private sector job growth a top priority. The BCW has seen improvements in this area for both Westchester County and the Hudson Valley Region in certain sectors but much more work needs to be done to ensure that the county's unemployment rate does not grow.

The BCW 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.

The BCW will continue to **support** the Governor's continuation of the state's Regional Economic Development Councils (REDC), which for the last eight years helped create a comprehensive strategic plan that has catalyzed job creation and economic development in the state. In 2018, the Mid-Hudson Valley (which includes Westchester County) Region received one of the "Top Performer" Awards in Round VIII of the REDC Initiative and received \$87.1 million which will be used to fund 122 transformative and sustainable projects all across the region. In the first eight rounds, the Mid-Hudson region has been awarded a total of \$647.8 million for 809 projects around the region.

- The BCW **supports** the continuation of the state's Qualified Emerging Technology Company Tax Credit for capital training programs.

New York State still must continue to make increasing private sector job growth a top priority.



- 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.
- The BCW **opposes** any legislation that would require projects financed in whole or part with funds, subsidies, or tax exemptions provided by the state or a local public authority, to pay prevailing wages. The application of prevailing wages to what are really non-public work activities go well beyond just economic development and construction projects. Depending on the scope of the proposal, affordable housing development, healthcare, higher education and non-for-profit investments, brownfield remediation and a whole host of other important activities could be defined as "public work" simply because they received any type of state assistance or even a tax credit. This represents another unfunded mandate that would drive-up the cost to build projects in turn making New York even more costly and less competitive and essentially drive businesses to neighboring states.
- The BCW **advocates** that the millionaire's tax should sunset as the law provides at the end of this year. The state's millionaire's tax (a surcharge on personal income tax when reporting more than \$1 million) is set to expire on December 31, 2019. This tax was enacted during the economic recession of 2009 as a temporary revenue raising measure, but has repeatedly been renewed. The BCW believes that temporary tax hikes, should be just that, temporary to address fiscal crises.
- The BCW **opposes** Bereavement Leave expansion. Granting up to three months paid family leave for the loss of a relative would vastly expand the state's paid family leave law that has only been in effect for one year and would put yet another burden on small businesses who are already finding it very expensive to run a business in this state.

ABOVE Westchester Business Expo Co-Chairs Ronnie Ram and Peter Herrero join BCW Chair Anthony Justic, County Executive George Latimer and BCW President & CEO Marsha Gordon at the ribbon cutting for the 2018 BCW Westchester Business Expo, the largest business to business trade show in the Hudson Valley.



Travel and tourism continue to be a significant driver of the County's economy, providing revenue to support County services.

State *(continued)*

- The BCW **opposes** the elimination of the Tipped Wage. The BCW urges the Governor and the State Labor Department to keep the tipped wage intact. It is essentially the minimum that a service workers make when they are also eligible for tips. Its elimination will force New York restaurant owners, who are already besieged with government red tape and expenses, to cut workers hours, consolidate and eliminate jobs.
- On the telecommunications front, the BCW **supports** policies encouraging continued network deployment and investment to expand high-speed connectivity necessary to conduct business in today's economy and oppose state efforts to rollback current federal policies promoting an internet ecosystem free from layers of burdensome and costly regulation. Additionally, the BCW also opposes call center policies that could punish any business currently operating centralized offices that handle large volumes of telephone calls for the purposes of providing consumer support, conducting telemarketing and collecting debts.
- The BCW **opposes** legislation extending hotel occupancy taxes. This session, the BCW will be working alongside the Westchester Hotel Association in advocating against fifteen bills aimed at extending hotel occupancy taxes imposed in Ardsley, Dobbs Ferry, Elmsford, Greenburgh, Harrison, Hastings, Irvington, Mamaroneck, Mount Kisco, North Castle, Port Chester, Rye Brook, Sleepy Hollow, Tarrytown and Tuckahoe. The imposition of these taxes, imposed in 2016, has repeatedly targeted Westchester's hotel industry that plays an integral role in Westchester's travel and tourism sector that brings much needed revenue and jobs to the county.

Travel and tourism is a \$1.8 billion industry for Westchester County as measured by visitor spending which has supported 24,140 jobs directly and indirectly in 2016. Travel and tourism continue to be a significant driver of the County's economy, providing revenue to support County services. Local taxes (hotel occupancy, sales and property) and state taxes generated by the industry were \$221.8 million in 2016.

The imposition of hotel occupancy taxes act as a deterrent and impacts a hotel's ability to attract conventions, large conferences and groups who, in turn, will seek localities with lower hotel taxes. Hotel activity in the County flattened in 2016 with room demand (measured by hotel room nights filled) down 1% to 1.7 million. Hotel occupancy declined from 71.4% to 70%; and the hotel average daily rate slipped slightly to \$149.80, down 1%. And this trend may continue as more and more corporate travel planners opt to look elsewhere for their conferences. Moreover, as they look elsewhere, this has a further negative impact on the local economy and county businesses that rely on visitors such as restaurants and attractions. The imposition of hotel occupancy taxes simply targets one industry and sends the wrong message to prospective visitors to Westchester County.

It should be duly noted that prior to passing in 2016, the Governor vetoed similar legislation in 2015 emphasizing that any policy changes should be done pursuant to a comprehensive Statewide policy. However, the following year in 2016 the bills passed again, but this time they were signed into law by the Governor who noted in his approval memorandum (No.22 of Chapter 504 of 2016) that he was approving the bills on the condition that the Legislature agreed to develop a Statewide policy. To date, this has not been done. The BCW urges the Legislature and Governor to develop this policy and to rescind from passing or signing any legislation extending hotel occupancy taxes in Westchester until it is completed and tax implications known.

TRANSPORTATION

The BCW believes that a modern and well-maintained transportation network is vital to the state's economy and serves as an important economic development tool for recruiting and retaining businesses in Westchester County.

Four years ago, the BCW joined a state-wide organization "Rebuild New York" to urge for much needed funding for state and local transportation infrastructure. In a recent report TRIP, a national nonprofit transportation

ABOVE LEFT Westcher County George Latimer speaking to a business exhibitor at the 2018 BCW Business Expo.



The state should seize the opportunity to enable Empire City Casino to reach its full potential as a commercial casino.



State *(continued)*

research organization, concluded that roads and bridges that are deteriorated, congested or lack some desirable safety features cost each New York and New Jersey area driver \$2,768 per year - a total of \$24.8 billion statewide in New York - due to higher vehicle operating costs, traffic crashes and congestion-related delays.

As we enter 2019, it is clear that more investment and a long-term commitment at the local, state and federal levels to fund transportation infrastructure projects is essential in efforts to relieve congestion, improve road, bridge and transit conditions, boost safety, and support long-term economic growth in New York.

Furthermore, the Metropolitan Transportation Authority (MTA) which Westchester's residents rely on so heavily, is also in need of major investment and has also been criticized lately for mismanagement and wasteful spending. Many believe congestion pricing will deliver much needed funding, and it is anticipated to be a major contentious issue during this year's legislative session. The BCW will be closely monitoring the debate on congestion pricing to make sure it addresses the impact that it could cause to Westchester's businesses and residents; as well as making sure the MTA is held to a higher standard with regard to efficiency and accountability.

EMPIRE CITY CASINO

New York is a leader in the gaming industry worldwide and Westchester County is home to one of the most prominent gaming and entertainment destinations in the tristate area, Empire City Casino. With an annual

payroll over \$45 million and nearly 1200 employees, Empire City is critical to the economic growth of this county and the state as a whole.

Each year New Yorkers statewide directly benefit from the more than \$300 million Empire City generates for state education. Empire City provides hundreds of millions more to support the horse racing industry, as well as state and local governments. These funds are a result of a near seventy percent tax rate paid by Empire City and an additional ten percent directed to support the racing industry.

Competition is intensifying as neighboring states aggressively pursue new casinos and gaming opportunities that threaten New York's existing casino revenues and jobs. Surrounding states such as New Jersey, Massachusetts, Connecticut and Pennsylvania have expanded or plan to expand full-gaming properties within close proximity to New York's casinos. Recognizing the need to better compete, New Yorkers approved seven full commercial 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 several years.

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. And with a full commercial license, Empire City would have the opportunity to generate significantly more revenue through poker tournaments, live table games, and onsite sports betting.

More than \$500 million of private investment has already been made in Empire City, and the property is ripe for additional development. The state should seize the opportunity to enable this vital economic engine to reach its full potential as a commercial casino and fairly compete with other full-gaming facilities being developed in surrounding states.



Affordable, accessible and quality child care is a critical component in providing a healthy and productive workforce.



State *(continued)*

CHILD CARE

Affordable, accessible and quality child care is a critical component in providing a healthy and productive workforce. The BCW and the Child Care Council of Westchester, Inc. will be working to emphasize to the Governor and the State Legislature that adequate funding must be provided to invest in child care subsidy programs. The BCW supports increased state funding to stabilize the child care workforce and infrastructure by reinstating the 75th percentile formula for setting reimbursement rates, and increasing funding to cover those costs; as well as strengthening the child and dependent care tax credit to better reflect the true cost of care. The BCW further supports the governor's new Child Care Availability Task Force and proposals outlined in his budget proposal including the creation of a New York State employer-provided child care credit; increases in child care subsidies, the creation of regionally-specific strategies to increase access to quality and affordable child care; a child care worker scholarship program and the establishment of a common application for child care.

HOUSING ISSUES

Housing is critical to attracting employers and employees to Westchester County. That is why the BCW will continue to work with the Hudson Gateway Association of Realtors in **supporting** the following legislation;

- Vested Rights for Property Owners that requires municipalities to maintain a consistent set of rules throughout a construction project, except in reasonable instances.
- Increasing the Threshold for the Mansion Tax by supporting the attachment of the minimum price threshold at which the Mansion Tax

is triggered to the Consumer Price Index. The Mansion Tax imposes an additional 1% tax on buyers who purchase a home for \$1 million or more.

- Permanent Property Tax Cap. Continue to support mandate relief by enacting the Let New York Work Agenda. Extend the property tax cap which has saved \$7.6 billion dollars in tax payer dollars according to the Empire Center.
- The Transparency and Disclosure Act for Cooperative Housing that 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 of purchase.

ENVIRONMENT

Improving and investing in Westchester's clean water infrastructure projects is a top priority of the BCW. As a member of the state-wide Clean Water Jobs Creation Coalition, the BCW will once again urge the Governor and the Legislature to continue to invest in 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.

The BCW also advocates for legislation amending the Civil Practice Law creating the Truth in Asbestos Trust Claims. This bill will create transparency between asbestos trust claims and asbestos tort actions by requiring disclosure of all past, pending and anticipated trust claims. It will promote fairness, reduce fraudulent claims and guarantee that resources will be available for truly sick or injured parties.



The BCW believes that higher education should be accessible and affordable in order to meet the needs of the many companies of the Lower Hudson Valley.



State *(continued)*

EDUCATION

Preparing New York State's students to acquire the skills needed to attend college and/or prepare them to enter the work force will continue to be a top priority for the BCW. Three years ago, the BCW joined a state-wide coalition of civil rights, education, parent and business organizations to continue to engage in serious conversations on how schools can raise the achievement levels for their students in a responsible, reasonable and inclusive manner.

The BCW will continue to **advocate** that all changes in these areas be designed to increase parent confidence in the process, as well as get more feedback from teachers on how these new programs are implemented. 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 market.

The BCW continues to **support** the expansion of high quality CTE Programs, including expanding access to P-Tech schools and establishing regional high schools.

HIGHER EDUCATION

Having an educated workforce is critical to maintaining Westchester County's economic vitality and the BCW believes that higher education should be accessible and affordable in order to meet the needs of the many companies that call the Lower Hudson Valley home. To that end, the BCW believes the Legislature should improve the state's successful Tuition Assistance Program by increasing the maximum award and permitting

graduate students to participate in it. The Legislature should modify the Enhanced Tuition Awards Program to attract additional participants by removing government-imposed caps on tuition charges and residency and employment requirements. The Legislature should also maintain the Bundy Aid Program, a successful program that helps make college more affordable, and the Higher Education Capital Matching Grant Program, which helps schools grow and creates jobs.

In his 2019 budget proposal Governor Cuomo proposes to hold Proprietary Colleges to higher standards than the other three sectors of higher education, namely SUNY, CUNY and Independent Not-for-Profits. All four sectors are regulated identically now and held to high standards by the Board of Regents and the State Education Department. This regulatory structure implements the decades old New York State policy of student choice and access to college in each of the four sectors. The Governor's budget proposal strikes at the heart of this policy by limiting those who most need to gain careers including working single mothers and fathers, women, minorities and veterans.

The BCW is **opposed** to the Governor's proposal that targets Proprietary Colleges as it would place new restrictions on revenue sources, dictate expenditures made, require financial disclosures and prohibit service on any accreditation board. These restrictions will result in the closure of Proprietary Colleges and decimate the for-profit sector (degree and non-degree schools) in New York.

State *(continued)*

ENERGY

The Indian Point Energy Center, the provider of approximately 25% of our region's electricity with virtually no carbon emissions, will cease operations in 2021—after a decade of seeking a license renewal for the plant.

In 2018, the Business Council of Westchester applauded the issuance of a renewed operating license for the two operating units at the Indian Point Energy Center. Throughout the 11-year regulatory review process, it is important to note that the plant's owner and operator, Entergy, has worked tirelessly to ensure the safe and productive operation of Indian Point and continues to be committed to maintaining the highest standards of plant operations through the closure date.

While the shutdown of Indian Point is not immediate, it nonetheless possesses a wide range of significant and complex challenges for our future economy, our businesses and for Westchester residents. The BCW urges state policymakers to continue developing and implementing a clear and transparent plan to replace Indian Point's electricity; assure reliability of the electric system in the Hudson Valley; limit the increase in air pollution; while mitigating the reduction in economic activity and tax revenues following the plant's closure.

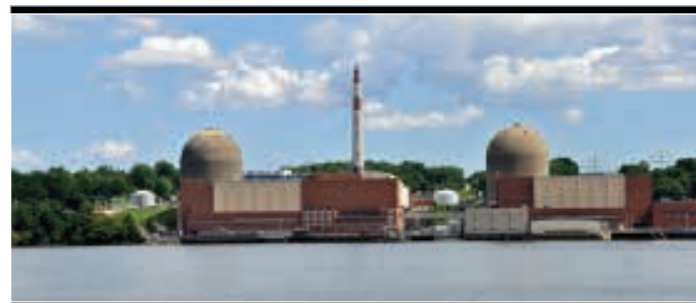
The BCW will certainly oppose any efforts to impose additional financial hardships on either Indian Point or the local community.

The BCW makes the following energy policy recommendations for 2019:

Elimination and Reduction of Taxes, Surcharges and Fees

New Yorkers pay some of the highest utility prices in the country, and approximately 25 percent of their typical monthly electric bill is for taxes, fees, and surcharges. Energy taxes often start as temporary surcharges but end up becoming permanent, and in aggregate, they cost our citizens at least \$1.6 billion annually. These taxes are regressive, burdening the lowest-income New Yorkers disproportionately.

Eliminating these taxes and fees will stimulate our economy, freeing consumers to spend on other goods and needs. With those goals in mind, the BCW favors a significant reduction in ratepayers assessments imposed by the Public Service Commission (PSC). Ratepayer funds should support the adoption of more cost effective and market driven solutions to achieving social objectives.



The BCW urges state policymakers to continue developing and implementing a clear and transparent plan to replace Indian Point's electricity.

Maintain and Expand New York's State Energy Production and Capacity to Power Our Communities

New York State has an antiquated transmission grid that adds billions to electricity costs. Investing to expand and update New York State's energy infrastructure, expediting state review and approval of new transmission capacity, and providing for the extension of natural gas service.

The BCW supports efforts to reduce energy costs and promote adequate and diverse energy suppliers to help support economic growth.

Encourage Conservation and Sustainability Measures

Our state leads in sustainability and conservation, with the lowest per capita carbon emissions in the United States, thanks in large part to our strong nuclear fleet.

The BCW **supports** maintaining the current levels of funding for the Environmental Protection Fund (EPF) to promote economic development; the promotion of "smart" state capital investments that protect the state's air, land, water and natural resources; and the expansion of recreation opportunities.

Develop and Construct New Electric Car Infrastructure

Of the total greenhouse gas emissions in New York City, 24 percent comes from vehicles; yet, of 10.8 million registered vehicles in our state, only about 45,000 run on alternative fuels. New York State can encourage more drivers to purchase such vehicles by building more charging stations along major highways and at transportation hubs. Local jurisdictions should accelerate permitting to facilitate such construction.



The BCW has consistently opposed any attempt to create a single-payer health insurance system in New York State.



State *(continued)*

HEALTHCARE

On the healthcare front, the BCW will continue to educate the business community on all the aspects of the New York State Health Exchange, including what tax credits are available for employers who offer health insurance to their employees.

The BCW will also continue to advocate for Preceptor legislation. Students enrolled in healthcare education programs must participate in clinical rotations in order to graduate and sit for licensure exams, but unfortunately, there is a shortage of qualified professionals, known as preceptors, willing to accept students to provide them with this hands-on experience. The BCW believes that the Legislature should follow the example of other states by passing legislation that would provide tax incentives for preceptors to accept students to ensure that the County remains a place where there is an abundance of primary and specialized healthcare professionals.

The BCW continues to call for the adoption of strong transparency regulations for the Department of Financial Services (DFS) that sets the rates for the health insurance plans under the Health Exchange.

The BCW **supports** the enactment of Medical Liability Tort Reform to rein in the costs of medical malpractice insurance.

The BCW will **support** legislation that effectively addresses the rising costs of prescription drugs without price controls.

The BCW has consistently ***opposed any attempt to create a single-payer health insurance system*** in New York State (NY Health Act). This would have a huge fiscal impact on the state.

- According to a recent report from the Rand Corporation, it is estimated that New York State would need another \$139 billion in new tax revenues to implement the New York Health Act and this would grow to \$210 billion by 2031.
- The New York Health Act would take over and replace Medicare and Medicaid.
- There will be cuts in reimbursement rates to hospitals and other health care providers all negotiated by the state – this could lead to hospital closures and providers leaving the state.
- Approximately 25% of New Yorkers are in self-insured plans which is pre-empted by federal law and they will not have to participate in the New York Health Act (but the employer/employee will still be responsible for the additional payroll taxes).
- Organizations with Collective Bargaining Agreements might need to renegotiate their healthcare agreements.
- Approximately 80% of New York State tax revenue is generated by New York City metro businesses and residents who can easily relocate to NJ or CT (NY is already leading the nation in lost population).
- Another analysis projects nearly 90,000 financial sector jobs would leave the state, taking their high wages with them.
- New York currently covers about 95% of its residents under a combination of private and public health plans – significant decrease from the pre-Obamacare days – and we would be rebuilding a system to cover the additional 5% (we should build off the current model and make some significant reforms to help reduce the rapidly increasing health care costs).



The BCW urges congress to adopt common-sense tax reform to simplify the process and lower rates for businesses and individuals.



FEDERAL

The BCW will continue to work with our congressional delegation on numerous issues in 2019 including:

- The BCW has consistently urged congress to adopt common-sense tax reform to simplify the process and lower rates for businesses and individuals. The tax reform bill that passed in December of 2017 tried to accomplish some of those goals, but unfortunately there are many areas of concern for New York state tax payers. The new limits on state and local tax deductions will have a chilling effect on the state's economy and the BCW urges congress to continue to monitor this fluid situation.
- The BCW once again calls on congress to **reduce** federal regulatory burdens to ease bureaucracy with which businesses continue to struggle.
- The BCW continues to **support** 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.
- The BCW **supports** investing in federal R&D programs that help businesses develop new technologies which then create new private sector jobs.
- The BCW recognizes how important it is that Westchester County is home to more than a dozen colleges and universities. These schools admit students who take advantage of generous institutional aid packages and financial aid provided by New York State and the federal government. As congress works to reauthorize the Higher Education Act, the BCW urges our elected officials to ensure that financial aid programs are strengthened so that a college education remains accessible.
- Many of Westchester's colleges and universities engage in fundamental research and it is essential that the congress continues to appropriate funds that accomplish this goal, which spurs innovation and stimulates the economy.
- The debate over immigration reform is ongoing and caused a federal government shut down. With the rhetoric continuing to rise on this sensitive issue, the BCW urges the federal government to focus on reforms that protect our county's security, but never loses sight of the important role that immigrants have in creating economic prosperity for our country.

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