



2021 Legislative Agenda



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COUNCIL OF
WESTCHESTER**

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Kirsten Gillibrand

United States House of Representatives

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17th C.D. Mondaire Jones
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, *Majority Leader*
36th S.D. Jamaal Bailey
37th S.D. Shelley Mayer
38th S.D. Elijah Reichlin-Melnick
40th S.D. Peter Harkham

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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. Chris Burdick
94th A.D. Kevin Byrne
95th A.D. Sandra R. Galef

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Timothy Idoni, *County Clerk*
Mimi Rocah, *District Attorney*

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3rd District Margaret A. Cunzio
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16th District Christopher A. Johnson
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Noam Bramson, *New Rochelle*
Andre KJ. Rainey, *Peekskill*
Thomas Roach, *White Plains*
Mike Spano, *Yonkers*

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New York State Senate Majority Leader Andrea Stewart-Cousins welcomes BCW members to the State Capitol for the BCW's 2020 Albany Lobby Day.



2021 OVERVIEW

The Business Council of Westchester (BCW) is the county's largest and most prestigious business membership organization representing more than 1,000 members, including multinational corporations, hospitals, universities, biotech pioneers, not-for profits, entrepreneurs and companies of all sizes. As the county's only business membership organization focusing on advocacy and economic development, the BCW's members enjoy unparalleled access to today's top thought leaders, diverse business development opportunities and lawmakers at all levels 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, statewide, national and international level, which has served to create opportunities for business growth in Westchester and throughout the Hudson Valley.

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

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 a resource for information 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 statewide.

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 that is held during the state's legislative session. The Government



State Senator Alessandra Biaggi confers with BCW President & CEO Marsha Gordon and BCW members in Albany.

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 2021 Legislative Agenda.

CURRENT CHALLENGES AND PRIORITIES

As a result of the COVID-19 pandemic, government at all levels will face critical challenges not only this year, but in years to come. The resulting county and state budget deficits will have to be addressed in a responsible manner. The BCW will continue to be a strong voice for the Westchester business community, which continues to face serious day-to-day issues as it reemerges from this difficult time. **The BCW will urge our elected officials to adopt sound policies that lead to sustainable economic growth** that will, in turn, create much-needed jobs in all business sectors. The BCW looks forward to continuing meaningful discussions with our county, state and federal elected officials on the many issues presented in this Legislative Agenda to ensure that the collective voice of the county's business community is heard.

REMAINING FISCALLY RESPONSIBLE AS WESTCHESTER REEMERGES FROM THE PANDEMIC

Westchester County is certainly not alone in facing its most serious fiscal challenges in modern history. The Covid-19 pandemic has disrupted revenue flows on all levels and is creating uncertainties that defy quick and easy solutions. In 2021, the BCW looks forward to continuing to work with Westchester County Executive George Latimer and the members of the County Board of Legislators to continue to promote economic development in Westchester County. In December 2020, the Board of Legislators voted and approved the county's 2021 \$2.1 billion dollar Executive Budget. **The BCW is pleased that in the midst of the pandemic and economic downturn, the County Executive produced a budget that continued to cut taxes while maintaining all county services, and cutting expenditures by \$15.7 million.** It should also be noted that the budget includes \$5 million for economic development programs that hopefully will be used to assist businesses that continue to cope with the numerous challenges created by the pandemic. The BCW will continue to urge county government to do all it can to protect the county's bond rating and not look for **"quick fix solutions"** to generate revenue which might have a negative effect on the business community. The BCW will also oppose any new unnecessary regulations and fees that will cause businesses additional hardships. Now, more than ever, the economic health of Westchester County is dependent upon our county government making the right decisions to ensure fiscal stability for the future. We understand the county's budget challenges will be ongoing, especially if the state is forced to make significant cuts to local governments. Nevertheless, the county should send a strong message to the business community that the county's fiscal house is in order and that it will protect its bond rating, which is critical to attracting and retaining employees.



Westchester County Executive George Latimer addresses the BCW membership at their 2020 Annual Dinner.

It is also essential that Westchester's municipal governments do all that they can to help businesses that have been severely hurt by the pandemic. In the early months of the pandemic, it was commendable to see local governments act quickly to eliminate or streamline applications and licenses processes so that restaurants and other businesses could have outdoor spaces to serve their customers. That type of swift **"outside of the box thinking"** leadership must continue in 2021. The BCW supports the good efforts that many of the county's cities and towns have implemented over the past few months. Local governments must continue to engage their citizens to be active positive participants in this process that will only help Westchester's businesses move forward.

In 2020, 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 what the negative impact would be if certain legislative initiatives were adopted. It is critical that county legislative leaders understand that passing legislation that has unintended consequences could serve as a barrier for future employers creating more jobs in Westchester County.

In 2021, the BCW will again remind county government that Westchester prides itself on 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 as the county reemerges from the pandemic will not help bring more permanent jobs to Westchester.

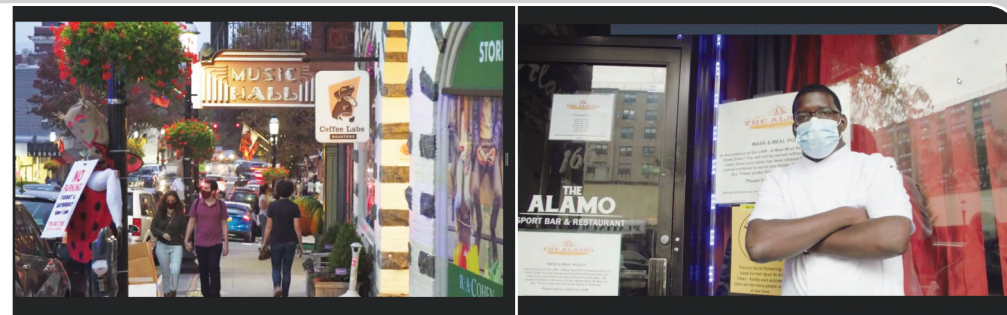


BCW Government Action Committee Chair George Lence and BCW President & CEO Marsha Gordon greet Assemblyman Gary Pretlow and former Assemblyman David Buchwald in Albany.

In 2021, The BCW will continue to participate in helping to make the County's "Element 46" program a success. The program was designed to help startup businesses succeed by providing them with free workspace, training, mentoring and access to pro bono consulting services. This program and other likeminded programs will be critical to help the county encourage entrepreneurs to create businesses that will be part of the county's permanent workforce.

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. These partnerships can only help the county generate more needed revenue and encourage experienced private companies to become active in Westchester County. The BCW has always supported a public-private partnership proposal for Westchester County's Airport and Rye Playland. Both facilities are important economic development tools to recruit and retain jobs in the county. The BCW was pleased that the County and Standards Amusements have reached a settlement over the management of the Playland amusement park. We are confident that the Board of Legislators will approve the new contracts in a transparent and open manner. **Westchester County needs to continue to look for private sector partners who have proven track records in working with municipalities to improve and enhance key county-owned properties.** Other states around the country have shown that public-private partnerships have worked, not only to successfully enhance existing properties and projects, but to create more private sector jobs as well.

BCW Executive Vice President John Ravitz leads a Government Action Council meeting.



The BCW's Economic Recovery Task Force reached out to all business sectors for their input on how their businesses can reemerge from the pandemic.

THE BCW'S ECONOMIC RECOVERY TASK FORCE

When the pandemic economic downturn hit last year, it became clear to the BCW that a successful recovery would require a coordinated response by business leaders from the private and public sectors. The BCW quickly formed the Westchester Economic Recovery Task Force to help develop recommendations and identify issues and concerns that needed to be addressed by the state and county governments for the county's resurgence.

The Task Force issued its first report to Governor Cuomo and County Executive Latimer on June 1st, followed by an updated second report in July with new issues and recommendations that had arisen as the economic downturn continued. Both reports can be found on the BCW's website at www.thebcw.org.

In addition to the two reports, the Task Force conducted a survey that was sent out to the Westchester business community to gain more insight into the ongoing challenges businesses are facing due to the pandemic. The results of that survey were also forwarded to the Governor and County Executive. Lastly, the Task Force also hosted three virtual Town Hall Meetings that gave hundreds of business owners and executives who participated the opportunity to voice their concerns and raise issues posing economic challenges to local businesses and municipal governments.

The Task Force will continue its work in 2021 and serve as a constant point of contact between Westchester County's diverse public and private business community and our political leaders at all levels of government.

THE BCW'S COALITION FOR WESTCHESTER AIRPORT

The pandemic and resulting drop in air travel provided an opportune time for the much-needed and long overdue repairs to be completed on Westchester Airport's 6,500-foot runway.



A wise decision was made to shut down the airport to focus on the repairs and while they were scheduled to take three months to complete, good planning allowed completion in a mere three weeks. The BCW applauds the efforts that the County Executive's office made in finishing this important project during these challenging times, as one of the most important aspects of airport safety is ensuring that the runways are adequately maintained to create a safe and secure operating environment.

In 2021, the BCW's Coalition for Westchester Airport will advocate for additional and necessary enhancements to make the airport more attractive so that it can continue to play an important role in creating more economic development opportunities for the county. The Coalition will remind our political leaders of the following important facts:

- ✓ 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.



WORKFORCE DEVELOPMENT

Due to the pandemic, the BCW recognizes that having the appropriate talent to fill available jobs in Westchester is more important than ever to assist the county's economy recovery. Over the past eleven months, many Westchester residents have unfortunately lost their jobs and will be looking for new opportunities to rejoin the work force. As a member of the county's Workforce Investment Board, the BCW will continue to advocate for funding on the federal, state and county levels for workforce training programs to meet the job needs of our key employers, especially in health care, life sciences, hospitality and IT. The BCW has a special long standing commitment to employment opportunities for young people that will continue through partnerships with youth organizations and not-for-profits, especially those serving youth in our urban centers. Additionally, our partnerships with Westchester institutions of higher learning will continue to provide the groundwork for building the workforce of the future.



Heidi Davidson, BCW Board Chair and Maggie Timoney, President of Heineken USA, speak about reemergence from the pandemic at the BCW's 2020 virtual Annual Dinner.



ANTI-RACISM, DIVERSITY AND INCLUSION

The BCW is committed to standing against racism and recognizes that diversity, inclusion, equality, and equity are fundamental growth drivers across all business and organizations. Last year the BCW joined forces with the U.S. Chamber of Commerce, the Business Council of New York State, and others in hosting a National Town Hall to create a call to action to make a difference in communities across the nation with the shared goal of advancing the conversation to end racism with actionable steps to support real change. To achieve this goal, the BCW created an Anti-Racism Board Task Force and implemented a multifaceted program that includes listening, actions, resources and programming. A key part of this includes on-going opportunities to raise awareness among its members.

The BCW hosted a series of webinars that featured a diverse group of speakers who discussed how all employers can develop plans and guidelines to diversify their workforce and teach employees how to maintain an inclusive workforce that respects all customers and clients. Furthermore, to create a baseline benchmark of diversity and inclusion practices within its member organizations, the BCW issued an anonymous survey where aggregate data will be collected and used to get a better understanding of the BCW membership as it relates to diversity. The BCW intends to share themes from this data at future diversity and inclusion events, and to update it periodically.

To provide additional support and resources to its members, **the BCW launched an Anti-Racism Resource Center on its website that provides free programming for its members and their employees on a wide range of topics to foster inclusion.** In February of 2021, the BCW hosted a Driving Diversity and Inclusion Conference for businesses and organizations featuring speakers and experts covering best practices, resources and guidance on issues related to diversity and inclusion. The BCW's goal is to continue to roll out resources that will support systemic change, and to play a role in this important dialogue and delivery of a robust plan of action.

The Unison Experience concert was part of a diversity and inclusion series by BCW member Yonkers Arts celebrating artists of all backgrounds and mediums working together.



GREEN BUSINESS PARTNERSHIP

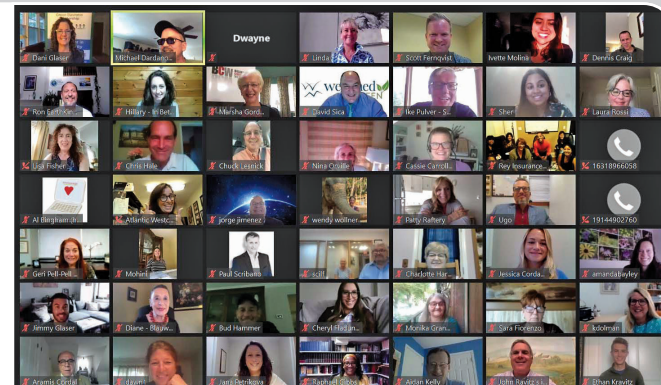
Established in 2009 as a BCW program in partnership with Westchester County and Green Team Spirit LLC, the Green Business Partnership (GBP) is a mission-driven nonprofit membership organization that awards official green business certification. Businesses and nonprofits join to gain access to the proprietary GBP Greenhouse Gas Emissions Tool and comprehensive online toolkit, which are used to calculate the economic and environmental impacts of daily operations and complete specific action items to increase efficiency and save money. Organizations certified by the GBP receive an official seal to validate and promote their commitment to sustainability.

In order to achieve its mission, **"to engage, educate and empower organizational leaders and staff to accelerate sustainable business,"** the GBP utilizes a collaborative approach based on organizational commitment and the value of teamwork. This model has been sustained during the Covid-19 pandemic through enhanced digital outreach, including Zoom "Team-Ups", educational webinars on relevant topics and a lively new Google Group that allows members to communicate directly with each other.

GBP currently reaches upwards of 30,000 employees across more than 160 member organizations, 60 of which are certified green businesses.

Highlights from the past year include:

- ✓ **Member engagement during the Covid-19 pandemic:** Covid-19 has had a profound impact on all of us, both on a personal and professional level. Realizing this, the GBP hosted an online community meeting that provided members with an opportunity to share how the pandemic has been affecting their businesses and to discuss new ways to work together. Educational webinars

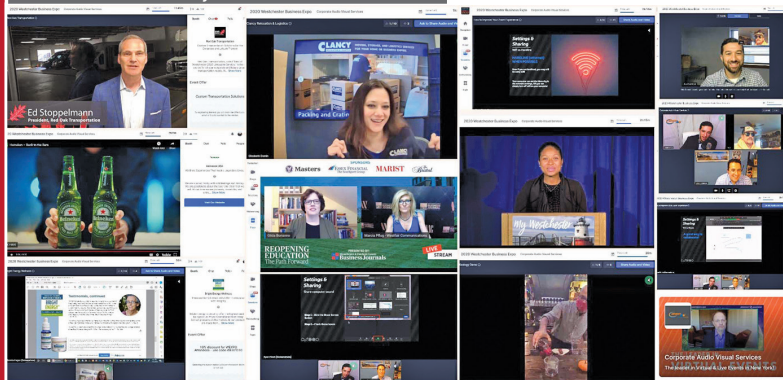


10th Annual Green Business Partnership Awards. A virtual celebration honoring six outstanding organizations for their leadership in sustainability.

that followed included HVAC Strategies for a Safe Return to Work, Aligning Financial Goals with your Values, and Environmental Justice for All.

- ✓ **New Year, New Vision:** Over the past year, the GBP reached out, but also looked inward. Thanks to a grant from the Westchester Community Foundation, the GBP engaged consultants to develop a roadmap for growth and to clarify its mission and vision statements to more accurately reflect its core values. Learn more at greenbusinesspartnership.org.
- ✓ **Celebrating 10 Years of Green Business:** The GBP celebrated its 10th year anniversary in style on Zoom this past year, recognizing an exceptional group of businesses for their outstanding achievements in sustainable business. Dr. Marsha Gordon, President and CEO of the BCW was joined by County Executive George Latimer and GBP Directors Dani Glaser and Scott Fernqvist to honor Cerebral Palsy of Westchester (Charles W. Brown, Jr. Sustainability Award), The Rey Insurance Agency (Organizational Commitment), Purchase College (Energy), Westmed Medical Group (Waste Management), Saratoga Springs Library (Transportation), and Regeneron (Water).
- ✓ **Sponsors Step Up:** The GBP is so thankful to all of its sponsors and program partners who continued to provide vital support over the past year: Con Edison and Westchester Community Foundation (Platinum), Regeneron (Gold), Montefiore and Pell Wealth Partners (Silver), Allied Converters, Atlantic Westchester, Bright Energy Services, Diamond Properties, LeChase Construction, NewYork-Presbyterian, Peak Power, Blue Book Building and Construction Network (Bronze).

In 2020 the BCW conducted its first virtual Expo that was attended by over 300 business leaders.



PARKS

The BCW supports maintaining the critical infrastructure of our 18,000 acres of County Parks. Parks and open space are vital to attracting and keeping businesses in the county and the recruitment of personnel, especially younger adults and young families. The Covid-19 pandemic has shown that residents, workers and visitors value these precious areas to keep them healthy and have some semblance of normal activity. They used our parks in record numbers.

Safe, clean, affordable places for people to recreate are among the most indispensable elements that make Westchester a great place to live, work and play. They help sustain our business community, our social lives, our well being and our families. Many successful rebirths of urban or downtown areas start with a park. Just think Fountain Park in downtown White Plains, Ruby Dee Park in New Rochelle or Van der Donck Park in Yonkers and you can see that both public and private decision makers see the powerful and essential value of parks.

As such, the BCW supports the continuing reinvestment into the infrastructure of the Westchester County Park system by:

- ✓ Requiring County adherence to New York State legislation enacted in 2020 that mandates state legislative approval to lease, sell or dispose of any dedicated county parkland larger than two acres in size.
- ✓ Building on the momentum made reducing an over \$400 million-dollar backlog of previously approved capital improvement projects;
- ✓ Utilize private sector expertise by fully initiating a “project manager” form of capital contracting that will speed completion of projects, save tax dollars and return worn or closed facilities to full public use; and
- ✓ Prioritizing capital projects in the southern portion of the county where open space and access to parklands is much more restricted.



New York State has been upended by the COVID-19 pandemic and the state's business community is facing significant uncertainty including the possibility of more forced shutdowns, possibly less federal assistance, calls for tax increases, increases in payroll taxes and additional employee benefit mandates.

Many challenges lie ahead and our state elected officials will need to make tough decisions as the state starts to reemerge. The most difficult task facing the Governor and the Legislature will be reigning in the massive \$15 billion budget deficit exacerbated by the loss of revenues due to the pandemic. Our state leaders will need to be proactive, and while the discussions thus far are centering on the need to increase taxes, this cannot be a long-term solution. In order to remain competitive, New York State must bring back and create new jobs as a means of bringing in more revenue, and not resort to tax increases. Raising taxes and enacting onerous regulations sends the wrong message to businesses in New York and to those contemplating a move to New York and would further impair the state's economic climate.

Additionally, the results of the 2020 elections have also brought about a new dynamic in Albany with a super Democratic majority in the Senate that is now in a position to effectively override any vetoes by the Governor. There is also the concern that the newly elected members in the Legislature will be more inclined to resort to raising taxes, spending and regulating the already heavily taxed, high spending over-regulated state.

The BCW was very active during the 2020 legislative session despite the closure of the State Capitol to lobbyists and visitors. **Countless memorandums of support and opposition on bills of importance to the BCW business community were issued to the State Legislature.** In the year ahead, the BCW will continue to be proactive. The BCW will be diligent in monitoring the upcoming budget discussions and legislative session and seeing what unintended consequences this large deficit may bring to the business community. The BCW will also continue to remain in constant contact with the Governor, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie and with the members of the Westchester delegation to ensure that the Westchester business community's voices continue to be heard.



BCW members observe the legislative process in the New York State Assembly chamber.

BCW Board Chair Heidi Davidson confers with New York State Budget Director Robert Mujica.

BCW President & CEO Marsha Gordon and BCW Board Chair Heidi Davidson present State Senate Majority Leader Andrea Stewart-Cousins with the BCW's 2020 Legislative Agenda.

In 2021, the BCW urges the State Legislature to:

- ✓ **Find an appropriate balance surrounding the debate on rent evictions.** It is incumbent upon the Legislature to take a responsible approach and balance both the needs of business owners and building owners. Businesses certainly need support in order to make ends meet but, at the same time, building owners need to have the necessary funds available in order to continue to maintain and make building improvements.
- ✓ **Examine eligibility for COVID-19 sick leave.** After much confusion surrounding sick leave eligibility, the New York State Department of Labor recently provided new guidance that allow employees to tap COVID paid sick leave benefits for up to three rounds of quarantines (whether due to the employee's own positive test or as a precautionary measure based on exposure). In effect, this provides employees with six weeks of paid leave on top of any other paid leave benefits that employers provide under their policies. As employers are struggling to keep afloat, we need to be cognizant and find an appropriate balance that supports both employers and employees. The BCW understands the intent of these types of regulations, but urges the Department of Labor and the State Legislature not to impose more dramatic burdens that will put employers in a perilous situation.

- ✓ **Vigilantly monitor the state's implementation of the minimum wage increases.** The minimum wage increases that were enacted into law in 2019 are slated to be fully phased in by the end of 2021 in Westchester County. The BCW supports employee wage growth, but has always stressed the importance of being mindful of the impact that minimum wage increases are having on businesses and whether or not they are in distress as a result. Pandemic restrictions have forced many businesses to furlough workers, cut employees and even close. Increases in the minimum wage represent new, additional costs to businesses and may result in further job cuts. The BCW urges State government leaders and the Department of Labor to monitor this process over the course of the year.
- ✓ **Amend the Real Property Tax Law to clarify and restore the intent of Sections 524 referring to administrative filings and 704 referring to the court appeal filing.** An amendment is needed to clarify the categories of persons who can file a property tax challenge. Recently, poorly supported case law has developed that upends the statutory definitions of who has standing to file a challenge. The adverse impact that continues to play out in many jurisdictions is that commercial tenants who are directly responsible for the payment of their taxes are left without a remedy to appeal an unfair or unequal assessment despite being granted the right to do so by their owner/landlord.
- ✓ **Oppose any bill that would retain a portion of the currently fully refunded Stock Transfer Tax (STT).** During this unprecedented and critical time, a STT targeted at the financial markets will impair New York State's economy, adversely impact the state's business environment, and increase the cost of investing for everyday savers and investors. It could also force the New York Stock Exchange to leave New York.
- ✓ **Codify virtual shareholder meetings permitted for New York State corporations.**
- ✓ **Maintain Qualified Manufacturers Tax whereby New York State manufacturers are subject to a 0 percent business income tax rate.**
- ✓ **Support tax reforms to reduce compliance costs and make the state's tax code more supportive on in-state investments and job creation.**
- ✓ **Continue to support the New York State Department of Labor's Shared Work Program.** This program has been especially important during the pandemic as it allows employers to keep trained

employees and avoid layoffs by allowing staff members to receive partial Unemployment Insurance benefits while working reduced hours.

- ✓ **Prohibit new mandates.** Now, more than ever, 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 and hinder their economic recovery.

- ✓ **Reform the Scaffold Law in the FY 2022 State Budget.** This continues to be one of the major legislative priorities for the BCW in 2021. The BCW, as part of the 75 plus member organizations of the Scaffold Law Reform Coalition, is again urging the Governor and legislative leaders to reform the Scaffold Law in the upcoming budget process. The reform of this outdated law would assist the state's economic recovery and free up millions of dollars in state and municipal budgets, save hundreds of millions in infrastructure costs, and release an estimated two hundred million a year in education budgets across the state. The Scaffold Law, written 135 years ago in 1885, costs taxpayers \$785 million annually and private businesses that work on public projects \$1.49 billion annually. The law (Labor Law 240/241) 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 which has substantially increased workers compensation insurance costs, reduced the number of insurance carriers operating in the state, has dramatically increased costs for all construction projects, public or private, and has also negatively impacted MWBE



New York State Lieutenant Governor Kathy Hochul participated in numerous BCW virtual meetings in 2020.

In 2021 the BCW held a "State of Real Estate" conference to discuss the real estate landscape in Westchester County.

contractors from bidding on projects. The fact remains that keeping this law on the books has not been shown to increase workers safety compared to other states. Now is the time to change the standard from the current, outdated absolute liability standard to a more equitable and modern comparative negligence standard.



BCW President & CEO Marsha Gordon and BCW Executive Vice President John Ravitz welcome New York State Attorney General Letitia James who was one of the featured speakers at a BCW's Political Leadership Series event.

- ✓ **Pass a serious regulatory reform package to help reduce the state's onerous regulatory burden.** The BCW encourages the Legislature to reintroduce legislation to end New York's regulatory barrage. New York has approximately 140,000 pages of regulations. 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.
- ✓ **Reform the state environmental quality review (SEQR) process.** The BCW urges the Governor and the Legislature to amend and in some cases eliminate the SEQR rules and regulations that cause unnecessary delays for important projects throughout the state. This delay causes local municipalities to at times abandon economic development projects, which then prevents new jobs and revenue from being generated. This issue was highlighted at each and every virtual Town Hall meeting of the BCW's Economic Recovery Task Force. It is clear that the SEQR process has been used to cause serious delays in getting Westchester projects completed in a timely manner. Simply put, we can now no longer afford not to reform this process.
- ✓ **Pass Public-Private Partnership legislation.** The Legislature and Governor should note what other states have accomplished and continue to explore ways to 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 back to Westchester County and the rest of the state.

- ✓ **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.** The BCW supports the Governor's proposal to reduce the corporate tax rate for small businesses from 6.5 percent to 4 percent.



BCW members outside the Governor's Chamber at the BCW's 2020 Albany Lobby Day.

- ✓ **Expand and make permanent the extension of the design-build method of project delivery for state agency projects.** In 2019, Governor Cuomo signed into law a bill allowing New York City to use "design-build" for its big projects. This allows the City to cut through red tape and save time and money on critical projects. The BCW urges the Legislature to grant similar authority to state agencies so they too can see similar results throughout New York State.
- ✓ **Continue to pass amendments to the state's Minority and Women's Business Enterprises (MWBE) program to bolster the program, streamline the application process, enhance opportunities and encourage greater participation.**
- ✓ **Continue to pass on-time budgets in the "light of day."** 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.
- ✓ **Oppose legislation that suggests free or reduced broadband services.** Lawmakers have historically funded social programs directly and should not be looking to force any business to offer free services.
- ✓ **Enact legislation to allow non-CPAs to be minority owners of CPA firms, consistent with 49 other states and jurisdictions.**

ECONOMIC DEVELOPMENT

Economic development programs and policies will play a major role in the fiscal recovery of Westchester and the rest of the state. They should work to bring back jobs, create new ones and create a competitive environment for businesses to survive, recover and thrive. 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 *supports* the Governor's Regional Economic Development Councils (REDC), which in the past has helped catalyze job creation and economic development in the state. While the state's fiscal condition due to the pandemic suspended the program last year, the BCW was pleased to see that the Governor's FY 2022 Executive Budget includes funding for a new round of REDC awards totaling \$750 million. The BCW is optimistic that this program will receive funding in the final budget.
- ✓ The BCW continues to *oppose* prevailing wage legislation. Three years ago, the BCW formed the Smart Development Working Group that is comprised of Westchester's most prominent developers, in response to legislation to require the payment of prevailing wages on private construction projects receiving any form of state funding support. While legislation ultimately passed in last year's state budget, the final legislation, in part due to the efforts of the Working Group, included **concessions** such as additional project exemptions, an increase in construction project thresholds, and a delayed implementation date, among others, which made the final bill less painful to bear. Going forward we need to be mindful of additional prevailing wage legislation that could be introduced in 2021 that could increase the cost of private construction projects that bring new residents, new jobs, and new opportunities to Westchester County.
- ✓ The BCW *supports* the broad implementation of 5G, the next generation of wireless technology, across the state. The BCW is a member of a statewide coalition (NYersFor5G) that is **advocating for a reliable, robust and high-speed wireless network which is crucial to helping rebuild New York's economy and maintaining the state's competitive edge** while supporting and improving many facets of our daily lives.

The pandemic has certainly underscored the need for an enhanced 5G wireless network. 5G will make it easier for employees to telecommute from home; for telehealth to allow patients to connect with doctors and other healthcare professions; for remote learning in all kinds of digital classrooms; for public safety to deliver more reliable access to emergency services by police officers, firefighters and first responders. High speed wireless networks will also help New York's small businesses by ensuring that they have full cellular coverage and access to high-speed broadband service to enable them to compete in the global marketplace. In New York, the implementation of 5G is expected to generate more than 193,000 wireless-related jobs and nearly \$28.2 billion in economic growth over the next five years. To meet the challenges ahead we will need a next generation 5G wireless network.

- ✓ The BCW *supports* the Governor's FY2022 budget proposal to provide a variable market-based interest rate on court judgments paid by public and private entities. This will provide much needed mandate relief for local governments and lower state taxpayer costs. Under current law, defendants pay nine percent interest on court judgments. The current market rate has averaged below three percent for the last five years. The Governor's proposal would link the interest rate to the weekly average one-year constant maturity treasury yield, which is the same rate utilized by the federal court system. The proposal would save both the public and private sector millions every year. Further, it would improve access to justice by ensuring that our businesses and municipalities can utilize the appeals process without the punishing nine percent interest rate. Additionally, the proposal is flexible, and would automatically adjust as the market rate changes. With this proposal, New York has an opportunity save millions, modernize our court system, and improve New Yorkers access to justice.



BCW President & CEO Marsha Gordon joins Westchester County Board of Legislators Chairman Benjamin Boykin and Westchester County's Director of Economic Development Bridget Gibbons to congratulate Sarah Jones-Maturo at the ribbon cutting of RM Friedland's new offices in Harrison.

- ✓ The BCW **opposes** any increases to unemployment insurance that would further exacerbate already struggling small businesses. Small businesses have disproportionately been impacted by the pandemic and resulting economic shutdowns and restrictions. Small businesses were ordered to close in the interest of public safety while big-box stores were allowed to stay open because they were considered essential. As a result, many small businesses had to lay-off employees which will hurt their employer's experience rating, which means higher UI taxes. If Albany fails to address this, small businesses could pay anywhere from an extra \$200 to \$1,000 per employee in UI taxes. Small businesses that are already struggling cannot afford these tax increases.
- ✓ 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 **urges** the Legislature to hold more hearings on the topic of regulating New York's gig economy workforce, including app-based companies, so that it hears from everyone...employers and employees...to ascertain the effects that reclassifying them as employees would have on different businesses within different industries across the state.
- ✓ The BCW **opposes** the elimination of the tipped wage. The BCW has repeatedly urged the Governor and the State Labor Department to keep the tipped wage intact. It is essentially the base wage paid to an employee that receives a substantial portion of their compensation from tips. Its elimination will force New York restaurant owners, who have been hard hit by the pandemic and who are already besieged with government red tape and expenses, to cut workers hours, consolidate and eliminate jobs. Now, more than ever, it is not realistic to eliminate it.
- ✓ The BCW continues to **oppose** employee's lien legislation (S.2762/A.766) that would allow the imposition of a lien on personal property of employers based on a claim of wage and hour violations. This legislation would be unjustifiable burdensome to Westchester employers as it allows employees to secure a lien before an allegation is proven. This could potentially affect the credit lines of small businesses and put businesses at risk without any misconduct ever being proven. This bill passed the Senate last session, and we will continue to work hard in opposing it in 2021.

- ✓ The BCW **supports** a Hospitality Relief Package to provide assistance to the hospitality and tourism sector of the economy that has been particularly hard hit by the pandemic. In 2020 New York State travel spending declined over 72 percent, down from 2019 by over \$50 billion. For perspective, Westchester's travel and tourism industry reached a record \$20.1 billion in visitor spending in 2019, with lodging representing \$451 million. In 2020 Westchester lost 814 rooms from permanent hotel closures, which included the closing of two of the county's largest hotels. It should also be noted that current temporary closures/suspended operations, included an additional 873 rooms. 2020 YTD revenues per available room was 51.3 percent and 2020 YTD occupancy at 51 percent. Many businesses in this sector have been forced to close and many more continue to struggle to keep their doors open. They are vital to the state's economy, not only providing services, but also employing hundreds of thousands of people across the state. **It is imperative that New York State does all it can to help revitalize this industry that has proven to generate revenue to municipalities** and, in many cases, has served as an incubator for workforce development.
- ✓ The BCW, working with the Westchester Hotel Association, **supports** legislation to regulate Short Term Rentals (STRs). This legislation is needed to level the playing field between STR platforms and the regulated businesses in the tourism industry that provide traditional lodging options to consumers throughout the state. This legislation would not only enhance safety by requiring STRs to adhere to fire and safety regulations, but would also require STRs to pay sales and occupancy taxes, thus bringing much needed additional revenue to the state and local governments at a time when it is needed most.
- ✓ The BCW and the Westchester Hotel Association will continue to **oppose** legislation (S.468/A.450) to require employers of retail, food service or cleaning employees to give their employees' 7-day notice of their work schedule and a month's notice of the minimum hours



BCW Board Member Peter Herrero and his staff of the NY Hospitality Group continued to serve their patrons via outdoor dining during the summer of 2020.

of work they will be assigned. This is not practical in the hospitality industry that is constantly evolving on a day-to-day basis and which is subject to circumstances, which they have no control over.

- ✓ The BCW and the Westchester Hotel Association will continue to **oppose** legislation (S.3546) stating that an employer may not schedule or require an employee to work during rest periods defined as the first ten hours following the end of the previous calendar day's work shift or on-call shift, or the first ten hours following the end of a work shift or on-call shift that spanned two calendar days. This bill would effectively tie the hands of the hotel industry whose many employees prefer the convenience of back-to-back shifts.
- ✓ The BCW **supports** accelerating the distribution of matching public investment capital for early-stage life sciences companies by simplifying the process under which these burgeoning firms may access funding from the \$100 million Life Sciences Investment Capital portion of New York State's \$650 million Life Sciences Initiative (announced in January 2017). Only through greater transparency and education regarding the initial investment application process, and by fast-tracking the distribution of funds to approved companies, will Westchester County see significant growth of its life sciences and health technologies sector as we face increased competition from world-class life sciences hubs located in Massachusetts and California.

EMPIRE CITY CASINO BY MGM RESORTS

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 of over \$80 million and as the largest private employer in Yonkers with more than 1,000 employees prior to the pandemic, Empire City – which was acquired by MGM Resorts in January 2019 – is critical to the economic growth of Westchester 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 and the hundreds of millions more contributed to state and local government coffers. These funds are a result of a near seventy percent tax rate paid by Empire City, including ten percent directed to support the racing industry.



Competition continues to intensify as neighboring states aggressively pursue new casinos and legalize retail and mobile sports betting that threaten New York's existing casino revenues and jobs. Surrounding states such as New Jersey, Massachusetts, Connecticut and Pennsylvania continue to expand gaming opportunities within close proximity to New York's casinos and bring mobile betting online. 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, but under the applicable law, the state will not issue the remaining licenses until 2023. Moreover, current legislative proposals would not allow MGM Empire City to offer mobile sports betting; that would be reserved only for the upstate casinos.

Allowing Empire City to achieve its potential as a full-scale casino, complete with retail and mobile sports betting and live dealers, would significantly speed up the state's recovery, and help put New Yorkers back to work in family-sustaining union jobs. Every new live-dealer table game, such as poker, that Empire City can offer creates six new jobs, resulting in tremendous job growth. A full-scale casino license will also help New York State and Westchester County bounce back from the economic crisis brought on by the pandemic by generating significant and immediate new revenue through license fees and bringing investment back into the localities where Empire City employees live.

MGM Resorts has invested \$850 million in Empire City, and the property is ready to become a full-scale casino and preserve and create critical well-paying jobs in Westchester County. The state should seize the opportunity to enable this vital economic engine to do more for New York as a full-scale commercial casino with retail and mobile sports betting and fairly compete with other full-gaming facilities being developed in surrounding states.

ENERGY

Westchester County's energy landscape is dramatically changing. The Indian Point Energy Center, the provider of approximately 25 percent of our region's electricity, will fully cease operations by April 30, 2021. In addition, a natural gas moratorium has remained in place for two full years in the southern section of Westchester County. The BCW has continuously raised concerns that these two decisions could impact the reliability of our power grid and cause an increase in electric rates; result in negative environmental impacts due to increases in carbon emissions; and ultimately cause serious economic impacts for the entire county. The BCW supports the prompt decommissioning of the Indian Point site with the necessary environmental provisions in order to make the potential reuse of the site feasible as part of a vibrant regional economy. Attempts to extract additional payments from the site will be counter-productive to the shared goal of prompt decommissioning.

The Climate Leadership and Community Protection Act (CLCPA) implementation continues to move forward. It sets several ambitious targets – 70 percent of New York's electricity must come from renewable sources by 2030, the complete decarbonization of the power generation sector by 2040, and the state achieving “net zero” emissions by 2050. These goals will require developing and deploying myriad renewable resources and technologies throughout the state, some of which do not exist yet. The decisions made now will have a lasting impact on the state's economy and our everyday lives.

New York State Budget Director Robert Mujica briefs BCW members on the State's Executive Budget.



The BCW is concerned that:

- ✓ The Plan will double energy costs in the state;
- ✓ The Plan will actually *decrease* the Rate of CO₂e Reduction in New York State – the opposite of its stated goal;
- ✓ The Plan cannot be implemented in New York State's stated timeframe with the currently available resources or 15 year timeframe; and
- ✓ Even in a best-case scenario, there will be insufficient renewable generation and storage to support the proposed loads.

In light of the above concerns, the BCW joined with several members of the Climate Action Council (CAC) to urge the Council to retain an independent consultant to conduct a quantitative analysis of the potential impacts of compliance with the CLCPA on New York State businesses. A detailed assessment of such costs is critical in understanding the most effective means to achieve the CLCPA's greenhouse gas reduction targets, and will be instrumental to the CAC in developing its draft Scoping Plan. This cost study should be commenced as soon as possible in order to guide the work of the CAC, instead of only being performed after the CAC's recommendations are developed. It is imperative that New York State adopts a realistic energy plan that provides sufficient energy to run the state in the most cost-effective means.

The BCW has always supported the implementation of new renewable sources of energy. As Westchester County begins the transition to having renewable energy be its main source of power, it is critical that New York State removes obstacles to building the renewable infrastructure that will be needed to support these new sources of energy. Communities cannot use the “Not in My Back Yard” (NIMBY) argument to stop or delay this critical process. These critical infrastructure projects must be built in a timely manner. The BCW hosted numerous virtual meetings this past year with the New York State Energy Research and Development Authority (NYSDERDA) and the Public Service Commission to explore these issues; and also raised reliability concerns with the Chairs of both the Senate and Assembly Environmental Conservation and Energy Committees. The



BCW also continues to help educate its members, and **this past year held a virtual Energy Conferences to apprise Westchester's business community on the many energy programs that are available** to assist them. The BCW will continue to ask the tough questions to ensure that Westchester's energy infrastructure can continue to support economic development that is vital to the success of Westchester for both residents and businesses.

The BCW makes the following energy policy recommendations for 2021:

The New York State Renewable Reclamation Projects Program

The BCW supports legislation (S.3289/A.3855) to establish the New York State Renewable Reclamation Projects Program for the development of renewable electric generation projects. New York State's goal to generate 50 percent of its electricity from renewables by 2030 requires a momentous effort. To meet this goal, New York must nearly double the amount of renewable energy available – and install roughly eight times more wind and solar – than exists today. However, this laudable goal must be accomplished while also considering the costs to customers. Additionally, Westchester County is responding to natural gas supply constraints. Businesses and homeowners are installing electrified ground and air source heat pumps to meet their energy needs. In order to close the gap for this new electrical demand, it makes environmental and economic sense to use renewable electricity that is brought online and generated in the most cost effective way possible.

Funding for the New York State Cessation and Mitigation Fund

The BCW urges for additional funding for the New York State Cessation and Mitigation Fund to assist municipalities and localities with the loss of property tax revenue following the closure of an electric generating facility.

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. Ratepayer funds should support the adoption of more cost effective and market driven solutions to achieving social objectives.

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 needs to provide more electric car infrastructure such as more charging stations along major highways and at transportation hubs to encourage more drivers to purchase electric vehicles. Additionally, local jurisdictions should accelerate permitting to facilitate such construction.

ENVIRONMENT

As a member of the state-wide Clean Water Jobs Creation Coalition, the BCW will urge the Governor and the Legislature to continue to invest in clean water projects through New York State's Clean Water Infrastructure Grant program. Projects supported with the program invest in and improve Westchester's clean water infrastructure and will aid in helping to retain and bring back jobs. Additionally, in 2021:

- ✓ The BCW *will closely monitor* this year's discussion on the reinstatement of the \$3 billion environmental bond act to fund various environmental projects across the state. The Governor canceled the referendum on the bond act last year after the pandemic hit and the state's fiscal condition worsened. The bonds would provide funding for open space infrastructure, green buildings, water infrastructure and other priorities, including responses to climate change. The BCW while supportive of its reinstatement, continues to be concerned about its funding and recognizes that increased federal support for the state may be critical in moving this forward.



- ✓ The BCW *supports* maintaining the current levels of funding for the Environmental Protection Fund that provides funding for critical environmental programs such as land acquisition, farmland protection, invasive species prevention and eradication, enhanced recreational access, water quality improvement, and an aggressive environmental justice agenda. The BCW has always supported this program and is hopeful that it can continue during these tough economic times.
- ✓ The BCW continues to *advocate* for legislation amending the Civil Practice Law and Rules creating the Truth in Asbestos Trust Claims. This legislation 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 *supports* legislation (S.2962/A.862) creating a Low Carbon Fuel Standard in New York State that will promote innovative technologies to lower greenhouse emissions and reduce pollution from mobile transportation sources. This program would be self-funded through its credit mechanism. Each year a carbon goal would be set. Transportation fuels in use rated below the goal receive credits and fuels above the level must reduce their carbon intensity for buy credits from lower carbon fuels. Hence, higher carbon fuels with the greatest adverse impact to public health and the environment reward the lower carbon fuels through the acquisition of credits. This benefits all New Yorkers with cleaner air and lower carbon emissions.
- ✓ The BCW *supports* 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. As noted earlier, the BCW as a partner in the GBP is doing its part by providing 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.



TRANSPORTATION

The COVID-19 pandemic has had a devastating impact on the transportation systems in New York, especially fare-dependent mass transit agencies that are facing major deficits from the severe drop in ridership. The latest COVID Relief Package that was signed into law in late December 2020 brought some much needed relief including \$4.2 billion in transit aid for New York, most of which will go to the Metropolitan Transportation Authority, which Westchester residents rely on so heavily. New York-area airports will also get \$105.5 million in relief to continue operating safely during the pandemic including \$6.4 million for the Hudson Valley. **While the funds are well received, transportation leaders warn of continued troubles ahead,** with the MTA projecting a \$3.2 billion deficit in 2022. Soon another fight for another round of aid will begin under the new Biden administration.

The BCW advocates that the state needs to prioritize where these critical and limited funds go, as a modern and well-maintained transportation network is vital to the state's economy. It is especially important that Westchester County has a strong, fiscally sound transportation network, which will serve as an important economic development tool for recruiting and retaining businesses in the county. In addition to funding the transit system, infrastructure funding must be a top priority. This is essential in efforts to relieve congestion, improve road, bridge and transit conditions, boost safety, and support long-term economic growth in New York.

Six years ago, the BCW joined a statewide organization, "Rebuild New York," to urge for much needed funding for state and local transportation infrastructure. TRIP, a national nonprofit transportation research organization, recently issued a report that examined the state's largest urban areas. It found that roads

and bridges that are deteriorated, congested or lack some desirable safety features cost New York motorists a total of \$26 billion statewide annually – \$2,959 per driver in the New York-Newark-Jersey City urban area – due to higher vehicle operating costs, traffic crashes and congestion-related delays. Increased investment in transportation improvements at the local, state and federal levels can help relieve traffic congestion, improve road, bridge and transit conditions, boost safety, and support long-term economic growth in New York. The TRIP report found that 45 percent of major locally and state-maintained roads in the New York-Newark-Jersey City urban area are in poor condition and another 23 percent are in mediocre condition. This report underscores the need to make infrastructure funding a priority.

Also in 2021, the BCW, in conjunction with the New York State Business Council, will continue to monitor and evaluate New York State's inclusion in the Transportation Climate Initiative (TCI), especially in the context of the emission reduction mandates of the 2019 Climate Leadership and Community Protection Act. The TCI is a multistate initiative to reduce carbon emissions from on-road vehicles, which continues to move forward and involves 11 northeastern states and the District of Columbia. In late December 2020, Massachusetts, Connecticut, Rhode Island and Washington, DC signed a Memorandum of Understanding to become the first to launch the program in their respective states. This regional cap-and-invest program will place a cap on allowable emissions from on-road gasoline and diesel usage with the cap declining over the lifespan of the program from 2022 to 2032; and will be funded by a gasoline tax of approximately 13 to 14 cents a gallon.

HOUSING

Housing is critical to attracting employers and employees to Westchester County, and home building is currently one of the industries leading the economic recovery. As housing demand remains strong, homebuilder confidence remains high, and **the need for housing in areas like Westchester County remains greater than ever**. Given this importance and need, the BCW supports legislation to designate “residential construction” as an essential business during the COVID-19 state disaster emergency should the pandemic shutdown be reinstated. During last year's shutdown, the infection rates for the portions of the construction industry that were considered essential remained far lower than that of many other

essential businesses or for the public at large. The projects that were exempt and permitted to continue in Westchester County did not yield hotspots of infection. The construction industry has fine-tuned protocols in place to safely maintain operations and protect their workers and thus, should be granted permission to continue their operations helping to pave the way for the state's economic recovery.

Additionally, in 2021, the BCW will work with the Hudson Gateway Association of Realtors to:

- ✓ **Support** the Fairness in Cooperative Homeownership Act (S.2846) that would provide greater transparency to the process of considering the sale of shares in a cooperative housing corporation by requiring a timeline for cooperative boards to act on applications. This updated process would provide uniformity and predictability to the application procedure to the benefit of all parties involved.
- ✓ **Support** the creation of a First-Time Homebuyer Savings Account Program, to provide a state income tax deduction of up to \$5,000 per year (\$10,000 per year for couples) to help New Yorkers save for the purchase of a first home as high closing costs and down-payment requirements continue to create barriers for first-time homebuyers in NY.
- ✓ Strongly **oppose** any legislation that would further increase the state real estate transfer tax on the sale of properties valued at more than \$1 million. The current state “mansion tax” already imposes an additional 1 percent tax on the transfer of a home that sells for \$1 million or more. Levying additional taxes on real estate will curb real estate transfers, reduce tax revenues and negatively impact our economy. Additionally, in today's real estate market, the number of homes and condominiums valued at \$1 million or more is significantly greater than at the time when this tax was originally imposed in 1989. At that time only 499 homes sold for \$1 million or more, whereas during the 2016-17 state fiscal year alone, nearly 17,000 homes sold for \$1 million or more.



- ✓ **Oppose** Universal Rent Control legislation (S.3082) that would establish an onerous and overly restrictive “good cause eviction” standard and impose de facto rent control statewide without any home rule option. This bill essentially provides tenants with a perpetual lease even when terms of that lease have expired, which is simply impractical. This would be disastrous for both tenants and property owners as owners would no longer be able to collect enough revenue to maintain their buildings and some would not be able to pay their property taxes. In turn, the housing supply will fall and tenants will not be able to find good, affordable apartments.
- ✓ **Oppose** Wetland Oversight legislation (S.2979) that would increase the Department of Environmental Conservation’s (DEC) oversight of wetlands from the current threshold of 12.4 acres or more to wetlands as small as one acre. The DEC already has authority over all wetlands determined to be of “unusual local importance,” and local municipalities have the authority to regulate wetlands. The significant expansion of the state’s regulatory authority, as proposed by this legislation, would create an unnecessary imbalance with significant negative ramifications for homebuyers, developers and the overall economic health of New York State.

CHILD CARE

The pandemic has reinforced the fact that **a sound, accessible, high-quality child care system is essential to working families and their employers**, and New York’s economy simply cannot recover without it. Additionally, families with low pre-pandemic incomes have been disproportionately impacted as both providers and consumers of child care. The need for a significant investment in child care is more essential than ever to expand access, increase child care workforce compensation and improve child care quality.

The Child Care Availability Task Force will be releasing its recommendations shortly having been tasked with exploring several models for achieving universal child care in New York State. The BCW and the Child



Care Council of Westchester, Inc. look forward to their report and, in the interim, make the following child care recommendations for 2021:

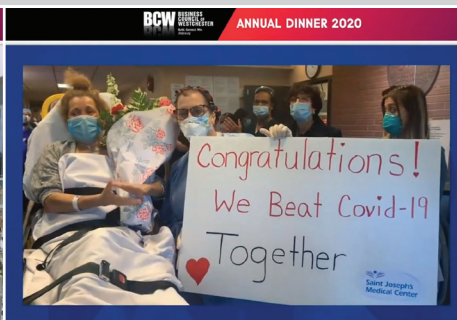
- ✓ **Increase** state investments in child care in the 2021-2022 State budget to reduce the cost burden on parents, and expand subsidy eligibility to at least 85 percent of the state median income, beginning with regions like Westchester County that have a high cost of living and/or those hit hard by the pandemic.
- ✓ To swiftly and strategically **deploy** the estimated \$450 million in federal child care relief coming to New York State, by having the Office of Children and Family Services utilize its existing child care subsidy system structure, and distribute the funds to the state’s 58 social services districts. Additionally, it is essential to require that each district develop a child care relief plan that reflects statewide goals and local needs and capacities. The BCW recognizes that this would add additional responsibilities to local social service departments and that additional funds will be needed to support this.

HEALTHCARE

Over the past year, the pandemic has certainly brought to light the importance of the healthcare sector and its professionals who have worked tirelessly to treat COVID patients. The BCW advocates for continued support for testing to help curtail the spread, and for a safe and rapid distribution of the vaccines across the state in order to bring this pandemic to a swift end.

Additionally, in 2021 the BCW will:

- ✓ Continue to **educate** the business community on all the aspects of the New York Health Exchange, including what tax credits are available for employers who offer health insurance to their employees.
- ✓ Continue to **advocate** for Preceptor legislation (S.4229/A.285) that is needed now more than ever as we start to see an exodus of health care professionals leaving their respective fields. 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 encourage them to accept students to ensure that the County remains a place where there is an abundance of primary and specialized healthcare professionals.

- ✓ **Support** patient access reforms that eliminate health disparities and patient access barriers to treatment.
- ✓ **Continue** to advocate 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.
- ✓ **Support** the enactment of Medical Liability Tort Reform to rein in the costs of medical malpractice insurance.
- ✓ **Support** legislation that effectively addresses the rising costs of prescription drugs without price controls.
- ✓ **Continue** to adamantly oppose any attempt to create a single-payer health insurance system in New York State (i.e. The New York Health Act). The cost to implement the New York Health Act has already been well documented and now, more than ever, New York simply cannot afford this. The increase to future New York State budgets would be catastrophic. **New York cannot afford and should not tear down its existing health care system that has already enrolled over 4.9 million New Yorkers in the past few years.** Due to the implementation of the New York Health Exchange, New York currently covers 95 percent of its residents under a combination of private and public health plans. Instead, the Legislature and Governor should work to improve the New York Health Exchange so that those New Yorkers who have not yet enrolled in the program have the opportunity to identify and select a health care plan that will work for themselves and their families.

EDUCATION

Preparing New York State's students to acquire the skills needed to attend college and/or to prepare them to enter the work force will continue to be a top priority for the BCW. Five years ago, the BCW joined a statewide coalition, the New York Equity Coalition comprised 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.

With the school year underway, **there is growing concern that educational inequities are worsening and opportunity gaps are widening** amid the pandemic as concerns about the availability of teachers and amount of live remote instruction, access to personal learning devices and high-speed internet and whether students are receiving the academic supports they need. Data indicates that students from low-income backgrounds and students of color are much more likely than wealthier students and white students to be learning fully online.

The BCW joins the Coalition in urging the Board of Regents and the New York State Education Department to build upon the strong school reopening framework to adopt two specific policies to improve education equity during the pandemic. First, to provide clear, concrete expectations from the state for the instruction, services and supports students should receive and how parents should be engaged and supported during fully remote and hybrid learning, along with a mechanism to determine whether these expectations are being met. And second, to require meaningful and timely data from all school districts to shine a light on widening opportunity gaps, so that policymakers, educators, families and other stakeholders can swiftly address them. This data should include average daily attendance rates, how much live remote instruction takes place daily, what percentage of students have access to a laptop, tablet and have high speed internet etc.

The BCW also joins the Coalition in support of legislation to expand access to advanced courses. The passage of this legislation would enable more students of color, students who are low-income, and



other historically under-served groups of students to enroll and succeed in advanced middle and high school courses that will prepare them for college, careers and civic engagement.

In addition to supporting the work of the Coalition, the BCW also joins the Lower Hudson Education Coalition in advocating for increasing administrative flexibility that would provide significant assistance to local school districts' ability to manage an unsustainable cost burden in light of the pandemic, including:

- ✓ Amending Chapter 157 of the Laws of 2020 to remove the requirement that interest be paid on funds used during the pandemic.
- ✓ Authorizing transportation aid to be applied when buses are used to provide students with access to school services, such as device delivery and meals, even if students are not on board the bus at the time of use. The BCW was pleased to see this in the Governor's FY 2021 Budget proposal and is hopeful that it will be retained in the final budget agreement.
- ✓ Amending the Wicks Law to increase the project cost threshold and to allow districts to enter into Project Labor Agreements for school construction work.
- ✓ Reducing the distance required for districts to provide out-of-district transportation for private and parochial school students from 15 to 5 miles.
- ✓ Promoting procurement flexibility by permitting districts to determine which BOCES to contract with for non-instructional services.
- ✓ Requiring a complete fiscal note, prepared by a New York State actuary, to accompany each education-related bill, prior to passage of legislation.
- ✓ Establishing an "Education Mandate Relief Redesign Team" similar to efforts undertaken by the state in 2011, this redesign team should be tasked with reviewing ways to reduce the costs of unfunded mandates by determining how school districts may be given greater ability to control costs.
- ✓ Supporting resources to sustain and expand new and existing New York State P-TECH programs and similar career pathway-oriented secondary education programs.
- ✓ Supporting maintaining high education standards and expanding STEM curriculum for career and college readiness.

HIGHER EDUCATION

An educated workforce is critical to reviving 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 urges the Legislature to improve the state's successful Tuition Assistance Program by increasing the minimum and maximum awards 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 creates jobs while simultaneously helping schools to modernize and enhance their facilities.



CRIMINAL JUSTICE

As the state looks to reemerge from the pandemic, the BCW advocates that a flawed criminal justice system will impede economic development and the state's recovery. The bail reform package of 2019 proved to be very contentious and its reforms bar judges from imposing bail as a condition for release on most misdemeanors and non-violent felonies. It also changes to speed up the evidentiary discovery process.

The intentions in passing the reforms were commendable, as economic status should not dictate whether someone stays behind bars pending trial. However, the decision to specify a limited number of offenses where judges can set bail or remand, and then require pretrial release for all other offenses, with no judicial discretion on defendant flight risk or potential danger to the community was a major error. The BCW will continue to monitor this issue closely as the debate continues on whether additional reforms are introduced.

In 2021, the country will see numerous leadership changes in Washington, DC with a new President and a Democratic controlled U.S. Senate. President Biden and his administration will be facing serious challenges as the country continues to address the effects of the pandemic. The country's economy remains fragile. In fact, recent reports have stated that some 10 million more Americans are out of work now than in February 2020. New York State lost 1 million jobs during the pandemic that resulted in 10 percent of the state's workforce vanishing. The Biden administration and Congress must focus on helping those industries hit hardest by the pandemic by dedicating relief programs for those sectors. **A priority must be placed on creating new workforce development programs that will assist those individuals who lost their jobs due to the pandemic** and sagging economy. The federal government must also continue to support states and local governments by passing a significant new pandemic relief bill which includes liability protection for all employees and the necessary funds that will allow states like New York to reemerge and concentrate on rebuilding the state's economy.

The BCW looks forward to working with Westchester's Congressional delegation on the following issues in 2021:

- ✓ The BCW has consistently urged Congress to adopt common-sense tax reform to simplify the process and lower rates for businesses and individuals. As New York State looks to reemerge from the pandemic, the federal government must look at ways to alleviate tax and regulatory burdens that have been placed on the backs of businesses of all sizes. 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 taxpayers. 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 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 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 and that a final bill promotes student choice, preserves the independence of accreditation, and does not include additional burdensome reporting requirements and unfunded mandates.
- ✓ Many of Westchester's colleges and universities engage in fundamental research and it is essential that Congress continue to appropriate funds that accomplish this goal, which spurs innovation and stimulates the economy.
- ✓ COVID-19 has presented significant challenges to colleges and universities. All of the modifications institutions of higher education have had to make related to the classroom experience, campus life, and their operations, have come at a significant cost. As the Congress considers additional COVID-19 related relief, the BCW

urges them to ensure higher education's inclusion by providing flexible grant funding and temporary and targeted liability protections.

- ✓ The BCW proposes changing the federal poverty guideline (FPG) standards for several federal programs that base eligibility on these standards so that thousands of deserving individuals and families in Westchester and New York can access the programs' services. The FPG is a national standard, and thus currently fails to take into consideration the geographic, economic or demographic circumstances of each state. The BCW recommends that the federal government permit head start operators to apply for waivers to the FPG to align eligibility requirements for Head Start Programs to align with the local circumstances; recommends that the federal government will make 200 percent of the FPG permanent eligibility standard for all CSBG participants; and with regards to the Weatherization Program, recommends that the federal government provide an opportunity for state and localities to apply for a waiver of up to 75 percent of the area's median income in order to bring more needy and deserving families closer to meeting the eligibility requirements.
- ✓ The debate over comprehensive immigration reform is ongoing. The BCW advocates that politics should not get in the way of common sense policy and urges the federal government to focus on reforms that protect our county's security, but not lose sight of the important role that immigrants have had, and continue to have, in creating economic prosperity for our country.
- ✓ Since launching in 2017, Certified Community Behavioral Health Clinics (CCBHCs) have dramatically increased access to comprehensive, community-based mental health and addiction treatment. The BCW urges support for The Excellence in Mental Health and Addiction Treatment Expansion Act, which would renew



The BCW Political Leadership Series was proud to host the final virtual debate for the candidates running in the 17th Congressional District.

the CCBHC demonstration program in the original eight states for two years and expand it to 11 additional states. CCBHCs are crucial in ensuring that all people have timely access to high-quality and comprehensive behavioral health care.

- ✓ The BCW **supports** investing in federal R&D programs that help businesses develop new technologies that then create new private sector jobs.
- ✓ The BCW once again calls on Congress to reduce federal regulatory burdens to ease bureaucracy with which businesses and nonprofit organizations alike continue to struggle.
- ✓ The BCW **urges** for additional funding for the STRANDED (Sensible, Timely Relief for America's Nuclear Districts) Act to assist municipalities and localities with the loss of property tax revenue following the closure of an electric generating facility.



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