



# 2023 LEGISLATIVE AGENDA

Acquiring talent with  
Westchester's most  
famous headhunter

Healthcare  
Hospitality  
Education  
Workforce  
Nonprofit  
Legal  
Housing  
Science



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Chairman of the Board

**Marsha Gordon**  
President/CEO

**George Lence**  
Vice Chair Governmental Action

**John Ravitz**  
Executive Vice President/COO

**Andra Horsch**  
Vice President of State  
Government Affairs

Energy  
Environment  
Health  
Politics  
Transportation  
Child Care  
Development

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### White House

Joseph R. Biden Jr, *President*  
Kamala D. Harris, *Vice President*

### United States Senate

Charles E. Schumer, *Majority Leader*  
Kirsten Gillibrand

### United States House of Representatives

16th C.D. Jamaal Bowman  
17th C.D. Michael Lawler

### New York State Public Officials

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

### State Senate

34th S.D. Nathalia Fernandez  
35th S.D. Andrea Stewart-Cousins,  
*Majority Leader*  
36th S.D. Jamaal Bailey  
37th S.D. Shelley Mayer  
40th S.D. Peter Harchkham

### 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. MaryJane Shimsky  
93rd A.D. Chris Burdick  
94th A.D. Matt Slater  
95th A.D. Dana Levenberg

### Westchester County Public Officials

George Latimer, *County Executive*  
Timothy Idoni, *County Clerk*  
Mimi Rocah, *District Attorney*

### Board of Legislators

1st District Colin Smith  
2nd District Erika Pierce  
3rd District Margaret A. Cunzio  
4th District Vedat Gashi  
5th District Benjamin Boykin  
6th District Nancy E. Barr, *Vice Chairwoman*  
7th District Catherine Parker  
8th District Jewel Williams Johnson  
9th District Catherine Borgia, *Chairwoman*  
10th District Damon R. Maher  
11th District Terry Clements  
12th District Vacant  
13th District Tyrae Woodson-Samuels  
14th District David J. Tubiolo  
15th District James Nolan  
16th District Christopher A. Johnson  
17th District Jose Alvarado

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Shawyn Patterson-Howard, *Mt. Vernon*  
Noam Bramson, *New Rochelle*  
Vivian McKenzie, *Peekskill*  
Thomas Roach, *White Plains*  
Mike Spano, *Yonkers*

# 2023 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 is proud of its open, inclusive and collaborative culture.*

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.

*BCW President & CEO Marsha Gordon welcomes Westchester County Board of Legislators Board Chair Catherine Borgia and the board members to the BCW's Annual Board of Legislators Reception.*



# 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 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 BCW will urge our elected officials to adopt sound policies that lead to sustainable economic growth.*

## The important role of the BCW's Legislative Agenda

Each 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 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 2023 Legislative Agenda.



## Current challenges and priorities

As New York State continues to reemerge from the COVID-19 pandemic, government at all levels continues to face critical challenges. The BCW will continue to be a strong voice for the Westchester business community. 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.

ABOVE: Westchester County Executive George Latimer gives an update on the state of the county's economy at the BCW Board of Director's meeting.

BELOW: BCW members attended numerous meetings in the New York State Capitol during the 2022 BCW Albany Lobby Day.





## Remaining fiscally responsible

Westchester County will continue to face serious fiscal challenges in 2023. The Covid-19 pandemic and the concern of a possible recession are creating uncertainties that defy quick and easy solutions. Additionally, the flood of federal Covid relief funding to the state and localities is ending, which needs to be addressed in future budgets. In 2023, the BCW looks forward to continuing to work with Westchester County Executive George Latimer and with the members of the County Board of Legislators to promote economic development in Westchester County. In December 2022, the Board of Legislators voted and approved the county's 2023 Executive Budget. The BCW appreciates the county's commitment to fiscal restraint as the county continues to recover from the pandemic downturn. The BCW applauds the County Executive for cutting the property tax levy by \$6 million in this year's budget. This is the fourth year in a row that the County Executive has cut the tax levy, an essential measure in helping our residents and business owners survive the crisis of the past three years. Another longtime BCW goal is improving Westchester County's credit rating. Fitch Ratings recently changed the negative outlook to **stable** on the county's general obligation bonds, while citing the county's ability to close budget gaps. This designation of a stable rating sends a strong message to the business community that Westchester County's fiscal house is in order. The BCW will also advocate against 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 responsibility for the future.

It is also essential that Westchester's municipal governments do all they can to assist 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 erect outdoor spaces to serve their customers. That type of swift **outside of the box thinking** leadership must continue in 2023. The BCW encourages all county municipalities to look to adopt programs that will offer a practical, manageable, and viable approach to revitalize its business hamlets while preserving the character and scale of their communities. To this end, 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 2022, the BCW held numerous roundtable 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 of 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' ability to create more jobs in Westchester County.

*Local governments must continue to engage their citizens to be active positive participants.*

In 2023, the BCW will again remind county government that Westchester prides itself on having a strong and vibrant workforce. Our employers are committed to their employees and passing legislation that becomes direct mandates and causes 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 continues to re-emerge will not bring more permanent jobs to Westchester.

In 2023, the BCW will also continue 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 2022 Rising Stars class were honored by over 500 guests who attended the BCW's Rising Stars Celebration.





## The BCW'S Coalition for Westchester Airport

In 2023, 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.

Over 120 businesses have joined the BCW's 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 contending with.

*The Coalition will continue to stay laser-focused in 2023 on finding solutions that will help enhance, but not expand, the airport.*

## The BCW'S WestchesterWorks program

Three years ago the BCW created a program called WestchesterWorks, a social-justice program designed to recruit and offer free advanced training to local residents in underrepresented communities to enable them to qualify for skilled jobs in the construction trades in Westchester County. A focus on accountability sets this public-private inclusion initiative apart because program staff will actively monitor the apprentices' attendance, performance and needs to ensure program success.

To address longtime, local concerns about diversity and the lack of employment opportunities in the construction trades for members of marginalized communities, the BCW's Coalition for Smart Development helped establish WestchesterWorks, a proactive approach to opening career paths. The effort is a collaboration among the BCW's real estate development members, Southern Westchester BOCES and Westhab, which will leverage its considerable community network to identify apprentices.

This program will be a landmark investment that major real estate development leaders in Westchester are making to address the local hiring issue by providing a no-cost avenue for young adults who are not pursuing college. Apprenticeships greatly enhance skills and establish professional relationships to begin and grow in careers in construction. The structure of this program is modeled after the New York State Department of Labor's (DOL) apprenticeship programs and WestchesterWorks will be seeking DOL certification. The BCW will continue to urge Westchester County government to engage in an active partnership to support this program.

## Workforce development

*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.*

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 in the county's economy recovery. Over the past three years, many Westchester residents either voluntarily left the workforce or 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, the BCW's partnerships with Westchester institutions of higher learning will continue to provide the groundwork for building the workforce of the future.

BCW President & CEO Marsha Gordon joined BCW member Louis Cappelli, the founder of the Cappelli Organization, at their groundbreaking ceremony for the Hamilton Green Project in White Plains.





### ***Talent Attraction Difficulties Impede Economic Growth***

According to a recent survey conducted by renowned staffing firm, Manpower Group, 75% of their business clients noted *difficulty finding skilled workers* as their top issue. In Westchester County, businesses and organizations remain no

less immune to this growing national, if not global, crisis. However, the BCW has declared 2023 as **The Year of Talent** by taking a proactive, innovative approach to tackling this critical issue. The infamous Headless Horseman is Westchester's ultimate headhunter and new silent spokesperson for the BCW's year-long talent attraction initiative to find skilled workers for thousands of open positions with the County's leading employers. From accounting and finance to the life sciences and law...and many key, high-growth industries in between...regional residents seeking job opportunities may conduct a no-fee, free job search at [WestchesterWantsYou.com](https://WestchesterWantsYou.com) by registering on the site, which is 100% supported by the BCW and its sponsor members. In addition, the BCW is conducting a multi-session educational series with industry experts to inform employers on today's best talent attraction, cultivation, and retention practices, as well as developing a menu of micro-credential opportunities with local educational institutions to help arm applicants with in-demand skill sets. The BCW is seeking further assistance from state and federal sources to support this important talent attraction initiative, as filling these thousands of open positions will ensure the on-going economic resilience of the greater Westchester County community.

### ***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. Over the last three years the BCW has joined forces with the U.S. Chamber of Commerce and the Business Council of New York State 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.

In 2022, the BCW hosted a series of webinars that featured a diverse group of speakers who discussed how all employers could 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.

***The BCW created an Anti-Racism Board Task Force and implemented a multifaceted program.***

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 2022, the BCW hosted two Driving Diversity and Inclusion conferences 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 BCW plans on holding future conferences on this critical topic in 2023.

### ***The BCW's new partnership with the Green Business Bureau***

The BCW has long been committed to sustainable business to protect the environment and as a tool for our members to engage employees, realize operations efficiencies, and grow revenue through responsible corporate citizenship. To that end, the BCW launched its first Green Business program in 2009 through the Green Team Spirit and its evolution, the Green Business Partnership, which, during its tenure, grew into a state and national model for best practices.

In 2022, the BCW announced a collaboration with the Green Business Bureau (GBB). We are pleased to continue the partnership in 2023 with a commitment to bring GBB solutions and services to our members in a robust and meaningful way. With a national and state emphasis on clean energy, sustainability and climate solutions, businesses play a critical component in the success of a sustainable future. The GBB, a nationally trusted authority in green business practices and certification, envisions communities where every business is environmentally and socially responsible.

GBB offers comprehensive solutions, tools, and resources for businesses of all sizes to further their commitment to sustainability, resulting in increased operational efficiencies, revenue growth through an expanded customer base, higher productivity and greater employee satisfaction and retention. GBB's framework, EcoAssessment™ and EcoPlanner™ online tools enable



businesses to understand, prioritize, implement and certify green initiatives and sustainable business practices. In addition, as a trusted third party, they provide businesses with a public EcoProfile™ sustainable business EcoScorecard™, a library of resources, online training, education and an official green business seal to validate and promote their commitment and accomplishments.

The BCW looks forward to continuing our commitment to green business and sustainability and bringing the GBB to its members in the coming year. You can learn more about the Green Business Bureau at [greenbusinessbureau.com](http://greenbusinessbureau.com).

## Parks

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 and for the benefit of their employees.

Severe weather patterns have clearly demonstrated the urgent need for green infrastructure. The county's parks and open spaces not only serve as respites during fair weather, but they also serve as vital refuges during extreme weather events, absorbing and mitigating storm effects. Without our county's vast expanses of open green space, the storm damage would be immeasurably greater. The county must continue to build up the resiliency of these open spaces to help protect countless numbers of private homes and businesses.

The iconic Westchester County Center will be 100 years old in 2030. It has served many purposes, and millions of residents and visitors over the decades. The BCW supports the county's effort to reimagine a new County Center for the next 100 years. Businesses and individuals should participate in all public opportunities to voice their ideas about how this unique event venue should be restored and used.

Finally, continued progress in reducing the backlog of parks Capital Projects, particularly infrastructure maintenance and upgrades, continues to be a BCW goal. In addition to keeping parks as safe and affordable as they can be for the ever-increasing numbers of users, these projects inject important commercial activity into Westchester's



economy, creating jobs and millions of dollars in local spending. The business community and county parks are important allies to each other. Without private investment, these vital green spaces cannot be preserved at the level that we all need them to be. The advocacy of our business leaders keeps the importance of parks front and center on the county's agenda. The BCW also recognizes that non-tax investments in parks are vital to their preservation as one of the county's greatest assets. Investing in Westchester County parks is not only good for the community, and the people who live, work, and play here, but also provides great value to our businesses.

## The BCW's Westchester Innovation Network program

Less than a year after its launch, the BCW's Westchester Innovation Network (WIN) program is already generating success stories between innovators and their matches.

*WIN's first phase attracted local, national, and international innovators who paired with local businesses to test commercially viable innovations.*

The BCW launched WIN in December 2021, to drive economic growth and development in Westchester County. By reaching out to innovative companies within Westchester and outside of the region and partnering with them, WIN's goal is to integrate more innovation into our local businesses and municipalities.

BCW President & CEO Marsha Gordon, former BCW Board Chair Heidi Davidson and Hall of Fame Co-Chairs Elizabeth Bracken-Thompson and Jim Giangrande and the winners of the 2022 BCW Hall of Fame Awards.



BCW Board Member Colleen Borelli, Burke Rehabilitation Hospital, BCW President & CEO Marsha Gordon, former BCW Board Chair Heidi Davidson and BCW WIN Coordinator Luiz Aragon award Jeannette Mahoney the founder & President of CatchU a \$10,000 award at the BCW's first WIN Showcase.





WIN launched with three components:

1. The Innovation Match Program attracts innovators to Westchester and pairs them with leading, local companies to test their services in real-world settings. The goals are to help local host companies better understand innovation and to provide feedback to innovators who seek product testing.
2. The BCW City Labs Program spotlights a host community and teams that municipality with students from Iona University to identify innovative projects that deliver immediate economic benefit.
3. The WIN Implementation Guide will recommend policies to better attract and retain innovators, including funding, job training and incentives.

WIN's first phase attracted local, national, and international innovators who paired with local businesses to test commercially viable innovations. Among WIN's success is Ferro's recent announcement that it will develop a Ferro Lite insurance product based on feedback from the Rey Insurance Agency in Sleepy Hollow. Another innovator—Lessonbee—recently announced that it received a \$100,000 award from the Google for Startups Initiative. CatchU—one of the WIN program's founding matches—recently launched its fall-propensity app on the Apple App Store as the start-up prepares to test its app with patients at the Burke Rehabilitation Hospital in White Plains.

The BCW City Labs program also delivered results through an initiative that paired Iona University with the City of Mount Vernon to identify projects that deliver immediate economic benefit. Students met with small business owners at Mount Vernon City Hall, where small-business owners expressed their challenges in being certified as Minority and Women Owned Business Enterprises (MWBE).

In May, Iona students delivered an action report analyzing the MWBE certification process and made recommendations to provide greater transparency and efficiency in getting necessary certifications. During the summer, Iona student Isaiah Williams developed a new web page to help small businesses in Mount Vernon become certified as MWBEs.



At the BCW's 2022 Annual Dinner, Incoming BCW Board Chair Janes Schutzer, Yonkers Mayor Mike Spano, Robert Halmi, Jr. Chairman of Great Point Media, New York Senate Majority Leader Andrea Stewart-Cousins, Joe Cotter, President & CEO of National Resources, BCW President & CEO Marsha Gordon, former BCW Board Chair Heidi Davidson and BCW Executive Vice President & COO John Ravitz celebrate the opening of the Lionsgate Great Point Studio in Yonkers, which will be one of the largest video and film production facilities on the East Coast.

## WIN Sponsors

Dorf & Nelson LLP  
Fareri Associates  
Empire City Casino by MGM Resorts  
Montefiore Health System  
Municipal Housing Authority for the City of Yonkers  
Regeneron Pharmaceuticals, Inc.  
Robert Martin Company  
Simone Development Companies



Verizon Communications  
Webster Bank  
Westchester County Office of Economic Development

When the BCW launched the WIN program, our goal was to have ten innovators/ matches by year's end. **We have exceeded our goal.** Here is the current roster.

## Innovators / Matches

*Radish Health* ▶ Business Council of Westchester

*Kuponya Innovations* ▶ Murphy Brothers Contracting

*CatchU* ▶ Burke Rehabilitation

*Hospital Ampli-Fi* ▶ Med-Stat Consulting Services

*Last20* ▶ Municipal Housing Authority for the City of Yonkers

*ShelterZoom* ▶ Dorf & Nelson LLP

*Huntress* ▶ Progressive Computing, Inc.

*ConConnect* ▶ Municipal Housing Authority for the City of Yonkers

*ShelterZoom* ▶ Fullerton Beck LLP

*Ferro* ▶ The Rey Insurance Company

*Kool Nerd Connect* ▶ YMCA of Central and Northern Westchester

*Last20* ▶ Regeneron Pharmaceuticals, Inc.

*SilverBills* ▶ Municipal Housing Authority for the City of Yonkers

*Lessonbee* ▶ Municipal Housing Authority for the City of Yonkers

*Rainbow Restoration* ▶ Municipal Housing Authority for the City of Yonkers

*JelikaLite Corp.* ▶ Giving Hope LLC



ABOVE: Wilson Kimbell, President & CEO of the Municipal Housing Authority of the City of Yonkers, Yonkers Mayor Mike Spano, BCW President & CEO Marsha Gordon, Christoph Winker, Founding Program Director of Iona University's Hynes Institute for Entrepreneurship & Innovation, Rob Kissner, Program Manager, Candida Rodriguez, Director of Community Relations for Groundwork Hudson Valley, and Dr. Seamus Carey, President of Iona University announce the kick off of the BCW's City Labs Program, a key component of the BCW's WIN Program.

LEFT: Former BCW Board Chair Heidi Davidson welcomed over 250 people to the BCW's WIN Showcase.

New York State is continuing to re-emerge from the challenges of the COVID-19 pandemic, and uncertain economic times and a possible recession are upon us. Many challenges lie ahead and our state elected officials will need to make tough decisions as the state continues to move forward. The state has yet to fully recover the jobs lost in the initial months of the pandemic and New York overall continues to lose population, leading the nation in the last year. The Governor and the Legislature must work together to prioritize programs and policies that will maintain New York State's competitiveness and bring back and create new jobs as a means of bringing in more revenue to enhance the state's economic climate.

Last year the State Capitol reopened to visitors and lobbyists and the BCW's annual Albany Lobby Day was once again held in-person. Throughout the 2022 legislative session, the BCW was actively engaged. Countless meetings were held with leadership and members of both Houses, as well as with the Governor's office. Additionally, dozens of Memorandums of Support and Opposition on bills of importance to the BCW business community were issued to the State Legislature.

*Many challenges lie ahead and our state elected officials will need to make tough decisions as the state continues to move forward.*

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 the potential impacts 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. The BCW has enjoyed a long and successful collaborative working relationship with Governor Kathy Hochul and we look forward to continuing to work with her and her administration. New York State still faces many challenges and we stand ready to work closely with her as she continues to promote

economic development, job creation and housing initiatives in Westchester and across the state.

*New York Senate Majority Leader Andrea Stewart-Cousins joined Robert Halmi, Jr. Chairman of Great Points Media and BCW President & CEO Marsha Gordon to address over 800 Westchester business leaders at the BCW's 2022 Annual Dinner.*



In 2023, the BCW urges the State Legislature to:

- **Award** the downstate full gaming license that will allow Empire City Casino by MGM Resorts to achieve its potential as a full-scale commercial casino. This continues to be **BCW's top legislative priority** and the BCW appreciates that the process is moving forward and will assist the state's recovery and bring much-needed jobs, investment and revenue into the region. The BCW is optimistic that there will be no delays and that MGM will submit all the required documents and a decision will readily be made.
- **Reject** Antitrust legislation that would make significant amendments to the General Business Law's provisions regarding illegal monopolies. While it is important for antitrust laws to be enforced against anti-competitive conduct, the resulting vague and broad provisions of this bill would allow enforcement and penalties against business conduct that is clearly pro- competitive and which results in consumer benefits. The bill would also significantly expand the opportunity to bring cases under antitrust laws, by authorizing private class action suits for the recovery of damages. This legislation would serve to undermine competition rather than enhance it, by creating and applying new, undefined criteria to regulate market behavior. Its impact would be felt across all business sectors and the Legislature should reject it. The BCW will continue its work with a statewide coalition of organizations that met regularly on this issue last year and which was a strong advocate in defeating this legislation in 2022.
- **Oppose** the All-Electric Building Act (S.562A/A.920A) that would prohibit the construction of new buildings that are not all-electric. The BCW is most concerned about reliability issues and costs. While the Climate Leadership and Community Protection Act (CLCPA) continues to move forward and sets ambitious targets – for the state achieving net zero emissions by 2050, we do not have the renewable energy infrastructure in place yet to meet reliability concerns. The goals of the CLCPA will require developing and deploying myriad renewable resources and technologies throughout the state, some of which do not exist yet. This legislation, in effect, seeks to jump ahead before the state is prepared. Additionally, because renewable energy infrastructure is not in place yet, the cost to implement this legislation will be pushed down to tenants and homeowners who will not only have to carry the costs, but will also be faced with having to purchase specific appliances to comply with an all-electric system.
- **Reject** the Tax the Rich agenda that would increase taxes for many New Yorkers. The agenda includes bills to implement: a new progressive income tax structure for high income payers; a capital gains tax; an heir's



tax; a mark to market tax; a stock transfer tax; and additional taxes on certain business income included in an individuals' taxable income.

- **Oppose** any additional increases to the state's minimum wage. The 2019 minimum wage law phased in the implementation of a \$15 an hour wage that is now fully phased in across the state. 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. Increases in the minimum wage represent new, additional costs to businesses and may result in further job cuts and a rush to automation. The BCW urges state government leaders and the Department of Labor to first study the impact of the 2019 minimum wage increases and its impact on small businesses and non-profits prior to proposing any additional increases. The Governor's proposal to tie the minimum wage to inflation has raised many questions on how that would be implemented. The BCW is concerned about the unintended consequences that this proposal may have to small businesses and non-for-profits.

- **Oppose any new costly mandates on businesses.** In 2021 the New York Hero Act was enacted that mandated new regulatory and reporting requirements for employers in efforts to prevent airborne infections such as COVID-19. The BCW, while supporting the overall objective of the bill of creating safer work environments, vehemently opposed it as it represented yet another costly unfunded mandate for businesses that creates an unnecessary layer of regulation that will merely serve as a burden to already struggling businesses across the state. The BCW urges the Legislature to not impose any additional costly new mandates on New York State businesses that have already suffered so much. Instead we should be looking for innovative ways to assist them so they can continue to operate and assist in New York's economic recovery.
- **Oppose** a series of workers' compensation bills including legislation that would redefine temporary total disability, marking a fundamental shift in the definition of disability and how wage replacement amounts are determined in New York State; legislation that would expand the statutory carve-out

BCW Members attended a working session with New York Senate Majority Leader Andrea Stewart-Cousins and the Westchester Senate delegation during the BCW's 2022 Albany Lobby Day.

that applies to police officers, firefighters and emergency medical technicians who filed a claim for mental injury premised upon extraordinary work-related stress to include all employees; and legislation to increase the minimum amount of compensation from \$150 to not less than 1/5 of Statewide Average Weekly Wage (SAWW) or employee's full wages if equal to or less than 1/5 of SAWW. These bills, which were vetoed by the Governor in 2022, would increase benefits by millions of dollars, resulting in higher costs and premiums for all New York state businesses, especially small businesses, at a time when they are contending with unrelenting economic challenges including widespread inflation, supply chain issues, extensive labor shortages and excessive unemployment insurance costs and the State's economy is showing signs of a recession.

- **Oppose** legislation that seeks to create a new class of damages awardable in wrongful death lawsuits. This legislation would have a disastrous impact on businesses in the state, endangering our economic recovery in these uncertain times. This bill would radically expand the kinds of damages recoverable in wrongful death actions, driving up liability insurance premiums for public and private entities across the state. Liability insurance premiums are already higher in New York than almost anywhere else in the country. This bill would make it harder to attract new companies and

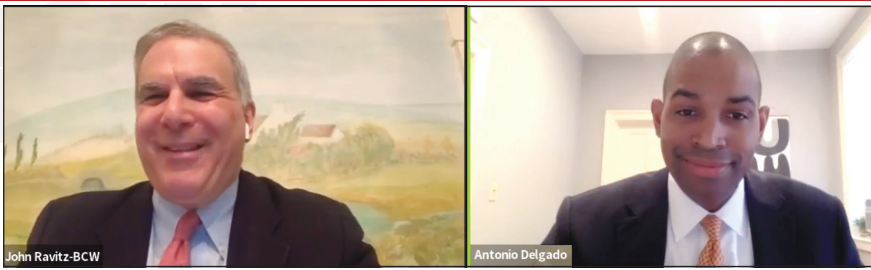
discourage local entrepreneurs from pursuing their goals and remaining in New York. As we seek to recover from the far-reaching impacts of the pandemic, we must pursue policies that help, rather than harm, the state's business community. The BCW was pleased that the Governor vetoed this bill after it passed in 2022 and we will be working to oppose it again in 2023.

- **Oppose** legislation that would create and impose a new 9.3% tax on any dividends, payments or loans transferred out-of-state, made by for-profit health insurers and both for-profit and non-profit HMOs that provide coverage in the individual, small group, and large group markets. This bill is particularly dangerous for the business environment in New York as it signals to businesses throughout the country that New York is willing to target and over-tax specific industries. This tax on dividends and transfers is an unprecedented double-taxing of earnings and would not go unnoticed around the country. This is tantamount to advertising to businesses in and outside of New York to not do business here.
- **Oppose** legislation that would require certain companies and



BCW members outside the New York State Capitol.





corporations to report certain data regarding the gender, race, and ethnicity of their employees. The BCW opposes this bill as being unnecessary since it is duplicative of Executive Order 162 and establishes another mandate on businesses by requiring substantially similar information contained in the Employer Information report EEO-1 be filed with the New York Secretary of State. The Governor recognized this when she vetoed the bill in 2022. It is another example of why it is increasingly difficult to do business in New York State. It represents another mandate, more paperwork for business and more assembling and posting of duplicative data mandated by the State of New York without any consequential benefit to the public.

- **Support** legislation to level the playing field between Transportation Network Companies (TNCs) and the for-hire industry. The BCW has always argued that TNCs should be held to the same standards with regards to licensing, background checks, insurance and safety requirements. Additionally, the BCW also supports a modification to the taxes that are collected from TNCs so that they go to benefit the local

municipalities and the bridge and road infrastructure that the TNCs utilize and that are maintained by the local municipalities.

- **Support** tax reforms to reduce compliance costs for New York-based employers.
- **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 2024 State Budget. This continues to be one of the major legislative priorities for the BCW in 2023. 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 dollars a year in education budgets across the state. The Scaffold Law, written 138 years ago in 1885, costs taxpayers \$785 million annually

and private businesses that work on public projects \$1.49 billion annually.

- **Pass** a serious regulatory reform package to help reduce the state's onerous regulatory burden. The BCW encourages the Legislature to introduce 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 is especially needed now as we move to building sustainable energy infrastructure. Delays cause local municipalities to at times abandon economic development projects, which then prevents new jobs and revenue from being generated. It is clear that the SEQR process has been used to cause serious delays in getting Westchester projects completed in a timely manner. As the county's energy landscape changes and Westchester looks to build solid renewable energy infrastructure, communities must not use SEQR to delay these projects. If that should happen the county will face reliability issues.
- **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 to assist small businesses that have been particularly hard hit by the pandemic and which are vital to the health and well-being of our communities. The BCW supports the Governor's proposal to provide up to \$250 million in tax credits and relief for small businesses.
- **Continue** to pass amendments to the state's Minority and Women's Business Enterprises program to bolster the program, streamline the application process, enhance opportunities and encourage greater participation.
- **Pass** yearly 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.

Executive Vice President & COO John Ravitz welcomes New York State Lieutenant Governor Anthony Delgado to the 2023 Key Bank Leadership Series.

- **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 would hold internet service providers subject to the same rules and regulations that power companies must follow. This would lead to less investment and make New York less competitive to neighboring states.
- **Oppose** legislation that would expand the application of the state's False Claims Act to tax issues that

would subject individuals and business taxpayers to increased compliance and enforcement uncertainty. The BCW was pleased to see that the Governor vetoed this bill in 2021 and 2022.

- **Enact** legislation to allow non-CPAs to be minority owners of CPA firms, consistent with 49 other states and jurisdictions.
- **Enact** the Consumer Litigation Funding Act (A.115) to promote consumer protections by regulating the consumer litigation financing industry.

## Economic development

Economic development programs and policies will continue to 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) that catalyze job creation and economic development in the state. The BCW was pleased to see that the Governor's FY 2024 Executive Budget includes core funding for a new round of REDC awards totaling \$225 million. The BCW is optimistic that this

program will receive funding in the final budget and make its way to communities in Westchester County. Most recently, Yonkers was awarded \$1.2 million for Ludlow Station enhancements that will improve the public spaces, road network and utilities to enhance mixed-use development and to retain industrial jobs along the riverfront and create a new arrival plaza at the Metro North Station; Ossining received

BCW Board Members Stacey Tompkins and Cindy Delfino, former Assemblyman Kevin Byrne and BCW President & CEO Marsha Gordon at the BCW's 2022 Albany Lobby Day.



*The most effective economic development program is the creation of a more competitive business environment.*

\$1 million for the construction of a multi-modal transportation hub that will consolidate valuable downtown surface parking, increasing capacity for automobiles spaces, investing in EV and e-bike infrastructure as well as a solar canopy over the top floor parking deck; and Peekskill received \$90,000 for a Smart Growth Comprehensive Plan Update that will update the current Plan to incorporate smart growth principals. It will aim to support redevelopment and revitalization of its commercial corridor, enhance physical and visual public waterfront access opportunities.

- The BCW **supports** adequate funding for the Downtown Revitalization Initiative that transforms downtown neighborhoods into vibrant centers that offer a high quality of life and are magnets for redevelopment, business, job creation, and economic and housing diversity.
- The BCW emphatically **supports** legislation to lower Unemployment Insurance (UI) taxes and to allocate state and federal funds to restore the UI system and was disappointed this was not addressed in the Governor's FY 2024 Budget. New York's economy remains fragile and any progress towards recovery from the pandemic will only be further delayed until the state addresses UI taxes and the solvency of the Trust Fund. The pandemic

completely upended the UI system. The private sector shed more than 1.7 million jobs in March 2020, driving unemployment from 4.4% to 16.2%. Extraordinary amounts of money flowed out of the New York UI Trust Fund to satisfy claims, and the state needed to borrow more than \$11 billion from the federal government. The outstanding loan and completely depleted UI Trust Fund have forced all employers into the highest employer contribution rates allowable under New York's UI tax tables, meaning all businesses are paying the highest possible UI tax rate related to the fund balance. With \$8 billion outstanding on the state's federal UI advance, New York employers are subject to these highest rates for years. Replenishing the UI Trust Fund should not and cannot solely fall on the backs of New York employers for actions mandated by state government and which have already suffered immense financial harm.

- The BCW continues to **oppose** prevailing wage legislation. Five years ago, the BCW formed its 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. The legislation ultimately

passed and became effective on January 1st of last year regardless of the fact that the 13-member Public Subsidy Board called for in the legislation has yet to be fully appointed. This is disconcerting since the Board is empowered to make recommendations on the implementation of the new law. While we wait to see what transpires, we need to be mindful of additional prevailing wage legislation that could be introduced in 2023 that could further increase the cost of private construction projects that bring new residents, new jobs and new opportunities to Westchester County.

- The BCW, along with its Smart Development Working Group, appreciated last year's extension and strengthening of the Brownfield Clean Up Program that incentivizes private-sector redevelopment of contaminated brownfield sites across the state, but **urges** the Governor and State Legislature to make additional amendments to the program so that more sites can be developed, including extending the time that projects can draw down the qualified tax credits as many larger projects take a longer time to be developed.
- The BCW **supports** legislation to provide relief to contractors who have sustained unanticipated expenses by reason of construction materials price escalations. The legislation would allow contractors who hold contracts with the state and public benefit corporations

who experienced cost increases in excess of 5% for materials that were purchased or invoiced after March 1, 2020, related to contracts for which they submitted bids before April 1, 2020, are eligible to apply for an adjustment to their contract to recoup the increased material costs. Construction material cost increases have been notable as prices have risen for many products including asphalt, concrete and plywood, and contractors and subcontractors are facing sizable burdens as a result of these increases, without any relief under current law. The BCW was disappointed that the Governor vetoed this bill in 2022 and urges her to give contractors and subcontractors the assistance they need.

- The BCW **supports** the creation of a Market/Shovel Ready Fund to facilitate the development of sites that would attract high-tech manufacturing, warehouse/distribution/logistics, and facilitate the development multi-tenant business technology parks to support the growth of smaller advanced manufacturing businesses. This advance work creates a site where construction can begin rapidly once a prospective business decides to develop a facility there. By reducing the time it takes a company to begin construction of a new facility, the state and its local partners will be able to provide valuable savings to the business as well as job opportunities for local residents.

- The BCW **supports** legislation to make permanent the extension of the design-build method of project delivery for state agency projects. In 2019, a bill was enacted to allow 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.
- The BCW **supports** Industrial Development Agencies (IDAs) and opposes any legislation that seeks to hinder their effectiveness at promoting and assisting in the economic recovery of New York State. This includes supporting IDA sales tax exemptions and pilot programs with local towns to incentivize in-state investments and job creation; and opposing legislation to increase the oversight powers of the Authorities Budget Office that would grant it the authority to shut down public authorities or IDAs it deems non-compliant; and opposing legislation (S.89/A.351) that would prevent IDAs from offering a PILOT on school taxes which would lead to IDAs losing projects and ultimately less jobs, less economic activity and less revenue generated for not only school districts, but local municipalities as well. These two bills would adversely impact

economic development efforts across New York State, at a time when we need to support our local economic development organizations more than ever.

- 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 continues to **oppose** the Securing Wages Earned Against Theft (SWEAT) bill (S.1977/A.46) that would allow employees to place a lien on an employer's personal property 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 lean 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.
- The BCW **supports** fast-tracking the approval and deployment of matching construction and renovation capital from the Empire State Economic Development Fund for the purpose of moving emerging life sciences and health technologies companies out of

*Regeneron Co-Founders Dr. George D. Yancopoulos and Dr. Leonard S. Schleifer welcome Governor Kathy Hochul and BCW President & CEO Marsha Gordon to the groundbreaking ceremony at their Tarrytown campus.*





regional incubators/accelerators and placing them into their own dedicated workspaces, which will further ignite localized job growth. As part of an open and transparent process, applicants should receive funding approval (or denial) from the state within 20 days of application submittal, with fund distribution to approved companies (and lab/ office space developers) occurring within 30 days. Companies who have already received funding from New York State – especially research and development tax credits from the state’s \$650 million Life Sciences Initiative – should receive the fastest decisions and distribution of funds. Only by accelerating the process under which these burgeoning firms can access capital funding will Westchester County see significant growth in its life sciences and health technologies sector, as we are facing increasing competition from world-class life sciences hubs in Massachusetts and California, as well as nearby clusters in New Jersey and Connecticut.

- The BCW **supports** the expansion of high-quality and affordable broadband access for all New York State residents. Over the past decade, we have seen every sector of our economy benefited by the pace of change in the technology ecosystem, with broadband

connectivity being the foundation of this digital economy. Broadband will continue to evolve and usher in new and unparalleled experiences for businesses and consumers. However, the pandemic shutdowns have underscored the dire need to not be complacent and strive for improved partnerships across our region to ensure all parties have the same opportunity for access and adoption to these important tools. The BCW asks that the state work cooperatively with the private sector to streamline coordination and eliminate incongruous policies that make fiber optic deployments cost prohibitive; to roll back onerous regulatory requirements, like the use and occupancy fee for state-owned rights-of-way, that disincentivize infrastructure needed to expand connectivity; resist the urge to add duplicative layers of punitive regulations on the telecommunications industry; and support and facilitate the development of 5G small designs that allow multiple carriers to expedite deployment and foster competition.

- The BCW also **supports** the extensive 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. 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 that will level the playing field and enable them to better compete in the global marketplace. Overall, the 5G investments are expected to generate 3 million new jobs, \$500 billion in GDP growth and \$275 billion in investments nationwide. The wireless industry in New York is responsible for more than 193,000 jobs and nearly \$28.2 billion in GDP. To meet the challenges ahead we will need a next generation 5G wireless network.

- The BCW **supports** legislation that would provide parity between different sectors of the telecommunications industry delivering similar services and provide clarity on the taxation of wireless telecommunications equipment owned by wireless service providers. Broad reforms are necessary to New York’s tax laws to address significant changes in telecommunication technologies and in telecommunications markets. This legislation is one step toward that goal, and will avoid the imposition of millions of dollars in additional tax burdens, never contemplated or approved by the State Legislature, on businesses while they are attempting to upgrade the state’s wireless networks.

- Westchester County has played a positive role in engaging production companies to shoot films and TV series throughout the county. The film industry in Westchester County generated over \$1.1 billion of economic activity in 2021, supported 3,784 jobs and nearly \$356.8 million in wages, surpassing pre-pandemic levels. The BCW **supports** more incentives to continue this momentum and supports the Governor’s budget proposal to increase the state’s film tax credits to \$700 million.
- The BCW continues to **support** the hospitality industry that was particularly hard hit by the pandemic as all travel-dependent sectors including lodging, food & beverage and transportation, were dramatically affected by the downturn in visitor volume and spending. Travel confidence is now slowly rebounding with Westchester County representing 42% of the Hudson Valley region’s tourism sales, with \$1.6 billion in direct tourism spending. The hospitality sector is 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. In 2023, the BCW will be working with the Westchester Hotel Association to:



Assemblyman Steve Otis, BCW member Marion Henson, Linda Tyler, BCW’s Senior Director of Membership & Programs, and BCW President & CEO Marsha Gordon at the BCW’s 2022 Albany Lobby Day.



- **Support** 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.
- **Support** Americans with Disabilities Act Website legislation to address the lawsuits that have plagued the hospitality industry in recent years, as there is no federal regulation that specifies what qualifies a website or mobile application as compliant. The vague nature of the existing guidance leaves an entire industry vulnerable to these lawsuits. This legislation would provide businesses

with an opportunity to correct any alleged violation prior to the commencement of an action.

- **Support** adequate funding for Tourism Promotion Matching Funds to provide much needed support for tourism promotion agencies.
- **Oppose** legislation (S.2560/A.737) 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 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.
- **Oppose** legislation that states 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.

### Empire City Casino by MGM Resorts

**There is consensus across the county: Empire City Casino will deliver for New York – but the state must act quickly**

New York State is rightly looking to combat the lingering effects of the pandemic and stave off a looming recession by rebuilding its economy swiftly and equitably. During the pandemic, over one million jobs in our state

disappeared and even now, unemployment remains at 4.3% – notably higher than the pre-pandemic rate of 3.8%. Across Westchester County, economic development remains at a crawl and investments in our communities are sorely needed. Albany has taken decisive action as part of its effort to address this need by creating a path to issue the remaining commercial casino licenses, but it must take swift action to supercharge our region's recovery.

Westchester County is home to one of the most prominent gaming and entertainment destinations in the tristate area: Empire City Casino by MGM Resorts. As the largest private employer in Yonkers, boasting an annual payroll of over \$80 million and more than 1,000 employees prior to the pandemic, Empire City – which was acquired by MGM Resorts in January 2019 – is integral to the economic growth in Westchester County, the region and state.

*Empire City Casino generates hundreds of millions in tax revenue each year to fund state education and additional tax revenue for state and local government coffers.*

After effectively engaging the Executive and State Legislature to pass a state budget that included authorization for the Gaming Commission to issue a Request for Applications (RFA) from entities interested in the three remaining downstate full-gaming casino licenses, that process has taken an important step forward. On January 3, 2023, the State Gaming Facility Location Board voted unanimously to formally solicit casino applications. Our region and the surrounding communities have been waiting a long time for the state to provide the opportunity for this popular entertainment destination to develop into its full potential and we are excited that the opportunity is now here.

**More than 70 small businesses, nonprofit organizations, and labor groups stand firmly with communities across the Bronx and Westchester in the belief that Empire City is uniquely positioned to bring family-sustaining union jobs and economic activity to a region decimated by the economic consequences of COVID, and that it can do so equitably. No other potential casino property has as much community support or history working closely with the community as does Empire City.**

Allowing Empire City Casino to achieve its potential as a full-scale commercial casino now would significantly speed up the state's recovery and help put New Yorkers back to work in family-sustaining union jobs. This would mean an anticipated 13,000 jobs for Westchester and the Bronx, including Empire City directly hiring more



than 2,000 new employees. Projected to generate more than \$1 billion in economic activity and hundreds of millions in private capital investment for the region, a full-scale casino license at Empire City will help New York State and Westchester County recover from the economic crisis brought on by the pandemic and soften the blow of a potential recession, generate significant and immediate new revenue for the state through license fees, and bring investment to help communities like Yonkers, Mount Vernon and the Bronx, which were among the hardest hit by the economic downturn.

MGM Resorts has invested \$850 million in acquiring Empire City Casino, millions more in investments to date, and is prepared to invest significantly more. Empire City is shovel-ready to become a full-scale casino, swapping out electronic video lottery terminals for Vegas-style slot machines, live-dealer table games, retail sports betting and exciting entertainment and dining amenities. As a commercial casino, Empire City can recapture the gaming and entertainment revenues currently flowing from New York to neighboring states like New Jersey, Pennsylvania, and Connecticut.

Failing to select Empire City for one of the downstate licenses would be devastating to our communities and the thousands of families who rely on the family-sustaining union jobs at Empire City. Simply put, Empire City cannot survive as a VLT-only facility in a region where it is at a competitive disadvantage to nearby commercial casinos.

**New York must move expeditiously to issue the available licenses and unlock the jobs and economic impact that the region and state desperately need. New York can't afford to wait years before awarding the casino licenses that will jumpstart the economic engines of our communities. Empire City enjoys overwhelming community and local political support, making it best positioned to recapture the entertainment dollars and jobs New York continues to lose to neighboring states. The time to turbocharge our economic comeback is now and we ask the state to move expeditiously.**

## Housing

The need for affordable housing is at the forefront of this year's legislative session. Governor Hochul unveiled her bold new initiative, the New York Housing Compact, in her State of the State Address to tackle the chronic shortage of workforce and affordable housing that is hindering economic growth and new business investment. The Compact proposes to build over 800,000 housing units over the next decade. The BCW strongly supports her efforts and is committed to working closely with her and her administration to see this vital initiative implemented.

The BCW has long been a proponent of tackling the housing shortage issue as having an adequate supply of housing options is vitally important

to the ability to recruit employees and talent, a key factor in economic growth. A key component of any effort to be successful will be working with local municipal governments to address quality-of-life and zoning issues. The BCW also has additional recommendations:

- For the Governor's compact to succeed, it is imperative that local governments be at the table and that the Governor's administration work to lower their anxiety about the state's plan. Most important is the need for flexibility from all sides in these discussions.
- Evaluate Metro North train station parking lots as potential housing sites. These are underutilized areas. The BCW's Smart Development Working Group members have completed successful projects



that can be models for other municipalities.

- Create a fund for school districts to offset an influx of public school children who might attend local schools as a result of the new housing projects. This can be limited to apartments that are 3-bedrooms and up to encourage family housing.
- Reform the SEQR processes by imposing review time limits, another on-going BCW legislative priority.

*Housing is critical to attracting employers and employees to Westchester County.*

The BCW will continue to play a leadership role through its Smart Development Working Group and we are happy to provide the Governor with the expertise of our members who have a proven track record of getting things done in the housing arena.

In 2023, the BCW will also:

- Continue to **oppose** legislation that was vetoed by the Governor last year that would detrimentally modify the assessment methodology regarding newly constructed and converted cooperatives and condominiums. This bill would have a negative impact on the ability to produce more affordable housing options to

fill the pronounced housing shortage in Westchester County and the greater New York City area. It would allow local municipal corporations to value (for tax assessment purposes) newly constructed and converted cooperatives and condominiums as they would other real property. The BCW opposes the bill as it would



discourage the building of new condo/coops, which could limit the expansion of affordable housing options especially in places like Westchester; and create a division between the markets for existing coops/condos, which are taxed at the lower method, and new condos/coops, which would be taxed at the much higher method.

- **Support** the establishment of the Housing Access Voucher Program (S.568A/A.4021) which would provide rental assistance in the form of vouchers to individuals who face an imminent risk of losing their homes. These vouchers would both be a critical safety net for tenants who need it the most. It would shore up at-risk tenants who are suffering financial hardship and income, and those who meet the definition of rent burdened as defined by the Department of Housing and Urban Development. The voucher would be paid directly to the property owner and make up the difference between what the tenant or family could reasonably pay—30% of their income, the gold standard metric for housing affordability—and what the fair market value of the apartment is. This is a truly win-win policy. It directly helps those at the greatest risk, without requiring the property owner to assume all the costs or force those costs to be absorbed by other market-rate tenants within the building.
- **Oppose** Good Cause Eviction legislation (S.305) 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.

- **Support** efforts to expand access to homeownership. Many New Yorkers hope to achieve their dream of homeownership, however financial obstacles, including some of the highest-in-the-nation property taxes and closing costs serve as deterrents. The BCW strongly supports legislation to help New Yorkers overcome these barriers to homeownership, especially for first-time homebuyers.
- **Oppose** any legislation that would increase state or local mortgage recording taxes or real estate transfer taxes. Increasing real estate transaction taxes simply robs equity from homebuyers who could better use such funds towards a down payment. New York State already has some of the highest closing costs and real estate taxes in the country, and individuals and businesses are choosing to leave the state due to over-taxation. In order to reverse this trend, New York should be

advancing policies that make home buying more affordable.

- **Support** legislation that would require the elimination of any illegal restrictive covenants prior to the sale of real estate which would specifically perpetuate housing discrimination by forbidding sales on the basis of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national

origin, source of income or ancestry. As with so many suburban and urban areas throughout the United States, restrictive covenants that perpetuate housing discrimination, particularly those that explicitly forbid sales of the property to buyers who are not of the white or caucasian race, are still to be found in deeds throughout Westchester County and the communities of New York State.

## Energy

One of the BCW's top priorities is to address Westchester County's changing energy landscape. The Indian Point Energy Center, the provider of approximately 25% of our region's electricity ceased operations on April 30, 2021. In addition, a natural gas moratorium has remained in place for four years in the southern section of Westchester County.

On December 19, 2022, the state-appointed Climate Action Council (CAC) issued its final scoping plan outlining how New York will transform its energy supply systems. It is impossible to overstate the impact of the program's mandate that by 2040, just seventeen years from now, 100% of our electricity will be required to come from renewable power sources.

The BCW has actively followed the push to impose a hard deadline on the cutoff of fossil fuel solutions. We have carefully assessed the impacts both economic and personal it will have on every aspect of life in New York. No business sector will be unaffected if fossil fuels are prematurely banned. The BCW remains deeply concerned about the unintended, but inevitable consequences of setting a self-imposed deadline.

*No business sector will be unaffected if fossil fuels are prematurely banned.*

The Climate Leadership and Community Protection Act (CLCPA) implementation sets several ambitious targets – 70% 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.

The BCW is concerned that:

- The Plan will double energy costs in the state.
- The Plan cannot be implemented in New York State's stated timeframe with the currently available resources or 15 year timeframe.
- Even in a best-case scenario, there will be insufficient renewable generation and storage to support the proposed loads.
- Will there be consistent funding to support the creation of the renewable infrastructure that needs to be created?

Considering the above-mentioned concerns, the BCW joined with several members of the 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 would have been instrumental to the CAC in developing its draft Scoping Plan. Unfortunately, however, the CAC released its plan without conducting the statewide cost analysis. This was disappointing, as it is imperative that New York State adopt 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 this new energy infrastructure is being built, the state cannot afford to dismiss the concept that there is a not a role for natural gas as a means to facilitate the transition towards a renewable-based future. It is critical for the state to remove 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 vital 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 (NYSERDA) and the

Public Service Commission to explore these issues; and also previously raised reliability concerns with the Chairs of the Senate and Assembly Environmental Conservation and Energy Committees. The BCW 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 the county for both residents and businesses.

The BCW strongly urges Governor Hochul and the State Legislature to begin the process of having honest conversations with all stakeholders statewide on how we can achieve the goals to ensure New York has a strong and reliable energy plan in place. Those conversations must stress that the state has a long way to go to create the renewable energy infrastructure that is need to support the state's power grid, and that natural gas will be required to support the system until the renewable energy infrastructure is in place.

It is imperative that New York continues to attract and retain businesses to keep our economy strong. This means demonstrating that we have a clear, smart and secure energy delivery plan in place now and in the future. Achieving this will require a tremendous amount of work, mutual understanding, and cooperation on everyone's part. It's not an option and the time to begin is now.

Additionally, the BCW opposes the Governor's proposal to create a statewide ban on natural gas hookups in new buildings. Implementing a statewide ban on gas hookups before the state's renewable energy infrastructure is completed could cause a decline in new construction going forward, as well as cause possible rent increases to tenants. As previously stated, continuing to use gas transmissions during the transition to renewable energy must not be ignored.

**The BCW makes the following additional energy policy recommendations for 2023:**

#### **Development of Battery Electric Storage Systems**

The BCW supports the vital development of Battery Electric Storage Systems in Westchester County. As we move to a power system more reliant on renewable energy sources, new battery investments are necessary to maintain grid reliability and to ensure the ability to meet the demand for power at all times. The Governor recently increased New York's deployment goal for batteries to 6000 megawatts and NYSERDA has now issued a new roadmap to detail how to ensure deployment to meet the goal. The roadmap, however, inexplicably proposed only 430 megawatts of the goal to be met by projects in the Westchester area, far less than historic power generation levels in the area; legislative attention is required to develop a sensible goal for north suburban areas. Additionally, local projects such as Jupiter Power's River Bend Energy, which would re-deploy the former Indian Point Energy Center substation and provide a new generation of property tax revenues to the Village of Buchanan and the Hendrick Hudson School District should be strongly supported and should receive all necessary governmental permits.



### Develop and Construct New Electric Car Infrastructure

Of the total greenhouse gas emissions in New York City, 24% 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.

### The New York State Renewable Reclamation Projects Program

The BCW supports legislation (S.2618) 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% 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.

### Support for Renewable Energy Generating Projects

The BCW supports legislation (S.1179) to allow certain renewable energy generating projects that are located above real property currently used for vehicle parking to bypass the parkland alienation process. This bill will assist the county in implementing innovative energy projects to help meet the ambitious goals of the CLCPA. As Westchester County and counties across the state look for ways to implement the CLCPA, interest in solar projects in the airspace above vehicle parking has increased. Solar projects are one source of renewable energy that is clean and provides cost savings. This bill will allow certain solar projects, those that do not exceed two megawatts of generating capacity and are located above parking areas to be replicated more efficiently, saving time and reducing the county's carbon footprint at a faster pace.

### 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% 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.

### Environment

The BCW was pleased to see that the \$4.2 billion Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022 was approved by New York State voters this past November. It represents the largest environmental bond act in state history and will support projects related to the environment, natural resources and water infrastructure, as well as projects classified as climate change mitigation. The BCW, while supportive of its passage, advocates that the funds be used in a prudent and fiscally responsible manner.

*The BCW supports the Governor's budget proposal to allocate \$400 million for the Environmental Protection Fund.*

Looking ahead to this year, the BCW would like to congratulate Westchester Senator Peter Harckham on his appointment as Chair of the Senate Environmental Conservation Committee and we look forward to working with him on the many environmental issues affecting Westchester County.

In 2023,

- The BCW supports the Governor's budget proposal to allocate \$400 million for the Environmental Protection Fund that provides funding for critical environmental programs such as land acquisition,

BCW Members attend a legislative session in the New York Assembly Chamber during the 2022 Albany Lobby Day.





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 this record level of funding will be in the final budget.

- As a member of the statewide 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.

- The BCW supports legislation (S.1292/A.964) creating a Low Carbon Fuel Standard in New York State that would promote innovative technologies to lower greenhouse emissions and reduce pollution from mobile transportation sources. This program would help meet the goals of the CLCPA and 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.

## Transportation

The BCW advocates that the state needs to prioritize where critical and limited transportation 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 to serve as an important economic development tool for recruiting and retaining businesses in the county. 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.

The BCW is concerned that funding levels proposed in the Governor's FY 2024 budget for the New York State Department of Transportation (SDOT) capital program do not meet the needs of the system, with nearly half of New York State roads in fair or poor condition and with one of the highest percentages of deficient bridges in the nation. Furthermore,



the current NYSDOT capital plan does not realize the full potential of the historic federal infrastructure bill, having grown in FY 2023 by less than half the amount of increased funding Senator Schumer and the congressional delegation delivered for New York in that landmark legislation. Inflation and materials cost escalation have more than consumed that increase and putting real spending on our roads and bridges at 2015 levels.

The BCW joins the Associated General Contractors of New York State and our other infrastructure coalition partners, that includes 40 organizations from the construction industry, business, organized labor, local governments, and minority and women-owned businesses, in a campaign this year to restore the state's investment in the program by advocating for the addition of \$1.128 billion to the NYSDOT core and local highway capital budgets. This investment would in essence reach the same level of spending targets adopted in 2015. In a January 2023 letter to Governor Hochul and legislators, the coalition acknowledged that in the enacted FY 2023 New York State budget included the first fully funded NYSDOT five-year capital program in nearly a dozen years, but added that without an additional \$1.128 billion of funding added to the NYSDOT's FY 2024 core program, we will see significant reductions in the maintenance and reconstruction work done in every NYSDOT Region in the state. It is critical that these additional funds be added to the FY 2024 budget for state and local highway construction just to keep funding at the same level it was when the five-year program was initially adopted in 2022.

## Child care

The pandemic has highlighted the direct link between access to child care and people getting to work. Historically, a significant number of working parents in Westchester have been over-income for the state's child care subsidy program, left to face child care costs that take up 40% and 50% of their household income. Westchester County Executive George Latimer and the Board of Legislators, recognizing that a solid and sustained economic recovery requires expanded access to child care, made a landmark investment in the 2022 county budget, which they have sustained in the 2023 county budget as well. The need for help paying for child care however, requires a considerable uptick in state investment as well. We call on the State Legislature to build on the solid budget recommendations made by Governor Hochul, a long-time and passionate advocate for child care, to further expand eligibility for child care subsidies, increase the reimbursement rates for child care businesses and fund a child care workforce wage initiative. The BCW will continue to work with the Westchester County Child Care Council who has played a statewide leadership role in advocating for additional funding and education in this vital area.



## Healthcare

The pandemic certainly brought to light the importance of the healthcare sector and its professionals who have worked tirelessly to treat COVID patients. The nursing shortage in New York State and across the country is well documented and we continue to see an exodus of

health care professionals leaving their respective fields due to retirement, burn out or the pursuement of other careers. One of the biggest contributors to nursing shortages is the declining number of educators who can train the next generation. A survey by the American Association of Colleges of Nursing indicates the vacancy rate for faculty positions increased from 6.5% in 2020 to 8% in 2021 and to 8.8% in 2022. The association reports that U.S. nursing schools turned away more than 91,938 qualified applicants for nursing programs in 2021-2022, mostly because of faculty shortages. While the BCW applauds efforts that were enacted last year to address these concerns, more needs to be done. The BCW congratulates Westchester Assemblywoman Amy Paulin on her new appointment as Chair of the Assembly Health Committee and we look forward to working with her on these efforts as we continue to advocate for priorities to help address the nursing shortage and expand the health care worker pipeline including:

- The Clinical Training Through Simulation legislation (S.447-A/A.3076) that would increase the number of hours (up to a third) of clinical simulation-based learned experiences allowable to fulfill requisite clinical education hours for professional nurses, licensed practical nurses and nurse practitioners. It would help address the substantial shortage of healthcare workers in New York State by addressing the availability of hands-on clinical experiences which is one of the most limiting factors for college and universities. By allowing a greater amount of training to be conducted through simulation experiences this will facilitate increasing the numbers of

health professional students who can be trained. The sophistication of simulation technology has evolved and allows for exposure to complex clinical circumstances without jeopardizing patient safety. A study by the National Council of State Boards of Nursing has determined that there are no statistically significant differences when up to 50% of clinical hours are replaced with simulation training. Additionally, at least four other states have legislated clinical experience through simulation ranging from 25-100%.

- The Clinical Preceptor Tax Credit Act (S.2067/A.2230) would establish a personal income tax credit for community-based healthcare

professionals such as nurses and physician assistants, among others, who serve as preceptors, providing New York State-required clinical training for students studying to enter various health care professions. Currently schools need to cap their incoming classes as they only have a limited number of slots available based on the number of preceptors they have available. Thus, many prospective students are not be able to enter into health care programs. In

effect, this bill seeks to incentivize community-based health care professionals to serve as preceptors so that students can complete their state-mandated clinical training. Five states have enacted similar legislation and five other states have proposed similar legislation.

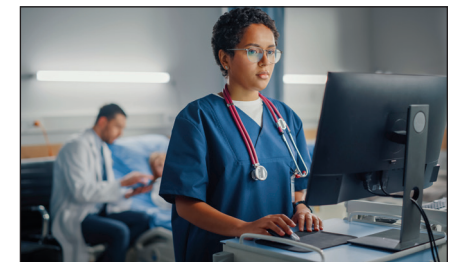
- Reinstating, improving and expanding the New York State Nursing Faculty Loan Forgiveness (NFLF) Incentive Program.

***BCW will continue to adamantly oppose any attempt to create a single-payer health insurance system in New York State.***

Additionally, in 2023 the BCW will:

- 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% of its residents under a combination of private and public health plans. The legislation destroys the current system of health care coverage by banning the sale of private health insurance in New York State, while doing nothing

to address the increasing costs of health care. The New York Health Act would result in the largest state tax increase in the history of the U.S. An independent study conducted by the RAND Corporation found that the legislation would require at least \$210 billion in new taxes when fully implemented. RAND did not include the cost of long-term care benefits, which requires an additional \$42.7 billion in taxes. This is three times more than what New York State currently collects to pay for everything from schools to roads and bridges. 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.

- 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.

- 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 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.

## Mental health

The BCW is pleased that Governor Hochul is bringing mental health to the forefront and proposing a comprehensive \$1 billion multi-year plan to overhaul the continuum of mental health care and drastically reduce the number of individuals with unmet mental health needs throughout the state. The Governor's plan aims to dramatically expand access to mental health care, reduce wait times and ensure appropriate levels of care to correct a mental health care system that has suffered from chronic underinvestment.

*Employers can play a significant role in supporting the emotional health of their workers and reducing the stigma that remains too prevalent.*

The pandemic and the resulting economic implications have negatively affected many people's mental health, has led to an increased demand for services and has created new barriers to accessing care for people already experiencing mental health challenges. Surveys show that there has been a major increase in the number of U.S. adults who report symptoms of stress, anxiety, depression and insomnia during the pandemic, compared with surveys before the pandemic. This has brought mental health to the attention of many employers. Employers can play a significant role in supporting the emotional health of their workers and reducing the stigma that remains too prevalent. Additionally, similar to the healthcare workforce, there is a shortage of mental health care professionals to care for these increased numbers that will need to be addressed.

The BCW joins the Mental Health Association of Westchester in supporting:

- Legislation to help spur a public awareness change in the workforce. This legislation would require that employers distribute written materials regarding mental health conditions and resources and have at least one poster or pamphlet posted within an easily accessible area within the workplace. It would also require the commissioners of the Labor Department and the Office of Mental Health to establish a framework and voluntary standards for addressing mental health in the workplace with the goal of increasing public awareness on mental health issues while minimizing the stigma of mental health within the workplace.
- Legislation to support workforce recruitment and retention, and to build an enduring behavioral health workforce and develop a strong pipeline for future staff.
- The BCW also supports increased funding for school-based mental (SBMH) clinics. The current Medicaid funding model for SBMH clinics does not cover service and administrative costs, especially with the increased collaboration requirements with school personnel.

## Education

The BCW looks forward to continuing to work with Westchester Senator Shelley Mayer, the Chair of the Senate Education Committee, on education issues that are important to the residents and businesses in Westchester County. Preparing New York State's students to acquire the skills needed to attend college and/or to prepare them to enter the work force continues to be a top priority for the BCW. Seven 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.

The pandemic exacerbated many of the inequities that have persisted in our education system. In order to achieve equitable outcomes—better graduation rates, college matriculation and completion rates, career placement, family-sustaining wages, and greater civic engagement—New Yorkers must insist on equitable access to rigorous instruction, support from strong educators, and enrollment in the full range of courses that lead to college and career preparedness for all students.





The BCW joins the Coalition on calling on our state leaders to:

- Invest in infrastructure that supports more access to Advanced Placement, International Baccalaureate and Dual Enrollment courses in high-need school districts, including high-quality professional learning opportunities for teachers, equity-driven course enrollment policies and expanding access to school counselors who are culturally responsive and can help students navigate the course selection process.
- Require school districts to provide every family with clear and concise information, in multiple languages, beginning in the late elementary grades about the courses their child can take in middle and high school to prepare for college, careers and active citizenship, including the benefits of enrolling in advanced courses and the support available.

In addition to supporting the work of the Coalition, the BCW advocates for:

- Legislation to provide an annual growth amount for tuition and regional rate reimbursement for approved school-age and preschool special education programs so that students with disabilities are supported on par with students in general education. The BCW recognizes the importance of schools and programs that provide education and related services to students who are unable to be served by their public school district because of a disability or other factors. Parity in growth to the trend factor recognized that students with disabilities should be supported at the same rate as their peers in public school districts. This legislation would align the trend factors for those supported by the tuition rate methodology with annual increases in public school funding. This would provide much needed financial predictability and stability for approved school-age and preschool programs serving students with disabilities which, in turn, will allow them to adequately recruit and retain highly qualified teachers and staff.

And joins the Lower Hudson Education Coalition in advocating for:

- **Student Mental Health & School Safety:** Create an expense-based aid for student mental health services or contractual services provided in a school setting; provide behavioral health providers with ongoing cost of living increases to expand access to students and community members in need of mental health services; and establish a Blue Ribbon Commission on Expanding Community Mental Health Support for Youth and Families to develop a set of recommendations and local strategies to address mental health challenges among youth and families; and ensure additional flexible resources for school safety, including funding for staffing, security upgrades, professional development and training.

- **Foundation Aid Formula and Regional Cost Index:** Update school district data in the Foundation Aid Formula to ensure that increasing student needs, changes in enrollment, recent poverty data, appropriate regional costs and special education needs are reflected; establish a mechanism to regularly re-evaluate and update the Foundation Aid Formula; and lastly, amend the Regional Cost Index of the Lower Hudson Valley to reflect the high cost of operating in the New York City suburbs.
- **Mandate Relief and Transparency:** A thorough review of existing mandates and increased transparency prior to the enactment of new mandates

would assist school districts in managing the significant cost burdens of compliance. In the current inflationary environment, reducing requirements on school districts would assist with cost control when prices are expected to continue to rise; require a complete fiscal note, prepared by a New York State actuary to accompany each education-related bill, prior to the passage of legislation; and lastly establish 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.

## Higher education

*An educated workforce is critical to reviving Westchester County's economic vitality.*

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 (TAP) by increasing the minimum and maximum awards and permitting graduate students to participate in it; by expanding the part-time assistance program to include students attending proprietary colleges; and by eliminating the disparity in access to TAP awards by standardizing dependent and independent student TAP award schedules. The Legislature should also 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 and



increase funding for 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. And lastly, the BCW supports the Board of Regents proposal for a \$13 million increase to support enhanced services across all sectors of higher education including the proprietary sector; and supports the inclusion of all degree granting colleges and universities in Early College High School and P-TECH Programs, including the proprietary sector.

Criminal justice

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.

Additionally, the BCW supports the recently amended Clean Slate Act (S.211/A.1029) that would seal certain felony records after sentences have been completed. The BCW understands the need to remove barriers of former incarcerated individuals that can limit their access to opportunities such as employment and housing. Furthermore, New York State is still facing a workforce shortage, and this population who has paid their debt to society should have the opportunity to have a chance to obtain a job. Under the amended bill, a person is eligible for relief if: they have completed a three-year waiting period for misdemeanors or a seven-year waiting period for felonies, not counting time served in prison; they have completed probation/parole; they have no pending New York State charges; and the conviction

to be cleared is not a sex offense. The bill sponsors have additionally added more liability protections for employers.



FEDERAL



The BCW thanks Senate Majority Leader Charles Schumer, Senator Kirsten Gillibrand and the members of the Westchester Congressional Delegation who continue to work tirelessly to ensure that New York State receives the necessary federal dollars that are needed to fund countless programs and projects that are important to Westchester County and the rest of the state. As these monies are allocated, it is critical that the New York delegation works to ensure that New York gets its fair share to rebuild its economy.

With a divided Congress, the BCW is also hopeful that members of the United States Senate and House of Representatives will recognize that there is still much work to be done, and come together to enact bipartisan legislation that will positively impact members of the BCW as we continue rebounding from the pandemic.

The BCW looks forward to working with Westchester’s Congressional delegation on the following issues in 2023:

- The BCW has consistently urged Congress to adopt common-sense tax reform to simplify the process and lower rates for businesses and individuals. 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 joins the U.S. Chamber of Commerce in **urging** the 118th Congress to grow and modernize our workforce. Right now, there are too many open jobs without people to fill them. In the U.S. there are double the number of open jobs than unemployed workers. The result is that too many businesses cannot grow, compete and thrive. Addressing the worker shortage crisis and preparing our workforce for the jobs of tomorrow can and must be addressed by Congress. We need to get people off the sidelines by removing barriers to work by expanding access to childcare, promoting second-chance hiring, enacting policies that incentivize work and increasing legal immigration.

• The BCW also joins the U.S. Chamber of Commerce in **urging** Congress to enact a bipartisan permitting modernization bill to improve the outdated federal permitting process. Currently projects of all kinds are plagued with endless delays and litigation. The permitting process suffers from multiple agency roadblocks, lack of transparency and timely reviews. As a result, many in the private sector are reluctant to tie up capital in projects, costing jobs and the benefits associated with better, more resilient infrastructure. The average transportation project takes almost seven years just to obtain federal approval, and more complex ones can span more than a decade. The same is true for pipelines to maintain energy security and low-cost

energy, transmission lines needed to connect clean energy to the grid and other kinds of energy infrastructure. However, those investments will be considerably delayed or even halted unless Congress improves the outdated permitting process.

- 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.
- Westchester County is home to more than a dozen colleges and universities who admit students who take advantage of financial aid provided by New York State and the federal government that, along with generous institutional aid, makes earning a degree more accessible. The BCW **applauds** the United States Senate and House of Representatives on historic investments made in the Pell Grant program in the 117th Congress, and urges members of Westchester's Congressional delegation to continue prioritizing the Pell Grant program, raising the maximum individual award to \$13,000 to ensure that America's college students continue to have access to a college education that will drive their successful futures, and keep our country innovative, competitive and economically thriving.
- The BCW and the Westchester Hotel Association **support** an increase

*It is critical that the New York delegation works to ensure that New York gets its fair share to rebuild its economy.*

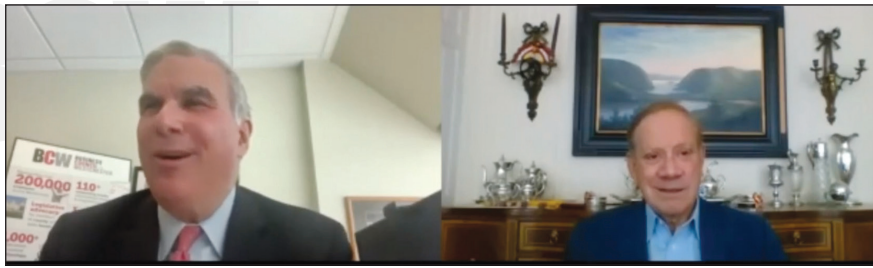
in the overnight government per diem in Westchester County. The overnight hotel per diem in Westchester has not increased over the years. Over the last two years the average daily rate in the Westchester County market has increased over 35%, but there has not been an increase in the government per diem for overnight hotel accommodations.

- The federal government remains uniquely positioned to provide additional resources to address mental health disparities in Westchester County that would benefit our workplaces, schools and the greater community. The BCW **supports** any initiative that focuses on supporting the mental health, well-being and efficacy of employees in our workplaces, students in our schools, members of the larger community, and initiatives to support and expand the behavioral health workforce. We support Congress' year-end spending package that provides funding to combat the opioid epidemic, that supports suicide prevention activities, school-based mental health, and mobile behavioral health crisis teams, among other important steps to support mental health and wellness. Particularly critical is ongoing support to the Certified Community Behavioral Health Clinic (CCBHC) model, a proven model that expands access

to high quality care comprehensive, community-based mental health and addiction treatment. Westchester county residents have benefitted from services delivered through local CCBHCs.

- The BCW **urges** Congress to pass the Ensuring Medicaid Continuity for Children in Foster Care Act. This legislation solves a pressing issue for children and youth in foster care in New York State regarding their continuing eligibility to receive Federal Financial Participation in Medicaid, an important step in ensuring the successful implementation of the Family First Prevention Services Act (FFPSA). The legislation would exempt Qualified Residential Treatment Programs (QRTPs) from the federal IMD Medicaid exclusion to ensure that children and youth in foster care maintain eligibility for Federal Financial Participation in Medicaid and to ensure continuity of their health and behavioral health care. To continue prioritizing children's best interests, and to better achieve the goals of the FFPSA, it is essential that children and youth in QRTPs have continued, consistent federal support of their health care costs.
- 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% of the FPG permanent eligibility standard for all Community Services Block Grant 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% 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 not get in the way of common sense policy, and urges the federal government to focus on reforms that protect our country's security, and not lose sight

of the important role that immigrants have had, and continue to have, in creating economic prosperity for our country.

- The BCW **supports** investing in federal R&D programs that help businesses develop new technologies that then create new private sector jobs. Many of Westchester's colleges and universities engage in federally funded research. It is essential that Congress continue to appropriate funds that would enable institutions of higher education to engage in basic and applied research, which spurs innovation and stimulates the economy.
- The BCW **urges** congress to continue including Community Project Funding and Congressionally Directed Spending, respectively, in annual appropriations bills to fund community-focused projects in Westchester County.
- 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.

BCW Executive Vice President & COO John Ravitz and former New York State Governor George Pataki discuss the midterm elections during the BCW's Political Leadership Series — Countdown to the 2022 Midterm Elections.

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