

## Schools upgrade aid bill passes

### Schools

#### Assembly acts on final legislative day

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After a delay forced by a stubborn Assemblyman David Gantt, the state Assembly approved a bill Thursday considered crucial to Rochester's schools modernization program.

The delay has already forced postponement of some work in the next phase of the modernization program, and could cause larger problems if the measure is not signed into law relatively soon by Gov. Andrew Cuomo. As of Monday, the Cuomo administration had not yet indicated that the governor would sign the bill.

The bill was approved on the legislative session's final day. Two years ago, another Rochester school modernization bill went down to the wire until it was approved on the 2014 session's

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final day.

Gantt, D-Rochester, had said he opposed this bill because he wasn't consulted when it was drafted and because he has unanswered questions about the minority-business component of the modernization program's first phase. He expanded his arguments Thursday to say he had other questions about Phase I work.

But his colleagues weren't persuaded. After a relatively tame 22-minute debate between Gantt and Assembly Majority Leader Joseph Morelle, D-Irondequoit, members voted 103 to 7 in favor of the measure. It passed the state Senate June 6.

Rochester's school modernization program, for which planning began a decade ago, would spend up to \$1.3 billion to bring several dozen aging city school buildings into the 21st century. Much of the cost would be covered by state education aid.

The legislation passed Thursday would provide a double ration of state aid to support construction work at up to eight schools in the upcoming Phase II of the modernization program. The measure was aimed at avoiding funding shortfalls that beset the program during the first phase of work, and ensuring there is sufficient money to complete full renovations or expansions of buildings without interruption.

A set amount of state construction aid for each New York school is doled out every five years. The legislation would allow Rochester to apply 10 years' worth of aid in the next five years.

#### Other districts have not sought increases

None of the other upstate New York cities that have modernized their schools obtained similar state-aid increases, and Cuomo's position on the idea remains unclear. The Westchester County city of Yonkers, now

launching its own modernization program, did seek extra state aid for its construction program in enabling legislation submitted to the Legislature. But the bill was amended last week to remove that provision when it became clear it had too little support.

“Yonkers had to present a different rationale than us. If you wouldn’t do it in one location doesn’t mean that you wouldn’t do it in another,” said Thomas Richards, the former mayor who now chairs the appointed board overseeing Rochester’s modernization program. “We think here ... it makes eminent sense.” Richards said local officials have been lobbying the administration in Albany to back Rochester’s extra funding, but as of Monday hadn’t received a thumb’s up. “The issue ... is with the bureau of the budget. This would be new to them,” Richards said. “So there’s been some work done already by the (school) district and others to brief them on why we’re doing this.” Three weeks ago, Gantt exercised his right to require an opportunity for floor debate and a rollcall vote on the bill. Then he blocked consideration until the session’s final day. The ensuing delay vexed supporters of the measure. Groups of students and parents from at least two schools that would be modernized in Phase II of the program communicated their displeasure to the assemblyman. UNiCON, an alliance of Rochester area contractors and trade unions, also blasted Gantt in a statement it released Wednesday afternoon.

The long-awaited vote was concluded at 5:40 p.m. Thursday after Gantt spoke his piece. The veteran assemblyman, the only member to speak against the legislation, said problems in Phase I told him that Phase II wasn’t ready for prime time. “We have to do something different,” Gantt said. Gantt mentioned unfinished work, changing priorities and cost overruns as problems in the first phase. He read aloud from a letter from Rochester Mayor Lovely Warren that asserted the FBI and the state Attorney General’s Office are continuing to look at allegations of fraud among contractors and subcontractors trying to meet diversity goals in Phase I. Both he and Morelle referred to the May 13 letter, though they did not say to whom it was addressed. Gantt also repeatedly questioned the value of the minority-business component of the \$325 million Phase I, saying too few city residents received job training and figures that showed diversity goals had been met couldn’t be trusted. “The numbers are not real. Mr. Morelle, I can tell you those numbers are not real,” Gantt said.

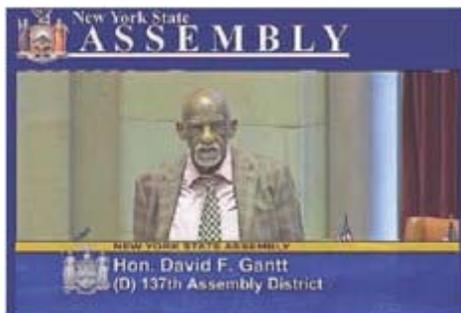
The majority leader, who sponsored the bill, countered that an audit had shown those diversity goals were met. Morelle also defended Phase I. “The project did many, many good things for the children of Rochester,” he said. “Were there cost overruns because policy decisions were made? Yes. But these dollars are well worth it, and have resulted in modernized schools.” More to the point, Morelle said, the issue at hand was the second phase of work. He said the bill would not cost taxpayers any additional money and in fact would save money. With a larger pool of aid available, schools could be fully renovated in one fell swoop. “I expect we can all agree that to do a project in one piece is more efficient than to divide it into two pieces,” Morelle said.

The debate was something of a replay of an epic argument two years ago about legislation to authorize Phase II of the modernization program.

Then, Gantt articulated similar arguments about the minority-business program after reports in the *Democrat and Chronicle* that the FBI had launched a fraud investigation. He was joined in that 2014 debate by Assemblyman William Nojay, R-Pittsford, who argued that the entire Phase I program had been mismanaged.

After an hourlong debate, a rarity on the Assembly floor for a bill with such a narrow focus, members passed that measure by a vote of 99- 32. It wasn’t signed by Gov. Cuomo until six months later, a delay that helped set back the program by a year.

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**Assemblyman David Gantt via a live video feed of the Assembly debate Thursday on the schools modernization bill.**

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