

UNIFORM TAX EXEMPTION POLICY

Project Eligibility Policy

The Wyoming County Industrial Development Agency (IDA) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York, and Chapter 343 of the Laws of 1974 of the State to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, pollution control, commercial, research, civic and recreation facilities for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration.

IDA projects must also not result solely in the relocation of a commercial, industrial or manufacturing plant or facility, or equipment from one area of New York State to another area of the State. The only exceptions are to discourage a business from removing their plant, facility, or equipment to a location outside the State or to preserve the competitive position of the project occupant. The Wyoming County IDA will generally not become involved in projects that result solely in the relocation of an existing county business unless the business could relocate outside the County, and the host community has been notified.

The Wyoming County IDA believes that the economic development of Wyoming County is best served by considering and approving applications for projects which will provide substantial economic benefits. Eligible projects include manufacturing, industrial, research and development activities, and other selected projects which represent sound economic development that meet the following criteria.

- ◆ The applicant must demonstrate a convincing need for IDA involvement.
- ◆ The applicant must demonstrate that significant new jobs will be created and/or retained, and that their project will not have a significant adverse impact upon existing businesses and employment. Priority will be given to applicants who make a strong commitment to hire Wyoming County residents.
- ◆ Total project costs should generally exceed \$500,000 to justify the use of IDA tax incentives.
- ◆ Priority will be given to projects that contribute to the revitalization of economically and physically distressed areas.

The IDA may also consider other factors as appropriate in fulfilling its purposes under the NYS Industrial Development Agency Act. Retail, residential development, and non-owner occupied office buildings will generally not be approved.

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For projects reviewed and approved by the IDA's Board of Directors the following tax exemptions will apply.

1. Full exemption from sales and use taxes on all materials to be incorporated into and made an integral part of the Facility, and the following activities as they relate to any construction, erection and completion of any buildings, whether or not any materials, or supplies described below are incorporated into or become an integral part of such buildings: (i) all purchases, leases, rental and other uses of tools, machinery and equipment in connection with construction and equipping, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description used in connection with construction and equipping, and (iii) all purchases, leases, rentals and uses of equipment, machinery and other tangible personal property (including installation costs), installed or placed in, upon or under such building or Facility, including all repairs and replacement of such property.
2. Full exemption from mortgage recording tax.
3. Any real property owned or controlled by an IDA is not subject to ad valorem real property taxes. An IDA project is subject to special assessments and user fees. By law, IDA's have the authority to negotiate any PILOT agreement necessary to secure a project.

Payment-In-Lieu-Of-Tax (PILOT) Policy

In an effort to be competitive with other areas for business investments that create/retain jobs and provide tax revenues, the Wyoming County IDA has adopted the following PILOT schedule.

<u>Years</u>	<u>Real Property Tax Exemption</u>
1-5	Up to 100 %
6	up to 80 %
7	up to 60 %
8	up to 40 %
9	up to 20 %
10	0 % full taxes paid

Should the IDA need to deviate from the above policy it will provide 30 days written notice to impacted taxing jurisdictions before final approval.

PILOT Policy for Wind Energy Projects

The Wyoming County Industrial Development Agency (IDA) has determined that its regular PILOT schedule is unsuitable for wind energy projects through research of other wind projects in New York State. Therefore, the IDA has added the following provisions to its Uniform Tax Exemption Policy.

1. The payment-in-lieu-of-tax amount will be negotiated on a project-by-project basis. The payment will be based on the production capacity of the wind turbines as measured in megawatts and then be calculated as dollars per megawatt.
2. When determining the PILOT amount per megawatt, the IDA will consider any payments made through host community agreements or any other methods in which payments are made to taxing jurisdictions. However, the PILOT payment should be at least 20% of any monies paid to local governments in order assure an equitable distribution to all affected taxing jurisdictions.
3. The IDA will not become involved in a wind power project if a Town Board chooses to exercise its right to negotiate a PILOT agreement under Section 487 of NYS Tax Law or any other means provided by NYS Law.
4. The IDA will not take any action to promote or discourage any wind energy project. The IDA believes that developers of such projects must obtain the support of residents and the local governing body prior to PILOT approval.

Should the IDA need to deviate from the above policy it will provide 30 days written notice to impacted taxing jurisdictions before final approval.

Adopted at a regular meeting of the WCIDA Board of Directors, July 12, 2006.