

EXHIBIT A

**RENSSELAER COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**UNIFORM TAX EXEMPTION POLICY**

A. General Policy. The general policy of the Rensselaer County Industrial Development Agency (“Agency”) is to grant to all successful applicants for financial assistance from the Agency with the following benefits: (1) real property tax abatements in a formula equal to that provided pursuant to Section 485-b of the Real Property Tax Law; (2) sales and use tax abatement to the full extent allowed by law; and (3) mortgage recording tax abatement to the full extent allowed by law.

B. Enhanced Benefits. In addition, the Agency may grant enhanced benefits on a case-by-case basis for a project expected to have significant impact either in the locality where the project will be located, or in Rensselaer County as a whole. The Agency may consider the following factors in making such determination, no single one of which is determinative:

- The nature of the proposed project (e.g., manufacturing, commercial, etc.);
- The nature of the property before the project begins (e.g., vacant land, vacant buildings);
- The economic condition of the area at the time of the application;
- The extent to which a project will create or retain permanent, private sector jobs;
- The estimated value of the tax exemptions to be provided;
- The impact of the project and proposed tax exemptions on affected tax jurisdictions;
- The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity;
- The amount of private sector investment generated or likely to be generated by the proposed project;
- The demonstrated public support for the proposed project;
- The likelihood of accomplishing the proposed project in a timely fashion;
- The effect of the proposed project upon the environment

- The extent to which the proposed project will require the provision of additional services including, but not limited to, additional educational, transportation, police, emergency medical or fire services;
- The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts in which the project is located; and
- The extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.

C. Real Property Appraisals. As a general rule, the Agency will not require real property appraisals to be performed as a part of an application for tax exemption.

D. Recapture of Benefits. Except as otherwise provided by law, the Agency, at its sole discretion and on a case-by-case basis, may determine, (but shall not be required to do so) with respect to a particular project, that a project has failed to meet its intended goals and to require the project applicant to agree to the recapture by the Agency of the value of any or all exemptions from taxation granted with respect to the project by virtue of the Agency's involvement. Events that the Agency may determine will trigger recapture may include, but not be limited to:

- Sale or closure of facility;
- Significant employment reduction;
- Significant change in use in facility;
- Significant change in business activities or project applicant or operator;
- Material noncompliance with or breach of terms of Agency transaction documents or of zoning or land use law or regulations or federal, state or local environmental laws or regulations;
- The project does not fulfill the purposes for which an exemption was provided; or
- Tax abatements are taken in excess of those authorized by the Agency.

Except as otherwise provided by law, if the Agency determines to provide for the recapture of tax abatements taken with respect to a particular project, the Agency also shall, in its sole discretion and on a case-by-case basis, determine the timing and percentage of such recapture.

Any tax abatements recaptured by the Agency from a project occupant shall be distributed by the Agency to or for the benefit of the affected tax jurisdictions in the manner provided by applicable law.

History: Adopted by resolution dated March 15, 1994; readopted by resolution dated April 1, 1999; amended and restated by resolution adopted January 11, 2018.