

COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY

POLICY REGARDING UNIFORM CRITERIA FOR THE
EVALUATION OF PROJECTS

SECTION 1. PURPOSE AND JUSTIFICATION. (A) The purpose of this Policy is to provide the uniform criteria to be utilized by County of Cattaraugus Industrial Development Agency (the “Agency”) to evaluate and select projects from each category of eligible projects for which the Agency can provide financial assistance.

(B) The Agency was created pursuant to Section 890-b of Title 2 of Article 18-A of the General Municipal Law and Title 1 of Article 18-A the General Municipal Law (collectively, the “Act”) for the purpose of promoting employment opportunities for, and the general prosperity and economic welfare of, residents of the County of Cattaraugus, New York (the “County”) and the State of New York (the “State”). Under the Act, the Agency was created in order to advance the job opportunities, health, general prosperity, and economic welfare of the residents of the County and of the State.

(C) Section 859-a of the Act provides that each industrial development agency shall develop, and adopt by resolution, uniform criteria for the evaluation and selection for each category of projects for which financial assistance may be provided by such agency.

SECTION 2. ELIGIBLE PROJECT CATEGORIES. Subject to the provisions of this Policy, the Agency may provide financial assistance to any “project,” as defined in Section 854 of the Act, including but not limited to projects identified as eligible for assistance from the Agency by the Agency’s Eligible Project Policy adopted on June 7, 2011, as amended from time to time.

SECTION 3. UNIFORM CRITERIA. (A) The following general uniform criteria will be utilized by the Agency in evaluating all categories of eligible projects: (1) Extent to which a project will create or retain jobs; (2) Estimated value of tax exemptions; (3) Amount of private sector investment; (4) Likelihood of project being accomplished in a timely fashion; (5) Extent of new revenue provided to local taxing jurisdictions; (6) Any additional public benefits; and (7) Extent to which a project will create local construction jobs.

(B) The following additional criteria may be utilized by the Agency in evaluating warehousing and research projects: (1) Wage rates (above median for County); (2) In-County Purchases (% of purchases from local vendors); (3) Supports local businesses or clusters; (4) Retention or flight risk; and (5) Provides capacity to meet County demand or shortage.

(C) The following additional criteria may be utilized by the Agency in evaluating commercial projects: (1) Market Study documenting demand and impact on existing businesses; (2) Regional wealth creation (% of sales/customers outside of the County); (3) Located in a highly distressed census tract; (4) Alignment with local planning and development efforts; (5) Promotes walkable community areas; (6) Elimination or reduction in blight; (7) Proximity/support of regional tourism attractions/facilities; (8) Promotes adaptive reuse of unused or underused existing facilities; (9) Local government or County official support; (10) Building or site has historic designation; and (11) Provides brownfield remediation.

(D) The following additional criteria may be utilized by the Agency in evaluating commercial energy projects: (1) Local government or County official support; and (2) Local government or County official opposition.

(E) The Agency may reject an application and refuse to even hold a public hearing on said application if, in the judgment of the Agency, any of the following apply to the proposed project: (1) if the proposed use of the proposed project might be a use that might bring the proposed project into disrepute as a public project; and (2) if there is official opposition to the proposed project by the County or by one or more local governments.

SECTION 4: MINIMUM REQUIREMENTS PRIOR TO APPROVAL OF ANY PROJECT. The following must occur prior to the approval of the provision of financial assistance for any particular project:

(A) Agency staff shall assess all material information included in connection with the application for financial assistance, as necessary to afford a reasonable basis for a decision by the Agency to provide financial assistance for the project.

(B) Agency staff shall prepare (or cause to be prepared) a written cost-benefit analysis that identifies the following: (1) the extent to which a proposed project will create or retain permanent, private sector jobs; (2) the estimated value of any tax exemptions that the applicant proposes be provided by the Agency to the proposed project; (3) the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; (4) the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and (5) any other public benefits that might occur as a result of the project;

(C) Agency staff shall ensure that the application contains a statement by the applicant that the project, as of the date of the application, is in substantial compliance with all provisions of the Act including, but not limited to, the provisions of Section 859-a of the Act and Section 862(1) of the Act;

(D) If the proposed project involves the potential removal or abandonment of a facility or plant within the State, the Agency will notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.

SECTION 5. EFFECTIVE DATE. This policy shall be effective with respect to any project proposed to be undertaken by the Agency after the date of approval of this Policy.