

**Jefferson County Industrial Development Agency  
Board Meeting Minutes  
January 8, 2026**

The Jefferson County Industrial Development Agency held its board meeting on Thursday, January 8, 2026 in the board room at 800 Starbuck Avenue, Watertown, NY.

**Present:** Robert E. Aliasso, Jr., William Johnson, Lisa L'Huillier, John Condino, Paul Warneck

**Excused:** W. Edward Walldroff, David Converse

**Absent:** None

**Also Present:** Charles Capone, Dr. Dawn Robinson, Rob Aiken, Ryan Piche (Jefferson County Administrator), Bill Vargulick (Town of LeRay Assessor), Craig Fox (Watertown Daily Times), Nancy Dutton

Zoom: Justin Miller, Esq. (Harris Beach), Josh Hartshorne (South Jefferson School District)

**Staff Present:** Marshall Weir, Jay Matteson, Dorena Kimball, Peggy Sampson, Robin Stephenson

**I. Call to Order:** Chairman Aliasso called the meeting to order at 8:36 a.m.

**II. Privilege of the Floor:**

1. **Bill Vargulick, Town of LeRay Assessor** – Mr. Vargulick said there are several solar arrays in the Town of LeRay (5: 3 through the IDA and 2 others). He said there is very little input for the formula they use. He said he has questions about the community adder and was wondering if it is the amount of electricity that the developer will sell back to the local community (the people that sign up for community credits/discounts). Mr. Warneck said there are two different potential inputs – the community credit and the community adder and only one of those is input into the model. He said the Town should be requesting that information from the developer because the incentives are approved by NYSERDA prior to the project being built. Mr. Vargulick said he feels he can't get good data. Mr. Warneck offered to help when the new model is released.

Mr. Vargulick left the meeting at 8:40 a.m.

**III. Minutes:** Minutes of the meeting held on December 4, 2025 were presented. A motion to approve the minutes as presented was made by Ms. L'Huillier, seconded by Mr. Johnson. All in favor. Carried.

**IV. Treasurer's Report:** Mr. Warneck reviewed the financials for the period ending December 31, 2025. Mr. Warneck said we did not receive any PILOT revenue fees and indicated that we ended the year well under revenues. He said that he would like to see a separate spreadsheet of delinquent accounts that show any outstanding balances and a payoff amount. A motion was made by Mr. Warneck to accept the financial statement as presented, seconded by Mr. Johnson. All in favor. Carried.

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**V. Committee Reports:**

**a. Audit Committee**

**i. Resolution No. 01.08.2026.01 to Engage Auditors for Annual Audit** – The Audit Committee met on December 12, 2025 and recommended approval of the engagement letter presented by Bowers & Company CPAs, PLLC. The fee for the audit is \$14,200, plus \$300 for PARIS reporting, \$300 for maintenance of capital asset and depreciation schedules for a total fee not to exceed \$14,800. A motion was made by Mr. Warneck to approve the resolution, seconded by Mr. Johnson. All in favor. Carried.

**b. Alternative Energy Committee –**

**NY 18144 Game Farm LLC**

Mr. Warneck said the IDA approved the project in 2021, but it never closed; however, the project was energized in August 2025. He said with it going live they will have to apply for an exemption or close on a PILOT by March 1<sup>st</sup> or the county would have to negotiate a PILOT before March 1<sup>st</sup> because if there is no PILOT in place they are going to be tax exempt. He said the county could issue a letter that if they don't close on the IDA PILOT then the county is going to require them to execute a PILOT for full taxation.

Attorney Miller said unless they received 487 exemptions from the school, the county and the town then they are subject to full tax. He said we don't have to help them be exempt because they chose not to close with the IDA.

Mr. Weir said he is attempting to reach the new owners of the project.

Mr. Johnson said the county did receive notification and they did respond. He said they were waiting and thought that there was going to be a PILOT through the IDA. He does not think they contacted any of the taxing jurisdictions to negotiate a 487.

Mr. Piche said this is a team effort and the county and municipalities have some responsibility too. He said the county has made renewable energy exempt from building permit fees and building permits. He said they will hold them accountable by not issuing the permit until they sign the paper and will require all levels of government working together to control this.

**Convergent**

Mr. Warneck said Assemblyman Scott Gray has been working with Convergent. He said he attended a meeting to come up with an agreement for the 487 issue which could result in the form of a host community agreement. They are discussing how to distribute it which could happen through our agency. He said it was not finalized.

**AES Black River Solar**

The project was due to close in January but due to a minor delay, they expect to close in February.

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**c. Building and Grounds Committee –**

- i. Building Review – Lot 11 Corporate Park** - Mr. Condino said Mike Lundy is looking to put up the last section of the old Bomax building as a spec building next to Corry Lawler's current build of his corporate headquarters. He said they are collaborating because the people and equipment are already there.

The Town of Watertown Planning Board won't approve the project until the IDA reviews it. Mr. Lundy reviewed the plans with the committee during Tuesday's meeting. It will be 20,000 square feet, will be three tiers high, meets our covenants, and has room for future expansion. There will be a fair amount of fill that will need to be removed from the site and there was discussion about IDA's Lot 3. Mr. Condino said Mr. Lundy is proposing to come up with an agreement to make Lot 3 shovel ready; discussion on Lot 3 will continue.

Mr. Condino said the committee recommended approval of the building review in order for Mr. Lundy to proceed with the Town of Watertown Planning Board process. A motion was made by Mr. Warneck to accept the building review, seconded by Ms. L'Huillier. All in favor. Carried.

**d. Governance Committee**

- i. Resolution No. 01.08.2026.02 for Annual Internal Policy and Procedure Review**  
– The Governance Committee met on December 12, 2025 to review the proposed bylaws, the mission statement/performance measurements, the disposition of real property guidelines, the proposed investment policy with internal controls, the procurement policy, the proposed fee calculation and billing for application and administrative fees, and the proposed annual project performance reporting procedures. A motion was made by Mr. Warneck to approve the resolution, seconded by Mr. Johnson. All in favor. Carried.
- ii. Summary Results of Confidential Evaluation of Board Performance** – The Governance Committee reviewed the board evaluations. The results will be sent to the ABO. A strategic planning session will be held within the next several months to improve the areas of concern.

**VI. Unfinished Business:**

- 1. Resolution No. 01.08.2026.03 for Granting Bank Account Access to the CFO** – A motion was made by Mr. Condino to approve the resolution, seconded by Mr. Johnson. All in favor. Carried.

Nancy Dutton joined the meeting at 9:20 a.m.

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**VII. New Business:**

1. **Internal Loan Review Risk Rating for YE 2025** – The spreadsheet was included in the packet for review. The RLF reserve for credit losses for 2025 is \$200,358, the MICRO reserve is \$22,579, and the CITY reserve is \$7,333. A motion was made by Mr. Warneck to approve the rating, seconded by Mr. Johnson. All in favor. Carried.
2. **Proposed Committee Structure** – A motion was made by Ms. L’Huillier to approve the committee structure, seconded by Mr. Condino. All in favor. Carried.
3. **Resolution No. 01.08.2026.04 to Engage Bowers for Audit of ESD Project #AC722 (Business Complex Grant)** – Per requirements of the Empire State Development Grant Disbursement Agreement, an audit must be completed before reimbursement. Bowers presented an engagement letter with an estimated fee for services up to \$2,500 with a completion date of January 31<sup>st</sup>. A motion was made by Mr. Warneck to approve the resolution, seconded by Ms. L’Huillier. All in favor. Carried.
4. **Consulting Services** – A request to execute an agreement with Agriculture Energy Resources, LLC for a fee up to \$1,250 to review a complicated business model that is covered under a Non-Disclosure Agreement (NDA). Attorney Miller said the NDA covers staff and board members. Chairman Aliasso said it will generate a confidential report which we will hold under our NDA to use as a tool within loan review and our board to analyze a very complex and unique project. There was consensus by the board for Mr. Weir to execute the agreement. All in favor.

**VIII. Counsel:**

1. **Authorizing Resolution No. 01.08.2026.05 for Adoption of Amendments to Uniform Tax Exemption Policy** – The public hearing was held earlier this morning. There was no public comment. A motion was made by Mr. Warneck to approve the resolution, seconded by Mr. Johnson. Roll call vote was taken. Mr. Aliasso – Yea, Mr. Condino – Yea, Mr. Converse – Absent, Mr. Johnson – Yea, Ms. L’Huillier -Yea, Mr. Walldroff – Absent, and Mr. Warneck – Yea. Carried.

**IX. Adjournment:** With no further business before the board, a motion to adjourn was made by Mr. Warneck, seconded by Mr. Condino. All in favor. The meeting was adjourned at 9:40 a.m.

Respectfully submitted,  
*Peggy Sampson*

**JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**Resolution Number 01.08.2026.01**  
**to Engage Auditors for Annual Audit**

**WHEREAS**, the Audit Committee met on December 12, 2025 to meet with Bowers & Company CPAs, PLLC, and

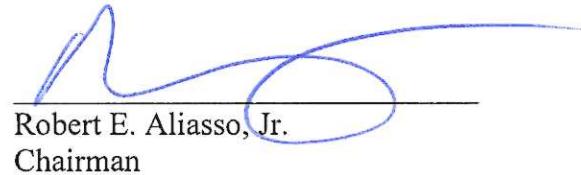
**WHEREAS**, Bowers presented an engagement letter for the period of January 1, 2025 - December 31, 2025 (including JCCFDC and DRC). The fee for the audit is \$14,200, plus \$300 for PARIS reporting, \$300 for maintenance of capital asset and depreciation schedules, for a total fee not to exceed \$14,800, and

**WHEREAS**, the Audit Committee recommends approval of the engagement letter, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the recommendation as set forth in this Resolution, and be it further,

**RESOLVED**, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.



Robert E. Aliasso, Jr.  
Chairman

**JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**Resolution Number 01.08.2026.02**  
**For Annual Internal Policy and Procedure Review**

**WHEREAS**, on December 12, 2025 the JCIDA Governance Committee met to review the listed policies and procedures. After review and discussion, they recommended the following internal policies for the Board's consideration:

- Proposed Bylaws
- Mission Statement & Performance Measurements
- Disposition of Real Property Guidelines
- Proposed Investment Policy with Internal Controls
- Procurement Policy
- Proposed Fee Calculation and Billing for Application and Administrative Fees
- Proposed Annual Project Performance Reporting Procedures

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the above internal policies and procedures as set forth in this Resolution, and be it further,

**RESOLVED**, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.



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Robert E. Aliasso, Jr.  
Chairman

**JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**Resolution Number 01.08.2026.03**  
**For Granting Bank Account Access to the Chief Financial Officer**

**WHEREAS**, the JCIDA maintains certain bank accounts with Watertown Savings Bank and Community Bank, and

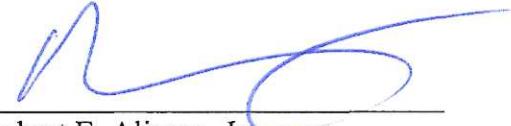
**WHEREAS**, the Board of Directors deems it in the best interest of the JCIDA to authorize Dorena L. Kimball, CFO, to have access to the JCIDA's bank accounts with written approval of the CEO or Deputy CEO for the purpose of managing financial operations as follows:

- View balances and transaction information
- Deposit, withdraw, and transfer funds
- Initiate and approve wire transfers or electronic payments
- Open and close accounts (with board approval), as necessary, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein authorizes Dorena L. Kimball, CFO, access to the JCIDA bank accounts at Watertown Savings Bank and Community Bank as set forth in this Resolution, and be it further,

**RESOLVED**, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.



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Robert E. Aliasso, Jr.  
Chairman

**JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**Resolution Number 01.08.2026.04**  
**to Engage Auditors for Audit of ESD Project #AC722**

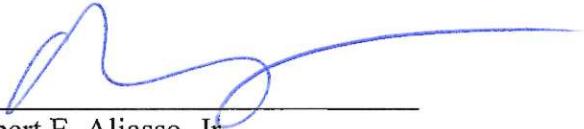
**WHEREAS**, per requirements of the Empire State Development Grant Disbursement Agreement, an audit must be completed before reimbursement occurs, and

**WHEREAS**, Bowers & Company CPAs PLLC presented an engagement letter with an estimated fee for services up to \$2,500 with a completion date of January 31, 2026, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the engagement letter as set forth in this Resolution, and be it further,

**RESOLVED**, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.



Robert E. Aliasso, Jr.  
Chairman

**AUTHORIZING RESOLUTION**  
*(Adoption of Amendments to Uniform Tax Exemption Policy)*

A regular meeting of the Jefferson County Industrial Development Agency was convened on Thursday, January 8, 2026 at 9:00 a.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 01.08.2026.05

**RESOLUTION OF THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) ADOPTING AMENDMENTS TO ITS UNIFORM TAX EXEMPTION POLICY (“UTEP”)**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 369 of the Laws of 1971 of the State of New York, (the “Act”), the **JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (the “Agency”) was created with the authority and power to promote, develop, encourage and assist in acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research, and recreational facilities as authorized by the Act, and in connection therewith to issue its revenue bonds, and/or enter into straight lease transactions and provide other forms of financial assistance; and

WHEREAS, pursuant to and in accordance with Section 874(4) of the Act, the Agency has adopted and maintained a Uniform Tax Exemption Policy (herein, a “UTEP”); and

WHEREAS, in connection with the Agency’s desire to amend the UTEP to (i) include an expanded classifications of “Renewable Energy Projects”, including uniform abatement schedules for Renewable Energy Projects under and over 20 MWac, the Agency has prepared amendments to the UTEP (the “Amended UTEP”) for consideration and approval; and

WHEREAS, the Agency previously circulated the Amended UTEP to all applicable affected tax jurisdictions (“ATJs”) soliciting comments and inviting the ATJs to provide comment and input relating to same; and

WHEREAS, the Agency also previously scheduled, noticed and conducted a public hearing with respect to the Amended UTEP on January 8, 2026 at 8:00 a.m. at 800 Starbuck Avenue, Suite 800, Watertown, New York 13601, whereby the Agency invited any members of the public and all ATJs to provide written comments and/or attend the Agency’s public hearing prior to the Agency’s consideration of the adoption of the Amended UTEP; and

WHEREAS, the Agency has reviewed all applicable written comment and questions on the Amended UTEP from certain ATJs and others; and

WHEREAS, upon consideration of the Amended UTEP and all comments received, the Agency desires to adopt same.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby adopts the Amended UTEP as set forth within Exhibit A, hereto.

Section 2. These Resolutions shall take effect immediately upon adoption.

The question of the adoption of the foregoing resolutions was duly put to vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Robert E. Aliasso, Jr.	X			
John Condino	X			
David Converse			X	
William Johnson	X			
Lisa L'Huillier	X			
W. Edward Walldroff			X	
Paul Warneck	X			

The resolutions were thereupon duly adopted.

STATE OF NEW YORK      )  
COUNTY OF JEFFERSON    ) ss:

I, the undersigned Chairman of the Jefferson County Industrial Development Agency,  
DO HEREBY CERTIFY:

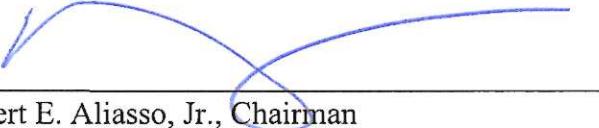
That I have compared the foregoing extract of the minutes of the meeting of the Jefferson County Industrial Development Agency (the "Agency") including the resolution contained therein, held on January 8, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Agency this 8<sup>th</sup> day of January, 2026.

  
Robert E. Aliasso, Jr., Chairman

[SEAL]



**EXHIBIT A**  
**FORM OF AMENDED UTEP**

## UNIFORM TAX EXEMPTION POLICY

### JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY UNIFORM TAX EXEMPTION POLICY AND GUIDELINES

Pursuant to the authority vested in it by Article 18-A of the General Municipal Law of the State of New York, the Jefferson County Industrial Development Agency (the "Agency") may provide financial assistance to qualified applicants for the taxable bonds or by participation in straight lease transactions.

The general policy of the Jefferson County Industrial Development Agency ("Agency") is to grant applicants real property tax abatements and exemptions from sales, use and mortgage recording taxes as described below. The Agency may grant enhanced benefits on a case-by-case basis for a project expected to have a significant economic impact on the County of Jefferson as determined by the Agency's members.

The Agency generally does not require real property appraisals to be performed as part of the application for financial assistance. However, the Agency does reserve the right to require a real property appraisal as part of an application for financial assistance.

The Agency has adopted this Uniform tax Exemption Policy to provide guidelines for the claiming of real property, sales and use tax and mortgage recording tax abatements.

#### A. Real Property Tax Abatements.

1) Industrial and Non-Industrial Projects. The Agency maintains a policy for the provision of real property tax abatements for qualified projects undertaken by the Agency where the Agency acquires a fee or leasehold interest in real estate. The abatement provided by the Agency for qualifying industrial and non-industrial projects shall apply to the value added to real property brought about by construction and/or renovation of qualifying projects (the "Added Value"), above the parcel's assessed value prior to construction or renovation (the "Base Value"). In establishing these values, the Agency shall have the option of relying on data provided by the assessor for the impacted jurisdiction or requiring the applicant to furnish an appraisal from a qualified commercial real estate appraiser, approved in advance by the Agency.

The period of real property tax abatement for a project shall not exceed the period of the respective project financing or lease, and under no circumstances shall the period of abatement exceed fifteen (15) years (the "PILOT Term"). The abatement shall be on a graduated schedule applicable to county, municipal and school real property taxes, and will result in increasing percentages of real property taxes due over the PILOT Term. Any schedule shall be graduated such that the total abatement provided shall not exceed a fifty percent (50%) abatement over a fifteen (15) year period. Eligible projects include industrial projects (i.e. manufacturing, remanufacturing, assembly, processing, product research and development, etc.); non-industrial projects (i.e. warehouse, wholesale/distribution, commercial, qualified retail subject to the

limitations of Section 862(2) of the Act, office building, renewable energy (subject to the PILOT terms set forth below) and hotel projects.

2) Renewable Energy Projects The Agency may provide real property tax abatements to renewable energy projects, as defined within the Act to include any project and associated real property on which the project is situated, that utilizes any system or equipment as set forth in Section 487 of the Real Property Tax Law (“RPTL”) or as defined pursuant to paragraph (b) of subdivision one of Section 66-p of the Public Service Law as added by chapter one hundred six of the laws of 2019. The Agency has established a standard PILOT Structure for Renewable Energy Projects, as follows:

- a. Term: The PILOT abatement schedule for Renewable Energy Projects shall be (i) for a period of up to 15 years for Renewable Energy Projects with a rated capacity of up to 20MWac, and (ii) for a period of up to 25 years for Renewable Energy Projects with a rated capacity of over 20MWac.
- b. Fixed Payment Schedule for Renewable Energy Improvements: Agency PILOT Agreements for Renewable Energy Projects shall provide a fixed dollar amount per megawatt AC faceplate rating of the project (the “Base Payment”). The Base Payment schedule will include a minimum of two percent (2%) escalator on the prior year’s payment. Once so calculated, the Agency reserves the right to (i) alter the order of escalation in which annual payments are made, and (ii) to include an energy price incentive payment to be determined upon the area within which the proposed Renewable Energy Facility project is to be located (the “Incentive Payment”), such Incentive Payment to be negotiated on a project-by-project basis depending upon whether the project operator intends to sell energy to the open market or through one or more power purchase agreements (“PPA”).
- c. PILOT Agreements for Renewable Energy Projects shall also require annual payment of the equivalent of full taxes on the land included within the project facility, which shall be based upon the assessed value as determined by the applicable assessor. Portions of existing tax parcels not included within a project ground lease will remain classified as fully taxable.
- d. Any participation by the Agency in sponsoring a Renewable Energy Project shall take into account (i) all local and/or state regulatory approvals and requirements; (ii) whether a project sponsor enters into one or more host community agreement(s) with local communities, along with any upfront and/or annual host community payment requirements, and (iii) comments and feedback from affected tax jurisdictions.
- e. Agency financial assistance for Renewable Energy Projects shall be limited to real property tax exemptions and related PILOT Agreements, and will not include the provision of sales and use tax exemptions, nor mortgage recording tax exemptions.

- f. The Agency shall annually establish a minimum fixed dollar amount to establish the Base Payment, as defined above. The Base Payment for each project will be determined based upon criteria such as total MWac generation, current land use and value, land ownership and lease structure, and others as determined by the Agency. The foregoing considerations shall include the Agency's priority for the preservation of Actively Farmed, Prime Farmland for agricultural purposes. In determining the amount of Base Payment for any Renewable Energy Project, the Agency shall consider whether the land upon which a Renewable Energy Project is to be located is being Actively Farmed and whether the soil constitutes Prime Farmland. The Agency shall utilize its discretion to determine discounting factors for Base Payments where a proposed Renewable Energy Facility will be located upon lands that are not Actively Farmed. The Agency also reserves the right to utilize its discretion to determine enhanced Base Payments where a proposed Renewable Energy Facility will be located upon lands categorized as "Prime" or "Prime - If Drained".

#### **B. Sales and Use Tax Exemptions.**

The Agency maintains a policy for the provision of sales and use tax exemptions for qualified projects undertaken by the Agency. Where the Agency authorizes the undertaking of a project in accordance with the Act and has appointed an applicant its agent to undertake same, the Agency may enter into one or more agreements with such applicant evidencing such appointment and allowing the applicant to purchase and/or lease materials, equipment and taxable services as agent of the Agency. The abatement provided by the Agency for qualifying projects shall apply to purchases of construction materials and equipment rentals and purchases of project related equipment, furnishings and services made as agent for the Agency, and are therefore afforded full exemption from local and New York State Sales and Use Taxes until the project is completed (i.e. certificate of occupancy). Operating and maintenance expenses of projects are not eligible for sales or use tax relief and no sales tax exemption shall be provided by the Agency for purchases and rentals after a project is completed.

All project applicants must agree in writing to file with the New York State Department of Taxation Form ST-340, and/or such other forms as may from time to time be required, and annual statement of the value of all sales and use taxes exemption claimed in connection with the facility in full compliance with Section 874(8) of the Act.

#### **C. Mortgage Recording Tax Exemptions.**

The Agency maintains a policy to provide mortgage recording tax exemptions for qualified projects undertaken by the Agency. Where the Agency authorizes the undertaking of a project in accordance with the Act and the applicant secures one or more loans to pay for project acquisition or improvements that will be secured against the project with one or more

mortgages, the Agency may participate as a non-recourse mortgagor with the applicant for purposes of exempting any mortgage recording taxes that would otherwise be due and payable but for the Agency's involvement with the project. The Agency's Policy is to permit mortgage recording tax exemptions on all project related financing to the full extent permitted by New York State Law, whether or not the Agency has issued its bonds to finance the Project.

The Agency may, in its sole discretion, permit mortgage recording tax exemptions on non-project related financings, (e.g. second mortgages on the project to secure subordinated indebtedness of the project applicant). In determining whether to permit such exemptions on non-project related financing, the Agency shall consider such factors as it deems appropriate, including but not limited to the use of the property, the degree of investment, the degree and nature of the employment and the economic condition of the areas in which the facility is located.

#### **D. Deviations.**

Any project not listed in this policy or any proposed PILOT Agreement, the terms of which are outside the provisions of this policy, as determined by the Agency, shall be treated as a deviation. In accordance with the Act, the Agency shall notify affected taxing jurisdictions prior to undertaking any proposed deviation from this policy and the reasons therefore. Any deviations from the foregoing standard policy shall require the affirmative consent of each affected taxing jurisdiction and will be made only with the specific approval of the Agency's members based on the factors listed in paragraph E to this policy and those described in Section 874(4)(a) of the Act.

#### **E. Evaluation Criteria.**

The determination of whether a project is qualified to receive financial assistance from the Agency shall be based on the criteria identified in the Agency's cost benefit analysis and the Application. In making its determination the Agency may consider any or all of the following criteria, no single one of which is determinative:

- 1) The nature of the proposed project (e.g., manufacturing, commercial, industrial, mixed use, retail, renewable energy, etc.).
- 2) The nature of the property before the project begins (e.g., vacant land, vacant building, brownfield, etc.)
- 3) The economic condition of the area at the time of the application and the economic multiplying effect the project will have on the area.
- 4) The extent to which the project will create or retain permanent, private sector jobs within Jefferson County, the number of jobs to be created/retained and/or the salary ranges of such jobs.
- 5) The number of construction jobs associated with the project and the extent to which the project utilizes local labor.

- 6) The estimated value of tax exemptions to be provided.
- 7) The estimated value of other public assistance.
- 8) The economic impact of the project and the proposed tax exemptions on affected taxing jurisdictions.
- 9) The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity.
- 10) The amount of private sector investment generated or likely to be generated within Jefferson County by the proposed project.
- 11) The likelihood of accomplishing the proposed project in a timely fashion.
- 12) The effect of the proposed project upon the environment and surrounding property.
- 13) The extent to which the proposed project will require the provision of additional services including, but not limited to, educational, child care services or facilities, transportation, emergency medical or police and fire services.
- 14) The extent to which the proposed project when completed will enhance the long term tax base and/or make a significant capital investment.
- 15) 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.
- 16) the contribution of the project to the State's Renewable Energy Goals and emission reduction targets as set forth in the New York State Energy Plan adopted pursuant to Section 6-104 of the Energy Law.
- 17) Any other pertinent reasons deemed relevant by the Agency provided said reasons are set further in writing.

#### **F. PILOT Agreement Approval Process.**

All applications for PILOT agreements shall be reviewed and evaluated pursuant to the Agency's existing policies, and the applicant shall be required to adhere to these policies for the duration of the PILOT Term. Failure to do so may result in cancellation of the PILOT at the Agency's sole discretion.

The Agency shall comply with applicable provisions of the Act in connection with the provision of financial assistance to any applicant requesting financial assistance of more than \$100,000, including the scheduling and conduct of a public hearing in accordance with Section 859-a of the Act. In addition to public hearing notice requirements contained within the Act, the agency has established the following practices:

1) Prior to conducting any required public hearings for a project, Agency staff shall work closely with representatives of the affected taxing jurisdictions to discuss the proposed project and shall provide each affected taxing jurisdiction with the following materials: (i) a copy of the application submitted to the Agency, (ii) a cost-benefit analysis relating to the project, (iii) a summary of the terms and structure of financial assistance to be provided by the Agency (including proposed PILOT abatement or payment schedule(s); (iv) whether the Agency is considering a deviation from this policy with respect to the proposed project; and (v) any additional information an affected taxing jurisdiction may deem necessary or appropriate to their deliberations.

2) The Agency's final approval of any PILOT Agreement shall be contingent upon the applicant securing all approvals required for the project from any impacted jurisdiction and providing proof thereof to the Agency.

3) The Agency's final consideration and approval of a PILOT Agreement shall be contingent upon compliance with the New York State Environmental Review Act and the regulation promulgated thereunder (SEQRA). For all actions considered to be Type I under SEQRA the Agency shall be considered an involved agency, and the applicant shall be responsible to identify the Agency as such in its submittals to the Lead Agency.

4) Each project receiving any abatement from real property taxes will be subject to a PILOT Agreement in a form acceptable to the Agency and in compliance with the Act. The Agency will consider project factors, similar to those described in paragraph F to this policy, when determining the amounts to be paid under the PILOT Agreement.

5) A copy of the PILOT Agreement will be forwarded to each of the affected taxing jurisdictions within fifteen (15) days of execution. In accordance with Section 858(15) of the Act, unless otherwise agreed by the affected taxing jurisdictions, all PILOT Agreements shall provide that PILOT Payments received shall be allocated among the affected taxing jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each affected taxing jurisdiction had the project not been tax exempt as a result of the Agency's involvement in the project.

6) If it is desired by the affected taxing jurisdictions to establish a negotiated allocation of PILOT payments for a particular project (other than pro-rata), the Agency shall provide the affected taxing jurisdiction with forms of approving resolutions for consideration in connection with the establishment of an agreed distribution formula. Any allocation of PILOT payments other than pro-rata shall be considered to be a deviation requiring affirmative consent of all affected taxing jurisdictions.

7) The Agency shall require all project applicants to make commitments with respect to the use of local labor and all such project sponsors shall comply with any and all applicable codes of conduct with respect to ethics and conflicts of interest, and in accordance with all applicable policies of the Agency.

**G. Recapture of Benefits.**

Project applicants must agree that 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 may recapture the value of any or all exemptions from taxation granted with respect to the project by virtue of the Agency's involvement. The Agency's review and determination in connection with the recapture of benefits shall be conducted pursuant to the Agency's Recapture Policy, as the same may be amended from time to time.

**H. Effective Date.**

This Uniform Tax Exemption Policy shall apply to all projects for which the Agency has adopted or adopts an Inducement Resolution after January 8, 2026.

**I. Amendments.**

The Agency, by resolution of its members, and upon notice to all affected taxing jurisdictions as may be required by law, may amend or modify the foregoing policy as it may, from time to time, in its sole discretion determine.