

**COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY -
CATTARAUGUS COUNTY BUSINESS DEVELOPMENT CORPORATION
PROGRAM**

Sales Tax Exemption Application

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for sales tax exemptions from County of Cattaraugus Industrial Development Agency (the "Agency"). These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Executive Director of the Agency.

Please submit your completed and fully executed Cattaraugus County Business Development Corporation Application along with this completed form to the following:

TO: COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
3 East Washington Street
P.O. Box 1749
Ellicottville, New York 14731
Attention: Executive Director

1. **Name of Applicant:** _____
2. **Employer Identification or Social Security number:** _____
3. **Description of goods and services intended to be exempted from Sales Tax:** _____

4. **Size/dollar amount of purchased goods for the project:** \$ _____
5. **Estimated dollar value of goods to be exempted from sales tax as a result from the projects designation as an IDA project (savings) \$** _____
6. **Purpose of project:**
For Purpose of project, indicate which of the following apply:
 Services Construction Agriculture, forestry, fishing
 Wholesale trade Finance, insurance, real estate Retail trade
 Manufacturing Transportation, communication, electric, gas, sanitary services Other (specify): _____
7. Will the completion of the Project result in the removal of a plant or facility of the Applicant or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes ___; No ___. If yes, please provide detail:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant or any other Project Occupant located in the State of New York? Yes____; No____. If yes, please provide detail:
9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:
- a. Is the Project reasonably necessary to preserve the competitive position of the Applicant or such other Project Occupant in its industry? Yes____; No____. If yes, please provide detail:
 - b. Is the Project reasonably necessary to discourage the Applicant or such other Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes____; No____. If yes, please provide detail:
10. The applicant understands and agrees with the Agency as follows:
- A. Job Listings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
 - B. First Consideration for Employment.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
 - C. Annual Sales Tax Filings.** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
 - D. Annual Employment Reports.** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

E. Absence of Conflicts of Interest. The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

11. The Applicant acknowledges that Receipt of a loan from the Cattaraugus County Business Development Corporation (the "BDC") is a precondition to receipt of a sales tax exemption from the Agency under this program. Is a completed and fully executed BDC Application enclosed with this application? Yes ___; No ___. If no, please explain:

I (we) attest that to the best of my (our) knowledge and belief, the information contained in the foregoing application is correct and true. I (we) am (are) aware that the filing of a false instrument in connection with this application may constitute an attempt to defraud the Agency and may be a felony under the laws of the State of New York. I (we) agree to abide by the provisions of all applicable local, state and federal laws pertaining to falsification of any item contained herein or fraudulent misrepresentation of my (our) business.

I (we) acknowledge that this application is not a legally binding document for purposes of receiving financial assistance in the form of a sales tax exemption from the Agency. This request may be withdrawn at any time prior to a formal closing of the Agency transaction. However, this application is being submitted in good faith as a request for financial assistance in the form of a sales tax exemption from the Agency.

Name of Applicant

Authorized Signature

Date

Printed Name and Title

The Agency must file a separate form for each project operator or agent appointed, whether directly or indirectly, and regardless of whether it is the primary operator or agent. If the Agency authorizes an operator or agent to appoint other agents, the operator or agent making such an appointment must advise the Agency that it has done so, so that the Agency can file a form within 30 days of the new agent's appointment. The Agency need not file this form for people hired to work on an Agency project who are not appointed as agents of the Agency. The Agency need not file this form if there are no sales or use tax exemption benefits authorized for a project as a result of the project's designation as an Agency project.