

COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT  
AGENCY (THE “AGENCY”)

LOCAL LABOR POLICY

SECTION 1. PURPOSE AND JUSTIFICATION. (A) The purpose of this Policy is to request that companies benefiting from the programs of County of Clinton Industrial Development Agency (the “Agency”) engage residents of Clinton County, New York (the “County”) in and during the construction phase of projects through the addition of an addendum to the Agency’s project application and the inclusion of similar concepts in the related transaction documents executed in connection with the closing on such project.

(B) The Agency was created pursuant to Section 895-f of Title 2 of Article 18-A of the General Municipal Law and Title 1 of Article 18-A of 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 and the State of New York (the “State”).

(C) The Agency is authorized by the Act and the Agency’s Uniform Tax Exemption Policy (“UTE”) to grant certain tax exemptions to private entities in order to facilitate the location or the expansion of their businesses in the County. Pursuant to the Act and the Agency’s UTE, these Agency-granted tax exemptions can include exemption from certain sales and use taxes, mortgage recording taxes, and real property taxes. The Agency’s UTE requires that any private entity benefiting from a real property tax exemption granted by the Agency enter into an agreement (a “PILOT Agreement”) requiring said private entity to make payments in lieu of taxes (“PILOT Payments”) with respect to the real property exempted from real estate taxes by the Agency.

(D) Construction jobs, although limited in time duration, are vital to the overall employment opportunities within the County since construction wages earned by local residents are reinvested in the local economy, adding greatly to its vitality. It is the Agency’s strong conviction that companies benefiting from its programs should employ New York State residents during the construction phase of projects. Only in that way can the public benefits accruing from the Agency’s efforts be maximally distributed to the residents and taxpayers of the County. It is, therefore, the request of the Agency that firms benefiting from the Agency’s programs will be fully cognizant of the Agency’s mission to promote employment opportunities during all project phases, including the construction phase.

SECTION 2. REQUIREMENTS. (A) As a condition to the receipt of financial assistance from the Agency for a project that may involve construction activities, each applicant for such financial assistance for such a project must agree to engage residents of the County in and during the project construction phase, such engagement to be accomplished by the following actions:

(1) Identify the name, title, mailing address, phone/fax/e-mail of the project contact person who will be responsible and accountable for providing information about

the bidding for and awarding of future construction contracts relative to the application and related project.

(2) Describe, in the best way possible, the nature of construction jobs created by the project. The description should provide as much detail as possible, including the number, type and duration of construction positions.

(3) Submit to the Agency a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged for the construction phase of the project.

(B) An Applicant for a project that may involve construction activities (a "Construction Project") can satisfy the initial requirements of subsection (A) of this Section by including an executed "Construction Employment Agreement" addendum to its project application (in substantially the form attached hereto as Exhibit A) a "Construction Employment Agreement").

(C) The Agency can satisfy the requirements of subsection (A) of this Section by including in the transaction documents executed in connection with the closing on a Construction Project concepts similar to those included in the Construction Employment Agreement, such concepts to be in form and substance satisfactory to the Agency.

SECTION 3. DISSEMINATION OF INFORMATION. (A) The Agency will post a copy of the application for any Construction Project approved for a public hearing to the Agency's web site ([www.clintoncountyida.com](http://www.clintoncountyida.com)) within five business days of the authorization of such public hearing.

(B) The Agency may update such website posting if and when the Agency receives updated data.

SECTION 4. ENFORCEMENT. The Agency reserves the right to modify and/or rescind benefits granted to any company under the Agency's UTEP for failure to comply with any of the provision described in this Policy.

Re-adopted: 8/12/13

EXHIBIT A

FORM OF CONSTRUCTION EMPLOYMENT AGREEMENT  
ADDENDUM TO THE AGENCY'S PROJECT APPLICATION

**CONSTRUCTION EMPLOYMENT AGREEMENT**

Recognizing the mission of County of Clinton Industrial Development Agency (the "Agency") to promote construction employment opportunities for residents of Clinton County, New York and in consideration of the extension of financial assistance by the Agency for the project which is the subject of this application (the "Project"), \_\_\_\_\_ (the "Company") understands that it is the Agency's policy that benefiting private entities should employ New York State residents and agrees to provide the information requested below as a way to provide local construction opportunities. The Company also agrees to provide an estimate of the number, type and duration of construction jobs to be created through Agency assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors.

Upon completion of the Project, the Company shall, if requested by the Agency, submit to the Agency a Construction Completion Report in which is identified names and business addresses of the prime contractor, sub-contractors and vendors engaged in the construction of the Project.

<u>Relevant Company Information:</u>		<u>General Contractor, if determined:</u>	
Company: _____		Contractor: _____	
Company representative for Contract Bids and Awards: _____		Representative: _____	
Mailing Address: _____ _____		Mailing Address: _____ _____	
Phone: _____	Fax: _____	Phone: _____	Fax: _____
Email: _____		Email: _____	

Construction start date is estimated to be \_\_\_\_\_ with occupancy to be taken on \_\_\_\_\_ (estimated).

Construction Phase or Process	Duration of Construction Phase	# to be employed

Construction Phase or Process	Duration of Construction Phase	# to be employed

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name and Position