



POWERED BY COMIDA

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental form/documentation. A non-refundable application fee of \$350.00 must be included with this application. Make check payable to COMIDA. Please see page 10 for additional information on costs and fees.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.growmonroe.org.

I. APPLICANT

A. Name Indus Lake Road II, LLC
 Address 950 Panorama Trail S
 City/State/Zip Rochester, NY 14625
 Tax ID No. 83-2366426
 Contact Name Jett Mehta
 Title Managing Member
 Telephone (585) 248-2440
 E-Mail jmehta@indushg.com

B. Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Jett Mehta</u>	<u>51%</u>	<u>Managing Member</u>
<u>Hasit Mehta</u>	<u>25%</u>	<u>Member</u>
<u>B. Mehta Trust</u>	<u>20%</u>	
<u>K.Mehta Trust</u>	<u>4%</u>	

C. Applicant's Legal Counsel

Name Stephen E. Hall
 Firm Attorney at Law
 Address 36 W. Main Street, Ste. 400
 City/State/Zip Rochester, NY 14614
 Telephone (585) 546-3770
 Fax _____
 Email stephenhall@stephen-hall.net

II. PROJECT

A. Address of proposed project facility
4908 Lake Road
Brockport, NY 14420
 Tax Map Parcel Number 084.010-2.4
 City/Town/Village Sweden
 School District Brockport
 Current Legal Owner of Property
Indus Lake Road II, LLC

B. Proposed User(s)/Tenant(s) of the Facility
 If there are multiple Users/Tenants, please attach additional pages
 Company Name Best Western Hotel
 Address 4908 Lake Road
 City/State/Zip Brockport, NY 14420
 Tax ID No. 83-2366426
 Contact Name Jett Mehta
 Title _____
 Telephone (585) 248-2440
 E-Mail _____
 % of facility to be occupied by company 100%

C. Owners of 20% or more of User/Tenant Company

Name	%	Corporate Title
_____	_____	_____
_____	_____	_____
_____	_____	_____

D. Benefits Requested (Check all that apply)

Sales Tax Exemption
 Industrial Revenue Bond Financing
 Mortgage Recording Tax Exemption
 Real Property Tax Abatement

E. Description of project (check all that apply)

- New Construction
- Existing Facility
 - Acquisition
 - Expansion
 - Renovation/Modernization
- Acquisition of machinery/equipment
- Other (specify) _____

GENERAL DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY
(Attached additional sheets as necessary)

Indus Hospitality Group, Inc (IHG) is a family business which is comprised of 4 shareholders with Jett Mehta as the majority shareholder. IHG owns and operates over 50 properties, primarily hotels and restaurants in Rochester, the Finger Lakes and the Western NY region. Indus Lake Road II, LLC, applicant, is just one of many subsidiary companies owned and operated by IHG.

IHG acquired the Dollinger's Inn & Suites in December 2018 with plans of transforming the current 21,000± sq. Ft. hotel into a newly renovated 40 unit Best Western Inn & Suites. The Best Western flag offers the right price point to attract more tourists and business class patrons to the community of Brockport. This hotel is also one of three (3) in the community that offers lodging options to parents/students attending SUNY College at Brockport. This new business class hotel will offer a fitness center, laundry facility, and a complimentary breakfast area for our guests.

Renovations are anticipated to being in the 1st Quarter 2020 and should be completed by April 2020. The project will entail:

Updated interiors to include new doors, wall coverings, carpets, furniture, millwork, HVAC, Window treatments, beds, artwork and new fitness equipment.

Updated exteriors to include a new parking lot, dumpster pad and enclosure, repainting the exterior of the building, refreshed landscaping and new signs.

Finally, please note a letter from Town of Sweden Supervisor, Kevin G. Johnson, supporting our application with Imagine Monroe for consideration regarding the project described above.

II. PROJECT (cont'd)

F. Are other facilities or related companies located within New York State?

Yes No

Location:

Other Indus Hotel locations include Springville, Wellsville, Victor, Bath, Rochester, Brockport, Geneva, Penn Yan, Olean and Warsaw

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

Yes No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry**:

N/A

G. Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken with the Financial Assistance to be provided by the Agency**:

This incentive is important to complete this project because the new flag will benefit the community and local college. Without this Incentive the total project could not be completed.

**To be completed with Agency assistance.

H. PROJECT TIMELINE

Proposed Date of Acquisition

12/13/2018 (Actual)

Proposed Commencement Date of Construction

02/18/2020

Anticipated Completion Date

05/01/2020

I. Contractor(s)

Indus Development Company, LLC

as General Contractor

J. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

YES – Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

NO

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III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

JOBSPLUS

Requirements:

- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is 1.

LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

ENHANCED JOBSPLUS

Requirements:

- A minimum \$15 million investment in new plant, machinery and equipment or renovation of existing building(s) **AND**
- A minimum of 100 new jobs from new companies locating in Monroe County, or existing companies expanding operations here.

GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

SHELTER RENTS

for student housing or affordable housing projects.

Local Tax Jurisdiction Sponsored PILOT

NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the APPLICANT.

Building Construction or Renovation

- a. MATERIALS a. \$ 333,000
- b. LABOR b. \$ 248,000

Site Work

- c. MATERIALS c. \$ 95,370
- d. LABOR d. \$ 33,000
- e. Non-Manufacturing Equipment e. \$
- f. Furniture and Fixtures f. \$ 400,000
- g. LAND and/or BUILDING Purchase g. \$
- h. Manufacturing Equipment h. \$
- i. Soft Costs (Legal, Architect, Engineering) i. \$
- Other (specify) j. General Conditions j. \$ *82,906
- k. Contingency Materials k. \$ 25,000
- l. Contingency Labor l. \$ 50,000
- m. _____ m. \$

Total Project Costs \$ 1,267,276

B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$
- b. Taxable Industrial Revenue Bond b. \$
- c. Tax-Exempt Civic Facility Bond c. \$
- d. Bank Financing d. \$ 1,013,821
- e. Public Sources e. \$

Identify each state and federal grant/credit

- _____ \$ _____
- _____ \$ _____
- _____ \$ _____
- _____ \$ _____

- f. Equity \$ 253,455
- TOTAL SOURCES \$ 1,267,276**

C. Has the applicant made any arrangements for the financing of this project?

Yes No

If so, please specify bank, underwriter, etc.

Five Star Bank

IV. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTION USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. MATERIALS a. \$ _____
- b. LABOR b. \$ _____
- c. Non-Manufacturing Equipment c. \$ _____
- d. Furniture and Fixtures d. \$ _____
- Other (specify) e. _____ e. \$ _____
- f. _____ f. \$ _____
- g. _____ g. \$ _____
- h. _____ h. \$ _____

Total \$ 0

A non-refundable fee of 1/2% on TOTAL(e) above is due and payable upon issuance of a Sales Tax Letter to User(s)/Tenant(s)

User/Tenant Company

Signature _____, Title _____ Date _____

For Office Use Only	
Total Assessment Value	\$1,053,300
Land \$328,300	Building
Applicant 2602-	20-007A
User/Tenant 2602-	
RM	

VI. Value of Incentives

Project name: *Indus Lake Road II, LLC*

A. IDA PILOT Benefits:

Current Land Assessment	1,053,300	Taxes on Land	40,078
Dollar Value of New Construction & Renovation Costs	867,276		
Estimated New Assessed Value of Project Subject to IDA	1,920,576		

County Tax rate/\$1,000	8.87
Local Tax Rate* Tax Rate/\$1,000	4.72
School Tax Rate /\$1,000	24.46
Total Tax Rate	<u>38.05</u>

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT	Net Exemption
1	90%	10,112	409	27,885	38,406	113,156	34,671
2	80%	10,881	819	30,006	41,706	113,156	31,371
3	70%	11,651	1,228	32,128	45,006	113,156	28,071
4	60%	12,420	1,637	34,249	48,306	113,156	24,771
5	50%	13,189	2,047	36,371	51,606	113,156	21,472
6	40%	13,958	2,456	38,492	54,906	113,156	18,172
7	30%	14,728	2,865	40,613	58,206	113,156	14,872
8	20%	15,497	3,275	42,735	61,506	113,156	11,572
9	10%	16,266	3,684	44,856	64,806	113,156	8,272
10	0%	17,036	4,094	46,977	68,106	113,156	4,972
Total		<u>135,738</u>	<u>22,514</u>	<u>374,312</u>	<u>532,564</u>	<u>1,131,560</u>	<u>198,215</u>

* Local Tax Rate for Town/City/Village

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption for facility construction:	<u>42,902</u>
Estimated Sales Tax exemption for fixtures and equipment:	<u>32,000</u>
Estimated duration of Sales Tax exemption:	<u>June 30, 2020</u>

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	<u>\$7,604</u>
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D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	<u>\$0</u>
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	<u>\$280,720.83</u>	<u>22.15%</u>
Sources of Funds (Section IV.B.)	<u>\$1,267,276.00</u>	

** All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Indus Lake Road II, LLC

Company Name: _____

Applicant: **or** **User/Tenant:**

You must include a copy of the most recent NYS-456 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return OR if you have multiple locations within New York State, the Bureau of Labor – BLS 3020 – Multiple Worksite Report

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	7.0	7.0	1.0	1.0
Part Time (PTE)	3.0	3.0	4.0	4.0
Total	10.0	10.0	5.0	5.0

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which own a minimum of 20% of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Applicant hereby releases the County of Monroe Industrial Development Agency ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this

Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

Indus Lake Road II, LLC

AMLL Managing Member 1/6/20
Signature , Title Date

USER/TENANT COMPANY

Signature , Title Date

Appendix A

General Conditions Breakdown

<u>Description</u>	<u>Budget</u>
Project Supervision	\$47,150
Office Supplies	\$400
Telephone & Internet	\$1,800
Drawing Reproduction	\$1,200
Site Signage	\$800
Dumpster	\$5,250
Port-a-pots	\$1,200
Safety Supplies	\$500
Building Permits	\$6,000
Misc. Permits	\$600
Temporary Utilities	\$6,000
Lift Equipment	\$12,000
Total	\$82,900