

# City of Albany Industrial Development Agency

21 Lodge Street  
Albany, New York 12207  
Telephone: (518) 434-2532  
Fax: (518) 434-9846

Tracy Metzger, *Chair*  
Susan Pado, *Vice Chair*  
Darius Shahinfar, *Treasurer*  
Lee Eck, *Secretary*  
Dominick Calsolaro  
Robert Schofield  
Jahkeen Hoke

Sarah Reginelli, *Chief Executive Officer*  
Mark Opalka, *Chief Financial Officer*  
William Kelly, *Agency Counsel*

To: Darius Shahinfar  
Lee Eck  
Susan Pado  
Tracy Metzger  
Dominick Calsolaro

Cc: Robert Schofield  
Jahkeen Hoke

Sarah Reginelli  
Mark Opalka  
William Kelly  
Joe Scott  
Joe Landy  
Andy Corcione  
Genevieve Zurowski

Date: March 8, 2019

PLEASE NOTE THAT A PUBLIC HEARING CONCERNING THE FOLLOWING PROJECT(S) WILL BE HELD  
At 12:00pm on Wednesday, March 13th, 2019 at 21 Lodge St, Albany, NY 12207  
Mukura, Inc.

## IDA FINANCE COMMITTEE AGENDA

**A meeting of the Finance Committee of the City of Albany Industrial Development Agency will be held on Wednesday, March 13th at 12:15 PM at 21 Lodge Street, Albany, NY 12207 (Large Conference Room).**

### Roll Call

**Reading of Minutes of the Finance Committee Meeting of February 13 2019**

**Approval of Minutes of the Finance Committee Meeting of February 13, 2019**

### Report of Chief Financial Officer

- None

### Unfinished Business

- A. Mukura Inc.
  - Possible positive/negative recommendation for Approving Resolutions

### New Business

None

### Other Business

- A. Agency Update
  - Technology Update Proposals
- B. Compliance Update

### Adjournment

The next regularly scheduled Finance Committee meeting will be held Wednesday, April 10, 2019 at 21 Lodge Street, Albany, NY. Please check the website [www.albanyida.com](http://www.albanyida.com) for updated meeting information.

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## IDA MINUTES OF FINANCE COMMITTEE MEETING

Wednesday, February 13, 2019

Attending: Darius Shahinfar, Lee Eck, and Dominick Calsolaro

Absent: Susan Pedo, Tracy Metzger

Also Present: Robert Schofield, Jahkeen Hoke, Mark Opalka, William Kelly, Joe Scott, Joe Landy, Andy Corcione, and Genevieve Zurowski

Darius Shahinfar called the Finance Committee meeting of the IDA to order at 12:15 pm.

### Roll Call

Darius Shahinfar reported that all committee members were present, with the exception of Susan Pedo and Tracy Metzger.

### Reading of Minutes of the January 9, 2019 Finance Committee Meeting

Since the minutes of the previous meeting had been distributed to committee members in advance for review, Darius Shahinfar made a proposal to dispense with the reading of the minutes.

### Approval of Minutes of the January 9, 2019 Finance Committee Meeting

Darius Shahinfar proposed to approve the minutes of the Finance Committee meeting of January 9, 2019. Lee Eck moved, seconded by Dominick Calsolaro, to accept the minutes as presented. A vote being taken, the motion passed unanimously with all other members voting aye.

### Report of Chief Financial Officer

None

### Unfinished Business

#### 16 Sheridan Avenue, LLC

Staff reviewed the *16 Sheridan Avenue LLC* project with the Committee for a possible recommendation to the Board for Approving Resolutions. A representative from the applicant was present to provide a brief summary of the project and to answer any additional questions that the committee may have. This project includes the \$21 Million renovation of a 112,000 square foot office building, which will create approximately 132 apartments, 130 construction jobs, and 12 permanent, FTE jobs. Committee members had a robust discussion related to the benefits and costs of the project, the reasoning for a short timeline and the importance of the project. A motion to move the *16 Sheridan Avenue LLC* project with a positive recommendation for Approving Resolutions was made by Dominick Calsolaro, and seconded by Lee Eck. A vote being taken, the resolution passed unanimously with all other members voting aye.

## **New Business**

### Mukura Inc.

Staff introduced the *Mukura Inc.* project to the Committee, for possible recommendation to the Board for a Public Hearing Resolution. The applicant was present to provide a brief summary of the financial assistance requested and answer any additional questions the Committee may have. The project involves the construction of a 106 four-story, Sheridan Four Points hotel, which will create 25 new, full-time equivalent jobs and will be a major benefit for the neighboring businesses/consumers. Staff discussed the draft Uniform Criteria table previously distributed to the Committee. Committee members had a robust discussion related to the benefits and costs of the project in relation to the Sales Tax and Mortgage Recording Tax abatements being requested. A motion to advance the *Mukura Inc.* project to the full board with a positive recommendation for Public Hearing Resolution was made by Lee Eck, and seconded by Dominick Calsolaro. A vote being taken, the motion passed unanimously with all other members voting aye.

## **Other Business**

### Agency Update

Staff commended the Committee for those who attended the NYSEDC Annual Conference, which occurred last month. Staff and the Committee discussed various aspects of the conference, including IDA best practices, economic development strategies from around the State, Opportunity Zones, etc.

### Legislative Update

Counsel provided a detailed overview of this year's proposed legislation regarding New York State IDA's. Counsel distributed an outline regarding the proposed legislation and discussed potential operating impacts going forward. Counsel will update the Committee and Staff as the matter moves forward.

### Compliance Update

Staff provided an update regarding the *Dilek, LLC* project. Per Board direction, Staff generated a six month, follow up letter to the Applicant in regards to employment verification and compliance. Staff informed the committee that the Applicant has not responded to the Agency's formal request. The Committee recommended that the matter be discussed with the full board at the next meeting.

Staff provided an update to the Committee regarding three projects that may be in need of additional monitoring by the Agency - 960 Broadway, LLC, Nipper Apartments, LLC, and 581 Livingston Ave, LLC. The Committee recommended that the matter be discussed with the full board at the next meeting.

There being no further business, the meeting was adjourned at 1:00 pm.

Respectfully submitted,

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Lee Eck, Secretary

**TO:** City of Albany Industrial Development Finance Committee  
**FROM:** City of Albany Industrial Development Agency Staff  
**RE:** Mukura Inc. - IDA Application Summary  
**DATE:** February 8, 2019

**Applicant:** Mukura Inc.

**Managing Members (% of Ownership):** Mukesh Fansiwala (80%), Rashmi Fansiwala (20%).

**Project Location:** 351 Southern Boulevard, Albany, NY

**Project Description:** The project involves the construction of a 60,000 square foot, 4 story hotel. The project will take what is currently a vacant 1.8 acre parcel (currently being sub-divided) and create 106 hotel rooms with an indoor pool, fitness room, and a Bar/Lounge.

**Estimated Investment:** \$13,320,000 (est)

**Community Benefits:** Please see the attached CAIDA Project Evaluation and Assistance Framework Staff Analysis for more detail on the Community Benefits metrics below.

- *Revitalization:* The project is located in a Targeted Geography within the City, notably in a distressed census tract.
- *Job Creation:* The project is committing to the creation of 25 permanent and 100 construction jobs.
- *Investment:* The project is anticipating a project cost of more than \$13 million.

**Employment Impact:**

- Projected Permanent: 25 jobs
- Projected Retained: N/A
- Projected Construction: 100 jobs

**Type of Financing:** Straight Lease

**Amount of Bonds Requested:** None

**Estimated Total Purchases Exempt from Sales Tax:** \$5,937,500

**Estimated Total Mortgage Amount:** not to exceed \$10,500,000

**Requested PILOT:** N/A (Applicant is seeking as-of-right 485b through the City of Albany.)

**Estimated Value of Tax Exemptions:**

- NYS Sales and Compensating Use Tax: \$475,000
- Mortgage Recording Taxes: \$105,000
- Real Property Taxes: N/A
- Other: N/A

**Baseline Requirements:**

- Application: Complete
- Meets NYS/CAIDA Requirements: Yes
- Albany 2030 Alignment:
  - Increase job opportunities for all residents.
  - Encourage investment in urban land and buildings for employment and housing.
- Planning Approval Status: Full Planning Board approval
- Meets Project Use Definition: Yes
- Meets “But For” Requirement: Yes, affidavit signed.

**Cost Benefit Analysis:** See attached Exhibit A: Description of The Project Evaluation and Expected Public Benefits.

**Estimated IDA Fee**

- Fee amount: \$66,600

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**CAIDA Mission:**The purpose of the Industrial Development Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities. The Agency aims to protect and promote the health of the inhabitants of the City of Albany by the conservation, protection and improvement of the natural and cultural or historic resources and environment and to control land, sewer, water, air, noise or general environmental pollution derived from the operation of industrial development.

## EXHIBIT A

### DESCRIPTION OF THE PROJECT EVALUATION AND EXPECTED PUBLIC BENEFITS

#### Mukura Inc. PROJECT

Pursuant to the City of Albany Industrial Development Agency's (the "Agency") Uniform Criteria for the Evaluation of Projects Policy, the following general uniform criteria were utilized by the "Agency" to evaluate and select the project for which the Agency can provide financial assistance. In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of City of Albany, Albany County, New York (the "Public Benefits"):

Description of Evaluation Criteria/Benefit		Applicable to Project (indicate Yes or No)		Criteria Assessment/ Expected Benefit
1.	Retention direct and indirect of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in a developing commercial district, thereby promoting the retention of existing jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment and office operations located in the surrounding area.</p>
2.	Creation of direct and indirect new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Project will increase the level of activity in a developing commercial district, thereby promoting the creation of new permanent jobs.</p> <p>The Project will create 25 new full time equivalent jobs.</p> <p>The Company expects that the Project will result in the retention and creation of employment in the retail, restaurant, entertainment, service and office operations located in the surrounding area.</p>
3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<p>The exemptions have been weighed against the cumulative benefits of the Project.</p>

				NYS Sales and Compensating Use Tax Exemption: \$475,000 Mortgage Recording Tax Exemption: \$105,000 Real Property Tax Exemption: 485B
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project applicant expects to invest over \$13 million of private investment in the Project.
5.	Likelihood of Project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	High likelihood that Project will be accomplished in a timely fashion.  The Project has received Planning Board Approval from the City of Albany.  The Project has received a term sheet and letter of intent for Project Financing.  The Applicant has an option to purchase the property.
6.	Extent of new revenue provided to local taxing jurisdictions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Project will result in new revenue to local taxing jurisdictions under the proposed 485B program through the City of Albany.
7.	Other:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project will develop a vacant property into a hotel within the City of Albany.  The Project will have a positive revitalizing effect on the community by creating activity in a challenging location within a key commercial section of the City, benefiting neighboring businesses and consumers.  The Project will help retain existing commercial tenants and retailers in the neighborhood.  The Project meets the intent and furthers the implementation of the following City of Albany strategic initiatives: Albany 2030.

Mike Fansiwala  
37 Route 9W,  
Glenmont, NY 12077

February 4, 2019

Tracy Metzger  
Chair  
City of Albany Industrial Development Agency  
21 Lodge Street  
Albany, New York 12207

RE: Request for IDA Assistance for Mt. Hope Common Hotel Project

Dear Ms. Metzger:

Attached is a completed application, as well as the appropriate supplementary material required by the City of Albany Industrial Development Agency for the consideration of financial assistance associated with the Mukrash Inc., Mt. Hope common project located on route 9w, currently 351 southern boulevard, Albany, NY.

The proposed project is 106 rooms four story hotel, Four Points by Sheraton, with food and beverages on about 1.8 acres of Land. It is one of the Marriott brand.

The Project is seeking financial assistance by exemptions on NYS sales and Compensating Use tax on the construction of the proposed building and the acquisition and installation of any machinery and equipment and Mortgage recording Tax for the project.

This hotel project will provide huge benefits to the City of Albany. It will create additional full time and part time employment as describe in the application. It will bring in additional school and property taxes for the city. Currently there is no upscale brand hotel which can provide great lodging services to the south end of the city and surrounding towns.

Please do not hesitate to contact me if you should have any questions or find additional information is needed. I look forward to working with the Agency on this project. Thank you.

Sincerely,



Mike Fansiwala  
President  
Mukura Inc.

Enclosure



**CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION**

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IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development 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 Agency.  
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TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
21 Lodge Street  
Albany, New York 12207

This application by applicant respectfully states:

APPLICANT: Mukura Inc.

APPLICANT'S ADDRESS: 37 Route 9W

CITY: Glenmont STATE: NY ZIP CODE: 12077

PHONE NO.: 518—369-3115 FAX NO.: 518-465-8812

E-MAIL: Mike.F@tri-cityhotels.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO  
THIS APPLICATION: Mike Fansiwala

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Charles Dumas/ Lemery Greisler LLC

ATTORNEY'S ADDRESS: 50 Beaver Street, 2<sup>nd</sup> floor

CITY: Albany STATE: NY ZIP CODE: 12207

PHONE NO.: 518-433-8800 FAX NO.: 518-433-8823 E-MAIL: Cdumas@lemerygreisler.com

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NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT  
THIS FORM.  
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## INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return one (1) copy of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the Project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the Project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Agency has also established an administrative fee equal to (A) one percent (1%) of the cost of the Project in the case of an Agency Straight Lease Transaction, and (B) one percent (1%) of the aggregate principal amount of the bonds to be

issued by the Agency in the case of an Agency Bond Transaction. The Agency has also established an administrative fee for the issuance of refunding bonds for Agency Bond Transactions. The formula for the calculation of the administrative fee for the issuance of refunding bonds is outlined in the Agency's Policy Manual. THESE FEES ARE PAYABLE ON THE CLOSING DATE.

FOR AGENCY USE ONLY

1. Project Number	_____
2. Date application Received by Agency	_____, 20____
3. Date application referred to attorney for review	_____, 20____
4. Date copy of application mailed to members	_____, 20____
5. Date notice of Agency meeting on application posted	_____, 20____
6. Date notice of Agency meeting on application mailed	_____, 20____
7. Date of Agency meeting on application	_____, 20____
8. Date Agency conditionally approved application	_____, 20____
9. Date scheduled for public hearing	_____, 20____
10. Date Environmental Assessment Form ("EAF") received	_____, 20____
11. Date Agency completed environmental review	_____, 20____
12. Date of final approval of application	_____, 20____

## SUMMARY OF PROJECT

Applicant: Mukura Inc.

Contact Person: Mike Fansiwala

Phone Number: 518-369-3115

Occupant: Four Point by Sheraton

Project Location (include Tax Map ID): In process - Land subdivision of 351 Southern Blvd

Approximate Size of Project Site: 1.8 acres

Description of Project: Hotel

Type of Project: ☐ Manufacturing ☐ Warehouse/Distribution  
☒ Commercial ☐ Not-For-Profit  
☐ Other-Specify

Employment Impact: Existing Jobs: None

New Jobs 25 FTE

Project Cost: \$ 13,320,000 approx.

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$0\_\_\_\_\_

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$ 475,000.00
Mortgage Recording Taxes:	\$ 105,000.00 (1% of loan amount)
Real Property Tax Exemptions:	\$__0_____
Other (please specify):	485B

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status:	0
Estimate of Jobs to be created: (EST)	25 FTEs
Estimate of Jobs to be Retained:	0

Average Estimated Annual Salary of Jobs to be created:	\$35,000
Annualized Salary Range of Jobs to be created:	\$25,000 - \$65,000
Estimated Average Annual Salary of Jobs to be retained:	\$0

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: Mukura Inc.

Present Address: 37 route 9W, Glenmont, NY 12077

Zip Code: 12077

Employer's ID No.: 14-1801901

2. If the Company differs from the Applicant, give details of relationship:

N/A

3. Indicate type of business organization of Company:

a. USA Corporation (If so, incorporated in what country?

What State? New York

Date Incorporated? September 18<sup>th</sup> 1997

Type of Corporation? S-Corp

Authorized to do business in New York? Yes X; No \_\_\_\_).

b. \_\_\_\_ Partnership (if so, indicate type of partnership \_\_\_\_\_,  
Number of general partners \_\_\_\_, Number of limited partners \_\_\_\_).

c. \_\_\_\_ Limited liability Company,  
Date created? \_\_\_\_\_.

d. \_\_\_\_\_ Sole proprietorship

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

None

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns for each person):

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Mukesh Fansiwala	President	Hotels

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No X.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No X.

4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No X.  
(If yes to any of the foregoing, furnish details in a separate attachment).

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

1. Principal owners of Company: Is Company publicly held? Yes \_\_\_\_; No X.  
If yes, list exchanges where stock traded:

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Mukesh Fansiwala	9 Taprobane lane, Loudonville, NY 12211	80%
Rashmi Fansiwala	same	20%



# Cap Com Credit Union

A. Summary: (Please provide a brief narrative description of the Project.)

Hotel with guest rooms, indoor pool, Fitness, Bar and Lounge

1.	Street Address	In Process - Land Subdivision of 351 Southern Blvd
2.	City of	Albany
3.	Town of	N/A
4.	Village of	N/A
5.	County of	Albany
6.	Tax Map ID(s):	to Be assigned

1. Approximate size (in acres or square feet) of Project site: 1.8 Acres  
Is a map, survey, or sketch of the project site attached? Yes X; No \_\_\_\_.
2. Are there existing buildings on project site? Yes \_\_\_\_; No X.
  - a. If yes, indicate number and approximate size (in square feet) of each existing building:
  - b. Are existing buildings in operation? Yes \_\_\_\_; No X.  
If yes, describe present use of present buildings:
  - c. Are existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_\_. About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:  
  
  
  
  
N/A
  - d. Attach photograph of present buildings.

3. Utilities serving project site: All are disconnected  
 Water-Municipal: Need of new service  
     Other (describe)  
 Sewer-Municipal: Need of New service  
     Other (describe)  
 Electric-Utility: Need of New service  
     Other (describe)  
 Heat-Utility: Need of New service  
     Other (describe)
4. Present legal owner of project site:
  - a. If the Company owns project site, indicate date of purchase: \_\_\_\_\_, 20\_\_\_\_; Purchase price: \$\_\_\_\_\_.
  - b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes   X  ; No \_\_\_\_\_. If yes, indicate date option signed with owner: Jan 5<sup>th</sup> 2018\_; and the date the option expires:   July 30th  , 2019
  - c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes \_\_\_\_; No   X  . If yes, describe:
5.
  - a. Zoning District in which the project site is located:  
 MU-CH zoning district
  - b. Are there any variances or special permits affecting the site? Yes \_\_\_\_; No   X  . If yes, list below and attach copies of all such variances or special permits:  
 What is the variance/special permit?

D. Buildings:

1. Does part of the Project consist of a new building or buildings? Yes   x  ; No \_\_\_\_\_. If yes, indicate number and size of new buildings:  
 4-Story 60,000 square feet (Est)
2. Does part of the Project consist of additions and/or renovations to the existing buildings? Yes \_\_\_\_; No   X  . If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:
3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded:

Hotel with Bar and Lounge

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes   X  ; No       . If yes, describe the Equipment:  
Laundry equipment, Bar and Lounge equipment, Guest rooms Equipment
2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes       ; No   X  . If yes, please provide detail:
3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:  
  
Laundry, Ice making, guest service, Restaurant Equipment, Cooking, refrigeration etc.

F. Project Use:

1. What are the principal products to be produced at the Project?  
  
N/A
2. What are the principal activities to be conducted at the Project?  
  
Lodging and Boarding of temporary Guests
3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes   X  ; No       . If yes, please provide detail:  
For City of Albany IDA purposes, the room rental will constitute a "retail" use.
4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project?   100  %
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

a. Will the Project be operated by a not-for-profit corporation? Yes\_\_\_\_; No \_\_X\_\_. If yes, please explain:

b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_X\_\_; No\_\_\_\_. If yes, please explain:

Tourist from all over the world

c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes\_\_\_\_; No\_\_X\_\_. If yes, please explain:

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_X\_\_; No\_\_\_\_. If yes, please provide detail:

Lack of good quality hotel rooms and limited supply

e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_X\_\_; No\_\_\_\_. If yes, please explain: \_\_\_\_\_

Census Tract 26 distressed

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_X\_\_; No\_\_\_\_. If yes, please explain:

The addition of Hotel, Bar and lounge should increase Permanent Jobs in NYS by 25 +/- Individuals –

7. Will the completion of the Project result in the removal of a plant or facility of the Company 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 \_\_X\_\_. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes\_\_\_\_; No X\_\_\_\_. 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 Company or such Project Occupant in its industry? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide detail:

N/A

b. Is the Project reasonably necessary to discourage the Company or such 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:

N/A

G. Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

Building Department, Planning Department, Water and Sewer Department

2. Describe the nature of the involvement of the federal, state, or local agencies described above:

The Planning department has approved the site Plan, Building, Water, sewer, health department will be approached for approvals

H. Construction Status:

1. Has construction work on this Project begun? Yes \_\_\_\_; No X

2. \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have

been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

\$320,000.00 Deposit on contract  
\$30,000 Engineering, Attorney etc.

3. Please indicate the date the applicant estimates the Project will be completed: \_\_\_\_  
May 2020.

I. Method of Construction After Agency Approval:

1. If the Agency approves the Project which is the subject of this application, there are two methods that may be used to construct the Project. The applicant can construct the Project privately and sell the Project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the Project? Yes \_\_X\_\_;  
No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes\_\_\_\_; No\_X?\_\_\_\_.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes\_\_\_\_; No\_X\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name: N/A  
Present Address:  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name: N/A

Present Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip:

Employer's ID No.:

Sublessee is:

\_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name: N/A

Present Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip:

Employer's ID No.:

Sublessee is: \_\_\_\_\_ Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes\_\_\_\_; No\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? 0%

#### IV. Employment Impact

A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the

Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

<b>TYPE OF EMPLOYMENT</b> <b>Employees of Applicant</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					0
Present Part Time					0
Present Seasonal					0
First Year Full Time	0	0	0	0	0
First Year Part Time	2	0	0	0	2
First Year Seasonal			0	0	0
Second Year Full Time		0	0	0	0
Second Year Part Time	2	0	0	0	2
Second Year Seasonal			0	0	0

<b>TYPE OF EMPLOYMENT</b> <b>Independent Contractors</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals



Present Full Time					0
Present Part Time					0
Present Seasonal					0
First Year Full Time	1				1
First Year Part Time					0
First Year Seasonal					0
Second Year Full Time	1				1
Second Year Part Time					0
Second Year Seasonal					0

<b>TYPE OF EMPLOYMENT</b> <b>Employees of Independent Contractors</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					0
Present Part Time					0
Present Seasonal					0
First Year Full Time	3	2	5	5	15
First Year Part Time			5	5	10
First Year Seasonal			5	5	10

<b>CITY OF ALBANY</b> Second Year Full Time	3	2	5	5	15
Second Year Part Time			6	6	12
Second Year Seasonal			6	6	12

- A. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Capital Region Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

<b>RELATED EMPLOYMENT INFORMATION</b>				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	45k-65k	25k-45K	20k-35k	20k-30K
Estimated Number of Employees Residing in the Capital Region Economic Development Region <sup>1</sup>	30%			

- B. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

Starting August 2019

- C. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

<sup>1</sup> The Capital Region Economic Development Region consists of the following counties: Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren and Washington.

V. Project Cost and Financing Sources

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 800,000
Buildings	\$ 9,000,000
Machinery and equipment costs	\$ 550,000
Utilities, roads and appurtenant costs	\$ 800,000
Architects and engineering fees	\$ 250,000
Costs of Bond Issue (legal, financial and printing)	\$ 100,000
Construction loan fees and interest (if applicable)	\$ 450,000
Other (specify)	
Furniture, Fixtures, Freight, signage	\$ 1,200,000
Permits Licenses and fees and Insurance	\$ 170,000
_____	\$ _____
<b>TOTAL PROJECT COSTS (EST)</b>	<b>\$13,320,000</b>

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ 10,500,000
Public Sector	
Federal Programs	\$ _____
State Programs	\$ _____
Local Programs	\$ _____
Applicant Equity	\$ 2,820,000
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL AMOUNT OF PROJECT FINANCING SOURCES (EST)</b>	<b>\$ 13,320,000</b>

- C. Have any of the above expenditures already been made by the applicant?  
Yes   X  ; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_ Deposit on Contract  
 \_\_\_\_\_ Attorney Fees  
 \_\_\_\_\_ Engineering fees  
 \_\_\_\_\_

- D. Amount of loan requested: \$ 10,500,000;

Maturity requested:   25   years.

- E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes   X  ; No \_\_\_\_\_. Institution Name:   CAP COM  

Provide name and telephone number of the person we may contact.

Name:   Chris D'Ambro   Phone:   518-458-2195   Ext   4088  

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following:       0      %

- G. The total amount estimated to be borrowed to finance the Project is equal to the following:  
\$ 10,000,000 – 10,500,000\_\_\_\_\_

VI. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the Project? Yes \_\_\_\_; No X\_\_. If yes, indicate:
  - a. Amount of loan requested: N/A Dollars;
  - b. Maturity requested: N/A Years.
2. Is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No X\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_
  - b. automobile sales or service: Yes \_\_\_\_; No \_\_\_\_
  - c. recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_
  - d. golf course: Yes \_\_\_\_; No \_\_\_\_
  - e. country club: Yes \_\_\_\_; No \_\_\_\_
  - f. massage parlor: Yes \_\_\_\_; No \_\_\_\_
  - g. tennis club: Yes \_\_\_\_; No \_\_\_\_
  - h. skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_
  - i. racquet sports facility (including handball and racquetball court): Yes \_\_\_\_; No \_\_\_\_
  - j. hot tub facility: Yes \_\_\_\_; No \_\_\_\_
  - k. suntan facility: Yes \_\_\_\_; No \_\_\_\_
  - l. racetrack: Yes \_\_\_\_; No \_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.
5. Is the Project located in the City's federally designated Enterprise Zone? Yes \_\_\_\_; NO X\_\_.
6. Is the applicant requesting the Agency to issue federally tax-exempt Enterprise Zone bonds? Yes \_\_\_\_; No X\_\_.

B. Tax Benefits

1. Is the applicant requesting any real property tax exemption that would not be available to a project that did not involve the Agency? Yes \_\_\_\_; No X\_\_.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes X; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$10,500,000.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$5,937,500?\_\_\_\_\_.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a.	N.Y.S. Sales and Compensating Use Taxes:	\$ 475,000_____
b.	Mortgage Recording Taxes:	\$ 105,000_____
c.	Real Property Tax Exemptions:	\$ _____
d.	Other (please specify):	
	_____ 485B _____	\$ _____
	_____	\$ _____

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes \_\_\_\_; No X. If yes, please explain.

6. Does the Project involve a minimum investment of \$25 million dollars, a minimum of fifteen (15) acres, or a full service hotel? Yes \_\_\_\_; No X. If yes, please provide detail and whether the applicant is seeking a real property tax abatement outside of the Agency's Project Evaluation and Assistance Framework.

7. Is the Project located in the City's state designated Empire Zone? Yes \_\_\_\_; No X.

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, community benefits (including community commitment as described in the Agency's Project Evaluation and Assistance Framework), etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job Listings. 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 “DOC”) and with the administrative entity (collectively with the DOC, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), 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. City Human Rights Law. The applicant has reviewed the provisions of Chapter 48, Article III of the City Code, entitled “The Omnibus Human Rights Law” and agrees to comply with such provisions to the extent that such provisions are applicable to the applicant and the Project.

D. 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.

E. 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, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the “NYS-45”), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Agency, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

F. Local Labor Information. The applicant is aware of and understands the provisions of Part 24 of the Policy Manual of the Agency. Pursuant to Part 24 of the Policy Manual of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the Company’s contact person responsible and accountable for providing information about the bidding for and awarding of construction contracts relative to this Application and the Project, (ii) the nature of construction jobs created by the Project, including the number, type, and duration of construction positions; and (iii) submit to the Agency a “Construction Completion Report” listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the Project.

G. Additional Fee for Low Income Housing/Tax Credit (9% only) Projects. An annual administrative fee equal to \$10,000 shall be payable annually by the applicant on each January 1 for a term equal to ten (10) years. This annual administrative fee is in addition to the standard administrative fee for Agency Straight Lease Transactions and Agency Bond Transactions and is applicable to Projects which provide for low income housing/tax credit (9% only) projects.

H. Project Benefits Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

I. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understand that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

J. Post Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

K. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

L. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons: \_\_\_\_\_.



M. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

N. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

O. False or Misleading Information. The applicant understands 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 exemptions claimed by reason of Agency involvement in the Project.

P. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. 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: \_\_\_\_\_.

Q. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at [www.albanyida.com](http://www.albanyida.com).

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

By: Mukura INC.  
Applicant  
Title: Mike Faysiwala  
President

-----  
NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 27 THROUGH 30 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 31.  
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VERIFICATION

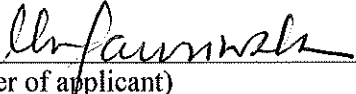
(If Applicant is a Corporation)

STATE OF New York )  
COUNTY OF Albany ) SS.:

Mullesh N Fansiwala deposes and says that he is the  
(Name of chief executive of applicant)

President of Mukura Inc.  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

  
(officer of applicant)

Sworn to before me this  
1<sup>st</sup> day of February, 2019.

  
(Notary Public)

**Michael J Greenberg**  
Notary Public, State of New York  
Qualified in Albany County  
No. 01GR6283019  
Commission Expires May 28, 2021

VERIFICATION

(If applicant is sole proprietor)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says  
(Name of Individual)

that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

\_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If applicant is limited liability company)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says

(Name of Individual)

that he is one of the members of the firm of \_\_\_\_\_,

(Limited Liability Company)

the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

\_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If applicant is partnership)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says

(Name of Individual)

that he is one of the members of the firm of \_\_\_\_\_,  
(Partnership Name)

the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

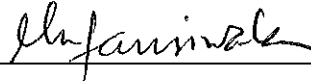
\_\_\_\_\_  
(Notary Public)

-----  
NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD  
HARMLESS AGREEMENT APPEARING ON PAGE 31 IS SIGNED BY THE APPLICANT.  
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## HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "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 (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; 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. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: 

Sworn to before me this  
1<sup>st</sup> day of February, 2014

  
(Notary Public)

Michael J Greenberg  
Notary Public, State of New York  
Qualified in Albany County  
No. 01GR6283019  
Commission Expires May 28, 2021

TO: Project Applicants  
 FROM: City of Albany Industrial Development Agency  
 RE: Cost/Benefit Analysis

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In order for the City of Albany Industrial Development Agency (the “Agency”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”) and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary (“Company”):	Mukura Inc.
2. Brief Identification of the Project:	New Hotel with F&B
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$_0_____
B. Value of Sales Tax Exemption Sought	\$_475,000_____
C. Value of Real Property Tax Exemption Sought	\$_0_____
D. Value of Mortgage Recording Tax Exemption Sought	\$_105000_____
4. Likelihood of accomplishing the Project in a timely fashion (please explain):	Yes <u>X</u> No ____. _____ _____

### **PROJECTED PROJECT INVESTMENT**

<b>A. Land-Related Costs</b>	
1. Land acquisition	\$ 800,000
2. Site preparation	\$ 800,000
3. Landscaping	\$ included in #2
4. Utilities and infrastructure development	\$ included in #2
5. Access roads and parking development	\$ included in #2
6. Other land-related costs (describe)	\$ included in #2
<b>B. Building-Related Costs</b>	
1. Acquisition of existing structures	\$_0_____
2. Renovation of existing structures	\$_0_____
3. New construction costs	\$ 9,000,000
4. Electrical systems	\$ included in #3
5. Heating, ventilation and air conditioning	\$ included in #3
6. Plumbing	\$ included in #3
7. Other building-related costs (describe)	\$ included in #3



C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ 0
2.	Packaging equipment	\$ 0
3.	Warehousing equipment	\$ 0
4.	Installation costs for various equipment	\$ included in #5
5.	Other equipment-related costs (describe)	\$ 300,000
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ 50000
2.	Office equipment	\$ 50000
3.	Computers	\$ 100,000
4.	Other furniture-related costs (GUEST ROOMS/CORRIDOR)	\$ 1,100,000
E.	Working Capital Costs	
1.	Operation costs	\$50000
2.	Production costs	\$ 0
3.	Raw materials	\$ 0
4.	Debt service	\$ 350000
5.	Relocation costs	\$ 0
6.	Skills training	\$ 50000
7.	Other working capital-related costs (describe)	\$
F.	Professional Service Costs	
1.	Architecture and engineering	\$250000
2.	Accounting/legal	\$50000
3.	Other service-related costs (describe)	\$100000
G.	Other Costs	
1.	Legal/Financial/permit	\$270000
2.		\$
H.	Summary of Expenditures	
1.	Total Land-Related Costs	\$1600000
2.	Total Building-Related Costs	\$9000000
3.	Total Machinery and Equipment Costs	\$300000
4.	Total Furniture and Fixture Costs	\$1300000
5.	Total Working Capital Costs	\$450000
6.	Total Professional Service Costs	\$400000
7.	Total Other Costs	\$270000
		\$13320000

### **PROJECTED PROFIT**

I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEAR	Without IDA benefits	With IDA benefits
1	\$ (106,513)	\$ (686,513)
2	\$ (69,895)	\$ (69,895)
3	\$ 42,153	\$ 42,153
4	\$ 139,123	\$ 139,129
5	\$ 202,296	\$ 202,296

### **PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	100	\$ TBD	\$ TBD
Year 1		\$	\$
Year 2		\$	\$
Year 3		\$	\$
Year 4		\$	\$
Year 5		\$	\$

### **PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.

II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application.

III. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

IV. Provide the projected percentage of employment that would be filled by City of Albany residents:  
Local resident 30%

A. Provide a brief description of how the project expects to meet this percentage:  
Will Have Job fair for open position inviting local residents.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales: N/A

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year		N/A	N/A
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please indicate which of the below described community commitments (as defined in the Agency's Project Evaluation and Assistance Framework) will be provided as a result of the Project, and please provide a detailed description of such commitments, together with any other economic benefits and community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response):

- ☐ MWBE/DBE Participation
- ☐ EEO Workforce Utilization
- ☐ Inclusionary Housing
- ☐ Regional Labor
- ☐ City of Albany Labor
- ☐ Apprenticeship Program

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

<b>Date Signed:</b> <u>February 1<sup>st</sup>, 2019</u>	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  <b>Name:</b> <u>Mike Faysiwal</u> <b>Title:</b> <u>President</u> <b>Phone Number:</b> <u>518 369 3115</u> <b>Address:</b> <u>37, RT 9W</u> <u>Glenmont, NY 12205</u>  <b>Signature:</b> <u>[Signature]</u>
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.