

## Application for Assistance Introduction

- I. Each applicant seeking financial assistance through the Niagara County Industrial Development Agency must complete and return the accompanying Application and Environmental Assessment forms. This information is necessary to determine project and/or applicant eligibility.
- II. Subject to the applicable statute, information provided by applicant will be treated confidential until such time as the Agency takes action on the request. In accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- III. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission. Additionally, the applicant is responsible for all public hearing expenses.
- IV. At the time of the project closing, project applicant is required to pay certain costs associated with the project financing, including, but not limited to, Agency costs actually incurred. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the face value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs. Upon request, a fee summary will be provided to the Applicant.
- V. One (1) original signed copy of the Application and Environmental Assessment form should be returned to the Niagara County Industrial Development Agency at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.
- VI. The following information may be required by the Agency and returned once an action of the Agency has been taken:
  1. Financial Statements for the last three (3) years; and
  2. Projections for the next three (3) years including Balance Sheets, Profit and Loss Statements, Cash Flow Statements by quarters, etc.
- VII. Upon the closing of the Project, the Agency shall have the right to erect a sign at the site indicating the Agency's involvement with the Project. The sign shall be placed in a public viewing area at the direction of the applicant and shall be removed within 30 days of project completion.

*The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.*

## NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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Each applicant seeking assistance must complete the accompanying application material which includes the Application for Assistance and Environmental Assessment form. A non-refundable application fee of \$1,000.00 must be included with this application, payable to the Niagara County Industrial Development Agency. Every project seeking NCIDA assistance must use best efforts to use local labor for the construction of new, expanded or renovated facilities.

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 online at our web page at [www.nccedev.com](http://www.nccedev.com).

### I. APPLICANT DATA

A. **APPLICANT NAME** KIPO Motors Chevrolet Inc

ADDRESS 2534 Youngstown Lockport Rd

CITY/STATE/ZIP Ransomville NY 14131

B. **APPLICANT'S OFFICER RESPONSIBLE FOR COMPLETING THIS APPLICATION**

NAME Wayne Wilhelm

TITLE President

MAILING ADDRESS 5967 Robinson Rd

CITY/STATE/ZIP Lockport NY 14094

TELEPHONE 716-625-8707 x330

FAX 716-625-8763

E-MAIL [Wwilhelm@kipoautogroup.com](mailto:Wwilhelm@kipoautogroup.com)

APPLICANT'S TAX  
ID NUMBER \_\_\_\_\_

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6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132  
(716) 278-8760 Fax (716) 278-8769

C. **BUSINESS TYPE** \_\_\_\_\_ Sole Proprietorship

- Partnership
- Privately-held Corporation
- Public Corporation
- Not-for-Profit Corporation
- LLC
- Other

D. **STATE OF INCORPORATION:** New York

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E. **IS APPLICANT AUTHORIZED TO DO BUSINESS IN NEW YORK STATE?**

Yes                       No

F. **PRINCIPAL STOCKHOLDERS** (Owners of 20% or more of Stock Outstanding)

Name	%	Corporate Title
Wayne Wilhelm	80	President
Keith Lucas	20	V P

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G. **Has the Applicant (or any related entity) received previous NCIDA assistance?**

Yes     No.

If yes, please give year(s) and project location

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H. **APPLICANT'S LEGAL COUNSEL**

FIRM NAME	Brown Kelly
ADDRESS	420 Main St #1500 Liberty Building
CITY/STATE/ZIP	Buffalo NY 14240
TELEPHONE	716-854-2620
ATTORNEY'S NAME	Paul Hassett
E-MAIL	phassett@brownkelly.com

II. PROJECT & OCCUPANCY DATA

A. LOCATION OF PROPOSED PROJECT FACILITY

ADDRESS 2534 Youngstown Lockport Rd  
PRINCIPAL USE New Franchised Chevrolet Facility  
SBL #  
ZONING

B. INDICATE MUNICIPAL JURISDICTION

TOWN Porter  
VILLAGE Ransomville  
CITY \_\_\_\_\_  
SCHOOL DISTRICT \_\_\_\_\_

C. CURRENT OWNERSHIP OF PROPERTY

CURRENT OWNER Robert Kruger Estate  
CURRENT ASSESSMENT \_\_\_\_\_  
CURRENT TAXES (ANNUAL) \_\_\_\_\_

D. Who are the principal user(s) of the facility (the "Company")? If there are multiple users, please indicate on attached sheet. If same as Applicant indicate the "same" below.

COMPANY NAME KIPO Motors Chevrolet Inc  
ADDRESS 2534 Youngstown Lockport Rd  
CITY/STATE/ZIP Ransomville NY 14131  
CONTACT Wayne Wilhelm  
TELEPHONE 716-625-8707 Cell 716-998-8111  
TAX ID NO. \_\_\_\_\_

% OF FACILITY TO BE OCCUPIED BY COMPANY 100

E. Are other facilities or related companies located within New York State:

Yes                       No

LOCATION                      5967 Robinson Rd Lockport

6145 S Transit Rd Lockport

381 West Ave Lockport

**If there are other company facilities within the State, will any of these close or be subject to reduced activity?**

Yes                       No

**F. Has the company actively sought sites and/or facilities in another country or state?**

Yes                       No

If yes, please describe on separate sheet.

**G. Description of project (check one or more)**

<input type="checkbox"/>	New Construction	Sq. Footage	<input type="text"/>
<input checked="" type="checkbox"/>	Addition to existing facility	Sq. Footage	<input type="text" value="4300"/>
<input type="checkbox"/>	Renovation and modernization of existing facility		
<input checked="" type="checkbox"/>	Acquisition and modernization of existing facility		
<input checked="" type="checkbox"/>	New machinery and equipment	Production	<input type="text"/> Non-Production <input type="text"/>
<input checked="" type="checkbox"/>	Other (specify)	Repair Equipment	

**H. Provide a general narrative description of the project, including history and background on user(s) of the facility. Provide information on (Appendix A) for user(s) of the facility. Describe reasons why this project is necessary and its effect it will have on Applicant. Include site plans, renderings, photos, etc.**

**KI PO Automotive (KI PO Chevrolet) has serviced Niagara County for over 40 years. We are now leasing and considering acquiring 2534 Youngstown Lockport Rd, adding a 4300 sq feet addition to the existing facility along with renovations to accomidate new equiptment, added employees and increase in our services to Niagara County and Ransomville. It will be operated by the current owners that now lease the facility.**

**General Motors strongly suggest that we either move the facility or renovate the current building to conform to the new branding of the Gm Chevrolet Division.**

**We certainly would prefer to remain however our estimated cost of the project is 1,500,000.00 which will far exceed the assessment or value of the current parcel. We believe with the assistance of NCIDA and the savings it can**

assist us with we can make this project work. Our company realizes that this is not a short term realestate investment but an investment in our ability to grow our company long term adding jobs in the community and securing the existing 24+ employees positions we currently have. We estimate the addition of 5 new positions will be created within the next 1 to 5 years. Currently KIPO Automotive employees over 48 full and part time employees in Niagara county. This new facility will enhance the community and create new services that we cannot currently support. Should we elect not to participate in this project or the GM program we risk that GM will not renew our franchise agreement, this will certainly force us to close putting many well paying jobs at risk and the new exciting opportunities this project will provide for many years to come.

### III. COMPANY EMPLOYMENT INFORMATION

A. Total current employment within Niagara County is

\_\_\_\_\_45\_\_\_\_\_ Full-Time      \_\_\_\_\_3\_\_\_\_\_ Part-Time

Current Annual Payroll  
Including benefits      \$\_\_\_\_\_1,767,971.00\_\_\_\_\_

B. Projected Employment: 50-55

Applicant or principal user(s) must complete Appendix A.

### IV. EMPLOYMENT IMPACT

Every project seeking NCIDA assistance must use best efforts to use Niagara County labor for the construction of new, expanded or renovated facilities. This requirement includes all project employees of the General Contractor, Subcontractor or sub to a Subcontractor, working on the project. Applicant agrees and understands the obligations herein, and agrees to transmit and convey in a timely fashion this requirement to all applicable contractors, subcontractors, suppliers and materialmen.

A. Will Niagara County contractors and/or subcontractors be utilized for the construction project?

Yes      \_\_\_\_\_ No

B. What is the estimated number of construction jobs to be created at the project site from

Niagara County: \_\_\_\_\_?\_\_\_\_\_ Erie County: \_\_\_\_\_ Other Areas \_\_\_\_\_



## V. APPLICANT PROJECT COSTS AND FINANCING

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

**Estimated Costs Eligible for Sales Tax Exemption Benefit**

a.	Building Construction or Renovation Costs	a.	\$ 782,845
b.	Sitework	b.	\$ 125,000
c.	Non-manufacturing Equipment	c.	\$55,000
d.	Furniture, Fixtures	d.	\$ 40,000
e.	Other (specify)	e.	\$ _____
f.	<b>Subtotal</b>	f.	<b>\$ 1,002,845</b>

**Estimated Costs Not Subject to Sales Tax**

g.	Land and/or Building Purchase	g.	\$ 250,000
h.	Manufacturing Equipment	h.	\$ _____
i.	Soft Costs (Legal, Architect, Engineering)	i.	\$ 115,000
j.	Other (specify) electric hvac plumbing	j.	\$170,000
k.	<b>Subtotal</b>	k.	<b>\$535,000</b>
	<b>Total Project Costs</b>	<b>f + k</b>	<b>\$ 1,537,845</b>

B. **Indicate how the project will be financed**

a.	Tax-Exempt IRB	a.	\$ _____
b.	Tax-Exempt Bond	b.	\$ _____
c.	Taxable Industrial Revenue Bond	c.	\$ _____
d.	Bank Financing	d.	\$1,000,000
e.	Public Financing	e.	\$ _____
f.	Equity	f.	\$ 537,845
	<b>TOTAL SOURCES</b>		\$ _____

**Estimated Amount of Mortgage** **\$ 1,000,000**



C. If applicant expects the Tax-Exempt IRB to exceed \$1,000,000, what is the dollar value of “capital expenditures” that the applicant and company, or any related company or person, has expended within the last three years in the municipality in which the proposed project is to be located and expects to expend in that municipality three years after the bond issue?

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

Yes  No

If so, please specify bank, underwriter, etc.

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## VI. PROJECT CONSTRUCTION INFORMATION

A. What is the proposed commencement date of construction or acquisition of the project?

\_\_\_\_\_ April 2013

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B. Outline the timetable for the project, indicating when project will be in full use.

March 2013 Secure finance  
May 2013 Start of Construction, August 2013 completion of project

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## VII. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Annual Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E. Absence of Conflicts of Interest: The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described: \_\_\_\_\_.
- F. Local Labor: The Applicant understands that the residents of Niagara County will be providing assistance to the project. The Applicant further understands that every project seeking NCIDA assistance must use best efforts to use Niagara County labor for the construction of new, expanded or renovated facilities. This requirement includes all project employees of the General Contractor, Subcontractor or sub to a Subcontractor, working on the project. Applicant agrees and understands the obligations herein, and agrees to transmit and convey in a timely fashion this requirement to all applicable contractors, subcontractors, suppliers and materialmen.

## VIII. ENVIRONMENTAL ASSESSMENT

New York State law requires that an Environmental Assessment Form (EAF) must be completed and submitted along with this application. Attach the EAF which was submitted to the municipality.

Name of Applicant's Officer Responsible for Completing Application:

(Please Print) \_\_\_\_\_

Signature \_\_\_\_\_

Date of Application \_\_\_\_\_

# CERTIFICATION

**Wayne G Wilhelm**

Name of chief executive of the company submitting application

Deposes and says that he/she is the President

of KIPO Motors Chevrolet Inc, the corporation named in the

attached application; that he/she has read the foregoing application and knows the contents thereof; that the same is true to

his/her knowledge. Deponent further says the reason this verification is made by the deponent and not by \_\_\_\_\_

\_\_\_\_\_, (company name) 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/her 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/her duties as an officer of and from the books and papers of said corporation.

As officer of said corporation (hereinafter referred to as the "applicant") deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the nonprofit Niagara County Industrial Development Agency (hereinafter referred to as the "Agency") acting on behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and ultimately the necessary issue of bonds and/or completion of the lease/leaseback transaction are ever carried to successful conclusion. If, for any reason whatsoever, the applicant fails to act within a reasonable or specified period of time to take reasonable, proper, or requested actions or withdraws, abandons, cancels, or neglects the application or if the Agency or applicant are unable to identify buyers willing to purchase the total bond issue required or facilitate the lease/leaseback transaction, then upon presentation of invoice, applicant shall pay to the Agency, its agents, or assigns all actual costs involved in conduct of the application, up to that date and time, including but not necessarily limited to fees of bond counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the required bond issue or completion of the lease/leaseback transaction, the applicant shall pay to the Agency an administrative fee set by the Agency. The cost incurred by the Agency and paid by the applicant, including bond counsel and the Agency's general counsel's fees and the administrative fee, may be considered as a cost of the project and included as part of the resultant bond issue or lease/leaseback transaction.

Wayne G Wilhelm  
Print Name of Chief Executive

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Signature

## NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

### PROJECTED EMPLOYMENT\*

	Full-Time	Part-Time	Total	Total Payroll*
Total number of employees within Niagara County at the date of application	__44__	+ 4	1,499,641	_____
Total number of employees to be directly <u>IMPACTED</u> by the project:	__23__	+ __1__	926,808	_____
ADD: Number of new jobs to be created During the first year after completion:	__1__	+ __1__	_____	_____
<b>Total end of first year:</b>	__24__	+ __2__	_____	_____
ADD: Number of new jobs to be created During the second year after completion:	__2__	+ __1__	_____	_____
<b>Total end of second year:</b>	__26__	+ __3__	_____	_____
ADD: Number of new jobs to be created During the third year after completion:	__2__	+ __1__	__3__	_____
<b>Total end of third year:</b>	__28__	+ __4__	__32__	_____
Estimated average annual salary of <u>new</u> jobs to be created:	_____		42k	_____
Expected high salary of <u>new</u> jobs to be created:	__60__		_____	_____
Expected low salary of <u>new</u> jobs to be created:	__25__		_____	_____

List types of jobs (i.e. production, managerial, clinical, engineering, etc.) to be created. Manager, Service Technician, Sales Position, Detail Position

\*Applicant or principal user(s) as noted in Section III B of application (includes benefits)

Wayne G Wilhelm  
Print Name

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Signature

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Date