

TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY

110 Bracken Road
Montgomery, New York 12549
TEL: 845-457-2600
FAX: 845-457-7558

April 23, 2019

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Steven M. Neuhaus
Orange County Executive
255 Main Street
Goshen, New York 10924

John Xanthis, Superintendent of Schools
Valley Central School District
944 State Route 17K
Montgomery, New York 12549

Rodney Winchell - **HAND DELIVERED**
Town of Montgomery Supervisor
110 Bracken Road
Montgomery, New York 12549

Melvin Wesenberg, School Board President
Valley Central School District
944 State Route 17K
Montgomery, New York 12549

RE: Notice of Public Hearing
Town of Montgomery Industrial Development Agency
Proposed Holiday Inn Express & Suites Project

Ladies and Gentlemen:

Pursuant to Section 859-a(3) of the New York General Municipal Law (the Act”), Town of Montgomery Industrial Development Agency (the “Agency”) hereby informs you that the Agency has received an application (the “Application”) from Rakhil Patel, an individual residing in the State of New York, having an office for the transaction of business located at 7 Rubinstein Court, New Hempstead, New York (for convenience hereinafter referred to as the “Company”), for financial assistance in connection with a project (the “Project”) proposed to be undertaken by the Agency for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 121,968 square foot parcel of land located at 2105 NYS Route-208 in the Town of Montgomery, Orange County, New York (tax map number 29-1-24.2) (the “Land”), together with an existing approximately 45,000 square foot upper-midscale hotel currently operated as an 81 room Holiday Inn Express hotel (the “Facility”, and collectively with the Land and the existing equipment located in the Facility, the “Existing Project Facility”), and (2) the renovation of the Existing Project Facility to franchise brand requirements, including interior and exterior renovations and improvements, including the acquisition of new furniture, fixtures and equipment (collectively, the “Improvements”, and collectively with the Existing Project Facility, the “Project Facility”), all of the foregoing to constitute the acquisition, renovation and updating of an existing upper-midscale hotel facility; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.


Steven M. Neuhaus, Orange County Executive
Rodney Winchell, Town of Montgomery Supervisor
John Xanthis, Valley Central School District Superintendent of Schools
Valley Central School District
Melvin Wesenberg, Valley Central School District School Board President
April 23, 2019
Page 2

Enclosed is a notice of a public hearing to be held by the Agency pursuant to Section 859-a(3) of the Act relating to the proposed Project (the "Notice of Hearing"). The financial assistance being contemplated by the Agency in connection with the Project is described in said Notice of Hearing.

If you have any questions regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

TOWN OF MONTGOMERY INDUSTRIAL
DEVELOPMENT AGENCY

By: Joseph Joy, CEO
Joseph Joy, Chief Executive Officer 

JJ/sh
Enclosures

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.50
Certified Fee	3.50
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.80



9710 8854 2000 0607 ET02

Sent To Steven Neuhaus O.C. Executive
 Street, Apt. No.,
 or PO Box No. 255 Main St.
 City, State, ZIP+4 Goshen, NY 10924

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Steven Neuhaus
 O.C. Executive
 255 Main St.
 Goshen, N.Y. 10924



9590 9402 2442 6249 9053 08

2. Article Number (Transfer from service label)

7013 1090 0002 4588 0118

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

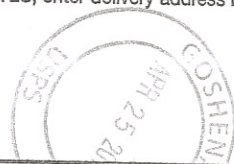
☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No



3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7013 1090 0002 4588 0125

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.50
Certified Fee	3.50
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To: melvin wesenberg School Board President
 Street, Apt. No., or PO Box No. 944 St Rte. 17K
 City, State, ZIP+4 Montgomery, NY 12549

PS Form 3800, August 2006 See Reverse for Instructions

7013 1090 0002 4588 0125

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.50
Certified Fee	3.50
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.80

Postmark Here

Sent To: John Xanthis, Superintendent of Schools
 Street, Apt. No., or PO Box No. 944 State Route 17K
 City, State, ZIP+4 Montgomery, N.Y. 12549

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
John Xanthis VCS
Superintendent of Schools
944 State Route 17K
Montgomery, NY 12549



9590 9402 2442 6249 9051 93

2. Article Number (Transfer from service label)
 7013 1090 0002 4588 0125

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Lillian Belfiore ☐ Agent ☐ Addressee
- B. Received by (Printed Name) Lillian Belfiore C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☒ Return Receipt for Merchandise
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

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- Complete items 1, 2, and 3.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
melvin wesenberg VCS
School Board President
944 State Route 17K
Montgomery, N.Y. 12549



9590 9402 2442 6249 9052 54

2. Article Number (Transfer from service label)
 7013 1090 0002 4588 0149

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Lillian Belfiore ☐ Agent ☐ Addressee
- B. Received by (Printed Name) Lillian Belfiore C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☒ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☒ Return Receipt for Merchandise
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the Town of Montgomery Industrial Development Agency (the "Agency") on the 13th day of May, 2019 at 5:30 o'clock p.m., local time, at the offices of the Agency located at 110 Bracken Road in Town of Montgomery, Orange County, New York in connection with the following matters:

Rakhil Patel, an individual residing in the State of New York, having an office for the transaction of business located at 7 Rubinstein Court, New Hempstead, New York (for convenience hereinafter referred to as the "Company"), has presented an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 121,968 square foot parcel of land located at 2105 NYS Route-208 in the Town of Montgomery, Orange County, New York (tax map number 29-1-24.2) (the "Land"), together with an existing approximately 45,000 square foot upper-midscale hotel currently operated as an 81 room Holiday Inn Express hotel (the "Facility", and collectively with the Land and the existing equipment located in the Facility, the "Existing Project Facility"), and (2) the renovation of the Existing Project Facility to franchise brand requirements, including interior and exterior renovations and improvements, including the acquisition of new furniture, fixtures and equipment (collectively, the "Improvements", and collectively with the Existing Project Facility, the "Project Facility"), all of the foregoing to constitute the acquisition, renovation and updating of an existing upper-midscale hotel facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Orange, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Joseph Joy, Chief Executive Officer, Town of Montgomery Industrial Development Agency, 110 Bracken Road, Montgomery, New York 12549; Telephone: 845-457-2600.

Dated: April 23, 2019.

TOWN OF MONTGOMERY INDUSTRIAL
DEVELOPMENT AGENCY

BY: /s/Joseph Joy, CEO
Joseph Joy, Chief Executive Officer

Dated: April 23, 2019.
TOWN OF MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY
By: /s/Joseph Joy, CEO
Joseph Joy
Chief Executive Officer #96318

AFFIDAVIT OF MAILING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE
RELATING THERETO

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned, being duly sworn, hereby states:

1. That on April 23, 2019, I mailed to the following individuals a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed Holiday Inn Express & Suites Project to be undertaken by Town of Montgomery Industrial Development Agency for the benefit of Rakhil Patel (the "Company"):

Steven M. Neuhaus
Orange County Executive
255 Main Street
Goshen, New York 10924

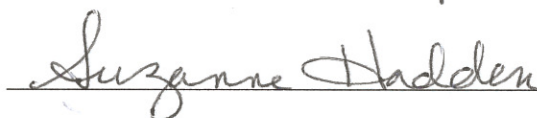
John Xanthis, Superintendent of Schools
Valley Central School District
944 State Route 17K
Montgomery, New York 12549

Rodney Winchell - **HAND DELIVERED**
Town of Montgomery Supervisor
110 Bracken Road
Montgomery, New York 12549

Melvin Wesenberg, School Board President
Valley Central School District
944 State Route 17K
Montgomery, New York 12549

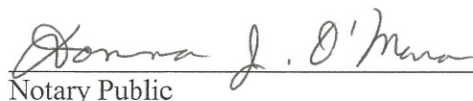
2. That the notice of hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was mailed to the above individuals.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of April, 2019.



Suzanne Hadden

Sworn to before me this
23 day of APRIL, 2019.



Notary Public

DONNA J. O'MARA
Notary Public, State of New York
Qualified in Orange County
Registration No. 01OM6133846
Commission Expires September 19, 2021

BULLETIN BOARD
AFFIDAVIT OF POSTING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned, being duly sworn, hereby states:

1. That on April 23, 2019, I posted a copy of a notice of public hearing entitled "Notice of Public Hearing on Proposed Project and Financial Assistance Relating Thereto" (the "Notice of Hearing") relating to the proposed Holiday Inn Express & Suites Project to be undertaken by Town of Montgomery Industrial Development Agency (the "Agency") for the benefit of Rakhil Patel on a public bulletin board located at Town Government Center.

2. That the Notice of Hearing attached hereto as Exhibit A is a duplicate copy of the Notice of Hearing which was posted on such bulletin board.

IN WITNESS WHEREOF, I have hereunto set my hand this 23 day of April, 2019.

Suzanne Hadden

Sworn to before me this
23 day of APRIL, 2019.

Donna J. O'Mara
Notary Public

DONNA J. O'MARA
Notary Public, State of New York
Qualified in Orange County
Registration No. 01OM6133846
Commission Expires September 19, 2021