TOWN OF MONTGOMERY INDUSTRIAL DEVELOPMENT AGENCY

110 Bracken Road

Montgomery, New York 12549

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November \_\_, 2022

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

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| The Honorable Steven M. NeuhausCounty Executive of Orange CountyOrange County Government Center255 Main StreetGoshen, New York 10924 | Kevin Castle, Superintendent of SchoolsWallkill Central School District1500 Route 208, P.O. Box 310Wallkill, New York 12589 |
| The Honorable Brian Maher, SupervisorTown of Montgomery110 Bracken RoadMontgomery, New York 12549 | Joseph LoCicero, Board PresidentWallkill Central School District1500 Route 208, P.O. Box 310Wallkill, New York 12589 |
| L. Stephen Brescia, Orange County Legislature255 Main StreetGoshen, New York 10924 |  |

RE: Notice of Public Hearing

Town of Montgomery Industrial Development Agency

Milk Factory, LLC Project

Ladies and Gentlemen:

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 December, 2022 at 1:00 o’clock p.m., local time, at the Town Hall located at 110 Bracken Road in the Town of Montgomery, Orange County, New York in connection with the following matters:

Milk Factory, LLC, a New York limited liability company (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the construction on an approximately 19.80 acre parcel of land located at 2860 State Route 208 in the Town of Montgomery, Orange County, New York (tax map numbers 2-1-4 and 2-1-11.1) (the “Land”) of a winery/distillery, boutique hotel, restaurant, event space, gym/spa, co-work/gallery, and museum consisting of a total of approximately 100,000 square feet including construction of a new 10,000 square foot building and the renovation of 12 existing building structures, including all new infrastructure and second/third story additions in most existing buildings (the “Facility”), and (2) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project 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 County, 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.

The Agency will at said time and place hear all persons with views on either the location and/or 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 and is posted on the Agency website at https://montgomeryida.com/projects/milk-factory-llc/. A transcript or summary report of the hearing will be made available to the members of the Agency and posted to the Agency website – www.montgomeryida.com.

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:

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Felicia Kalan, Executive Director

Enclosures