

PUBLIC HEARING SCRIPT

**Derby Warehousing LLC and/or
Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or
to be formed on its behalf Project**

Public Hearing to be held on June 27, 2019 at 9:30 a.m.,
at the Town of Evans Town Hall, 8787 Erie Road (Conference Room), Angola, New York 14006

ATTENDANCE:

Jeffery Fierle – Derby Warehousing, LLC

☒ 1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 9:30 a.m. My name is Grant Lesswing. I am the Business Development Officer of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing.

☒ 2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the Derby Warehousing LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Friday, June 14, 2019.

☒ 3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the construction and equipping of a 27,700+/- SF addition to an existing warehouse facility located at 1393 Wisconsin Road, Town of Evans, Erie County, New York to be utilized for additional warehouse space (the "Improvements"), and (ii) the acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property (the "Equipment", and collectively with the Improvements, the "Facility").

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

☒ **4. FORMAT OF HEARING:** Review rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203 until the comment period closes on July 23, 2019. There are no limitations on written comments.

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep comments to 5 minutes, and if possible, 3 minutes.

Jeffery Fierle – I am the owner of Derby Warehousing, LLC. We currently are in the power equipment distribution business. We sell commercial lawn and garden equipment to the dealers and the dealers sell them to the commercial cutter. The people that come to cut your grass. We have 12 territory managers that cover the footprint from Northern Maine down to Northern Virginia. The company that is currently leasing Derby Warehousing is KPM Exceptional. KPM Exceptional has been in the business for almost 60 years. Their main headquarters is in Landing, New Jersey. Three years ago, KPM constructed a brand-new state of the art 100,000 sq. ft. facility in Landing, NJ. KPM also rents approximately 27,000 sq. ft. of warehouse space in Derby, New York. They rent this space from Derby Warehousing, LLC.

Our business has been growing substantially over the years. We finished this new building in Landing about 3 years ago and unfortunately, we are now out of space and we need to construct additional warehousing space. Originally this additional warehousing space was going to take place in Landing, NJ. With some discussions we wanted to investigate the possibility of doing this new construction at the Derby, NY facility. We have approximately 8.5 acres of land. We would be looking to construct a 27,500 sq. ft. expansion on our warehousing facility. This facility would help us alleviate some of the storage problems that we are having. I am a little bit concerned and I have been told that if we are unable to construct this facility here in Derby, NY the expansion would happen at the Landing facility in NJ. My concerns are that if the expansion doesn't happen here, KPM will close the facility here and move to Landing, NY. The employees here at the Derby facility will be offered positions at the Landing facility. If that happens, I will be looking to put a new tenant in the Derby location. We have a very good tenant and working relationship with KPM. KPM's business hours are Monday through Friday from 8:00 a.m. until 4:30 p.m. Any outcoming and incoming truck traffic is done between those hours. There is no overnight parking and no business conducted on the weekends. So, as far as the neighborhood goes there is no traffic when the residents get home from work.

We are moving forward with the Town and they are excited to have us. The Town is aware of the ramifications if we don't build this facility in Derby, NY. And the project goes to Landing, NJ. So, I am here today looking to the ECIDA for assistance with some tax abatements with sales tax and real property tax exemption. The importance of this approval is significant. This will allow me to present the advantages to KPM of having the expansion here in Derby, NY versus Landing, NY. Upon presenting this to them with the possibilities of this happening they are very excited, and I have been given the go ahead to pursue this in the hopes of getting the tax breaks approved.

☒ **6. ADJOURNMENT:**

As there were no further comments, the Hearing Officer closed the public hearing at 9:45 a.m.

SIGN IN SHEET PUBLIC HEARING

June 27, 2019, at 9:30 a.m.
at the Town of Evans Town Hall, 8787 Erie Road (Conference Room), Angola, New York 14006
regarding:

**Derby Warehousing LLC and/or Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 1393 Wisconsin Road, Derby, New York 14047

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