

PUBLIC HEARING SCRIPT

David M. Gordon, Gordon Companies Inc., Colvin Oakdale LLC and 2331 GB Properties 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 April 28, 2015 at 11:00 a.m.,
at the Town of Cheektowaga Town Hall, 3301 Broadway
(Town Council Chambers), Cheektowaga, NY 14227

ATTENDANCE

Laurence K. Rubin, Kavinsky & Cook

David Gordon, Gordon Companies

Hon. Mary Holtz, Supervisor, Town of Cheektowaga

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

Hearing Officer: *Welcome. This public hearing is now open; it is 11:00 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 David M. Gordon, Gordon Companies Inc., Colvin Oakdale LLC and 2331 GB Properties 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 Saturday, April 18, 2015.*

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

Hearing Officer: *The proposed project (the "Project") consists of: (i) a leasehold interest in two (2) parcels of land (4.84+/- acres) located at 2331 & 2335*

Union Road, Town of Cheektowaga, Erie County, New York (collectively, the "Land") improved thereon with an existing warehouse building (33,280+/- SF), of which 12,000+/- SF will be renovated, and a remaining portion of an existing warehouse building (44,000+/- SF), all of which shall be renovated (the "Existing Improvements"), (ii) the replacement and equipping of a 28,000+/- SF warehouse building and the renovation, upgrading and equipping of the Existing Improvements (the "Improvements") utilized for Company operations and global internet business, and (iii) the acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property (the "Equipment," and collectively with the Land, the Existing Improvements and 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 May 19, 2015. 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.

The Hearing Officer calls on those who raise their hand.

Hon. Mary Holtz, Supervisor, Town of Cheektowaga. I am here today to support David Gordon's project. David lost alot during the November, 2014 storm. This will give him

an opportunity to rebuild and continue to grow and keep the jobs here in Cheektowaga and create more jobs. He has been a very good partner in the Town of Cheektowaga and I fully support the project.

Laurence K. Rubin, I am an attorney with Kavinoky & Cook, LLP. I represent the applicant in this matter. I am here to speak in favor and support the application. This application is to address the serious damage that occurred to the applicant's property as a result of the November, 2014 storm that battered this community. It is to ensure the long term viability of the company in this community and the ECIDA incentives are critical in assuring that continuity. It's a \$1.85 million dollar project that will consist of replacing in kind the building & improvements on the property. It's in the process of being reviewed by the Town of Cheektowaga Planning Department. We were advised that this will be a Type 2 action under SEQRA and will not need an environmental assessment form. We look forward to a positive determination by the ECIDA on this application. Thank you.

6. ADJOURNMENT.

As there were no further comments, the Hearing Officer closed the public hearing at 11:15 a.m.

**SIGN IN SHEET
PUBLIC HEARING**

April 28, 2015 at 11:00 a.m. at the Town of Cheektowaga Town Hall,
3301 Broadway (Town Council Chambers), Cheektowaga, NY 14227
regarding:

**David M. Gordon, Gordon Companies Inc., Colvin Oakdale LLC and 2331 GB Properties LLC and/or
Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 2331 & 2335 Union Road, Cheektowaga, New York 14227

Name	Company and/or Address	X box to speak/ comment
Laurence Rubin	Kavinoky & Cook, LLP 726 Exchange Street Buffalo, New York 14210	X
David Gordon	Gordon Companies 85 Innsbruck Drive Cheektowaga, New York 14227	
Hon. Mary Holtz, Supervisor	Town of Cheektowaga 3301 Boradway Cheektowaga, New York 14227	X