

PUBLIC HEARING: TOWN OF HYDE PARK

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In the Matter of the Application of:
ASAHISHUZO INTERNATIONAL CO., LTD, FOR FINANCIAL
ASSISTANCE FROM THE DUTCHESS COUNTY
INDUSTRIAL DEVELOPMENT CORPORATION.

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DATED: March 11, 2019
Hyde Park, New York
9:17 a.m. - 9:27 a.m.

Donna M. Wells, Reporter

MINUTES
OF
PUBLIC HEARING

Mary T. Babiarz Court Reporting Service, Inc.
(845) 471-2511

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APPEARANCES :

DONALD CAPPILLINO, ESQ.
HEARING OFFICER
CAPPILLINO & ROTHSCHILD, LLP
7 Broad Street
Pawling, New York 12564

ALSO PRESENT:

Linda Steinberg, Hyde Park School District
Carl Tomik, Hyde Park School District
Kate Roberts, ESQ., Zarin & Steinmetz
Sarah Lee, Dutchess Alliance for Business

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HEARING OFFICER'S EXHIBITS

1	Notice of Public Hearing For Identification/In Evidence	4:5
2	Designation Letter For Identification/In Evidence	4:9
3	Affidavit of Publication For Identification/In Evidence	4:13
4	Affidavit of Jenna L. Jones For Identification/In Evidence	4:17

1 Asahishuzo International Co., LTD
2 (Whereupon the following exhibits were
3 marked before the start of the hearing)

4
5 (NOTICE OF PUBLIC HEARING RECEIVED AND MARKED
6 AS HEARING OFFICER'S EXHIBIT 1
7 FOR IDENTIFICATION/IN EVIDENCE)

8
9 (DESIGNATION LETTER RECEIVED AND MARKED
10 AS HEARING OFFICER'S EXHIBIT 2
11 FOR IDENTIFICATION/IN EVIDENCE)

12
13 (AFFIDAVIT OF PUBLICATION RECEIVED AND MARKED
14 AS HEARING OFFICER'S EXHIBIT 3
15 FOR IDENTIFICATION/IN EVIDENCE)

16
17 (AFFIDAVIT OF JENNA J. JONES RECEIVED AND MARKED
18 AS HEARING OFFICER'S EXHIBIT 4
19 FOR IDENTIFICATION/IN EVIDENCE)

20
21 THE HEARING OFFICER: Good morning
22 everyone. I'm Donald Cappillino, the
23 Hearing Officer in this matter, and I open
24 the public hearing. It is now 9:17 a.m.,
25 but we've been here since before 9 a.m.

1 Asahishuzo International Co., LTD

2 Before the hearing was opened I had
3 the following documents marked into
4 Evidence and Hearing Officer's Exhibit
5 Number 1 is the Notice of Public Hearing
6 in this matter indicating that this public
7 hearing will be held at 4583 Albany Post
8 Road, Hyde Park Town Hall, Hyde Park, New
9 York, on March 11th at 9:00 a.m. It is
10 March 11th 9:17 as we open this.

11 I had marked as Hearing Officer's
12 Exhibit Number 2, in Evidence, the
13 February 25, 2019 letter from the Dutchess
14 County Industrial Development Agency
15 appointing me as the Hearing Officer in
16 this matter. I had marked as Hearing
17 Officer's Exhibit Number 3, in Evidence,
18 the Affidavit of Publication indicating
19 that a copy of this Notice of Public
20 Hearing was published in the Poughkeepsie
21 Journal on February 27, 2019, and I had
22 marked as Hearing Officer's Exhibit Number
23 4, in Evidence, the Affidavit of Jenna
24 Jones indicating that a copy of this
25 Notice of Public Hearing was served upon

1 Asahishuzo International Co., LTD
2 the following people on February 25, 2019;
3 Supervisor Aileen Rohr of the Town of Hyde
4 Park, Dr. Greer F. Rychcik, Superintendent
5 of the Hyde Park School District, the
6 Honorable Marcus J. Molinaro, the Dutchess
7 County Executive. With that, I will open
8 this public hearing.

9 We've already had a public hearing
10 on this matter and the purpose of this
11 public hearing has to do primarily with an
12 amendment request to the original
13 application. We have a March 7, 2019
14 letter from Zarin and Steinmetz, attorneys
15 for the Applicant, that asks that the
16 original application be amended to
17 indicate that the number of jobs they had
18 originally anticipated to bring about were
19 40 new jobs to the area and to complete it
20 by the summer of 2019. However, the
21 project has been slowed and the number of
22 jobs have been amended and they are now
23 saying that they are expecting to hire 32
24 full-time equivalents by the year 2024,
25 and, with, that I'll open the public

1 Asahishuzo International Co., LTD
2 hearing to any comments.

3 BY MS. ROBERTS: Thank you, Don. My
4 name is Kate Roberts. I'm with the law
5 firm of Zarin and Steinmetz. We represent
6 Asahishuzo, the Applicant.

7 As Don stated, the purpose of our
8 request was that in looking at the closing
9 documents that needed to be executed so
10 that we could execute the lease with the
11 IDA the Applicant noticed a discrepancy
12 with the number of full-time employees on
13 the application and then in the closing
14 documents in comparison to what they had
15 submitted to New York State. The
16 Applicant looked back at both numbers and
17 they realized that the numbers that they
18 submitted to New York State were accurate
19 and by 2024, as Don indicated, they
20 believe that they will have 32 full-time
21 employees. The only thing that I want to
22 clarify, which Don had said, is that he
23 said 32 for the number of jobs. The
24 Applicant is hoping that they will have
25 several other part-time workers but their

1 Asahishuzo International Co., LTD
2 anticipation is for 32 full-time workers.
3 Part-time workers would include truck
4 drivers, sales people at the facility and
5 things like that. I was able to get
6 Asahishuzo to give me a break down of the
7 different types of employees at the
8 facility which I didn't have in time when
9 we submitted the March 7th cover letter
10 but I got it over the weekend and I'm
11 happy to submit that in a separate cover
12 to the Board so that they can have that
13 for review. The only thing that it won't
14 indicate is the proposed salaries for
15 those employees and the reason for that
16 being is Asahishuzo is trying to do
17 research to find out what competitive
18 salaries for these types of jobs are in
19 the area. They have never opened a
20 facility in the United States. This will
21 be their first one and they want to make
22 sure that they can put down an accurate
23 number but they need to do a little bit
24 more research to see what those numbers
25 look like for things like breweries and

1 Asahishuzo International Co., LTD
2 maybe wineries and the like in the area.

3 THE HEARING OFFICER: The full-time
4 equivalents that we're talking about, when
5 you say that there are 32 positions is
6 that 32 full-time equivalents total or are
7 you saying that there will be 32 full-time
8 jobs and then there will be more.

9 BY MS. ROBERTS: I believe there
10 will be 32 full-time jobs and then
11 potentially more part time after that.

12 THE HEARING OFFICER: Right. You
13 indicated in your letter that there were
14 going to be part-time drivers for sure.

15 BY MS. ROBERTS: Right.

16 THE HEARING OFFICER: So when we
17 calculate jobs we calculate it on
18 full-time equivalents so that if you have
19 three drivers each working one-third time
20 that would be another full-time equivalent
21 so the number that you're showing here,
22 32, are 32 full-time jobs and that you
23 could end up with more full-time
24 equivalents than 32.

25 BY MS. ROBERTS: Yes. The Company

1 Asahishuzo International Co., LTD
2 believes that may be the case. They just
3 need to -- I mean until they open and
4 operate and know how the business is doing
5 they can't guarantee that, that's why they
6 wanted to resolve the discrepancy now
7 instead of later. They wanted to just be
8 as transparent as possible especially
9 because they're reviewing these documents
10 and they know that the Town and the IDA
11 will be coming in and checking and they
12 want to be as accurate as possible.

13 THE HEARING OFFICER: Okay. Great.

14 BY MR. TOMIK: So it's 32 full-time
15 jobs?

16 BY MS. ROBERTS: Hopefully. They
17 can't guarantee that as of now but that
18 was the indication that they gave to me.

19 BY MR. TOMIK: And that's by 2024?

20 BY MS. ROBERTS: That's by 2024.

21 The break down that we gave was that there
22 would be in 2020, which construction is
23 going to start in the middle of this year,
24 so by 2020 they anticipate 5 employees to
25 get the operations running, 2021, 7, 2022

1 Asahishuzo International Co., LTD
2 we had said 14, by 2023, 22, and then by
3 2024, 32. That's very conservative.
4 They're hoping that earlier on they can
5 have more full-time employees but it's
6 just a matter of them getting their
7 operations beginning, and, as I said, they
8 wanted to be as conservative as possible
9 because they don't want to over promise in
10 the beginning when they're just starting
11 out here.

12 THE HEARING OFFICER: Do you have
13 any comments, Mr. Tomik?

14 BY MR. TOMIK: I hope they're
15 successful and that it grows, and I think
16 it's nice to see some activity in that
17 building, and, who knows, maybe it will
18 entice somebody to open the restaurant
19 across the street.

20 BY MS. ROBERTS: They're very
21 excited, and, obviously, they believe
22 they're going to be successful, and we
23 believe they're going to be successful,
24 and, hopefully, it will take off and this
25 won't be the first facility that we see in

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Asahishuzo International Co., LTD
the United States.

THE HEARING OFFICER: Linda, do you
have anything?

BY MS. STEINBERG: No. Thank you.

THE HEARING OFFICER: With that, I
will close the public hearing. Thank you.

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STATE OF NEW YORK)
) ss:
COUNTY OF DUTCHESS)

I, DONNA M. WELLS, a stenotype reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing is a true and correct transcript of the minutes recorded by me and reduced to typewriting under my supervision to the best of my knowledge and ability.

X Donna M. Wells
DONNA M. WELLS

Dated: March 26, 2019