

NIAGARA COUNTY CENTER FOR ECONOMIC DEVELOPMENT

PUBLIC HEARING

In the Matter

of

WNY UROLOGY ASSOCIATES, LLC

LOCATION: CAMBRIA TOWN HALL  
4160 Upper Mountain Road  
Sanborn, New York 14132

DATE: September 7, 2010

TIME: 4:34 p.m.

REPORTED BY: KELLY MAJCHRZAK

1 Present: Lawrence Witul  
Susan Langdon  
2 Frank Martin  
George Bush  
3 Jerome Marsh  
Frank Andrews  
4 Clifford Burch  
Wright Ellis  
5 David Godfrey  
Mohammed Mere  
6

7  
8 MR. WITUL: There is a sign in sheet.  
9 There's is a project summary, and on the back of  
10 the project summary, you will see there is a  
11 notice of Public Hearing.

12 Good afternoon. My name is Lawrence  
13 Witul. I am the Assistant Director of the  
14 Niagara County Industrial Development Agency. I  
15 will be serving as the Hearing Officer for this  
16 Public Hearing. We will use the clock here in  
17 the town facility, and we currently have 4:34 as  
18 the current time.

19 A copy of the project summary is  
20 available for review. We also have a copy of  
21 the application itself as submitted by the  
22 company requesting assistance. That is for your  
23 review if you would like to take a look at that.

APEX REPORTING, INC.  
(716) 854-8900

1                   The purpose of this hearing is to  
2                   solicit comments, both written and oral, on the  
3                   WNY Urology Associates, LLC Project in the Town  
4                   of Cambria, New York. Comments can be in  
5                   support of or in opposition to the Project, or  
6                   on the nature or location of the Project, but  
7                   all comments are to be limited to the WNY  
8                   Urology Associates, LLC Project.

9                   This hearing is not for accepting  
10                  comments on any environmental determination, and  
11                  this is not a part of the New York State SEQRA  
12                  process, sometimes referred to as the  
13                  Environmental Review Process.

14                 Notice of Public Hearing: Niagara  
15                 County Development Agency Notice of Public  
16                 Hearing: Notice is hereby given that a Public  
17                 Hearing pursuant to Article 18-A of the New York  
18                 General Municipal Law will be held by the  
19                 Niagara County Industrial Development Agency  
20                 (the "Agency") on the 7th day of September, 2010  
21                 at 4:30 p.m., local time, in the Community Room  
22                 of the Town of Cambria Town Hall, 4160 Upper  
23                 Mountain Road, Sanborn, New York 14132, in

1 connection with the following matter:

2 WNY Urology Associates, LLC, a New York  
3 limited liability company, with offices at 3085  
4 Harlem Road, Cheektowaga, New York 14225, for  
5 itself or on behalf of an entity formed or to be  
6 formed (the "Company"), has submitted an  
7 application to the Agency, a copy of which is on  
8 file at the office of the Agency, requesting  
9 that the Agency consider undertaking a project  
10 (the "Project") consisting of: (A) the  
11 acquisition or retention by the Agency of fee  
12 title to or other interest in a parcel or  
13 parcels of an approximately 17.9 acres of land  
14 located at 3832 Saunders Settlement Road in the  
15 Town of Cambria, Niagara County, New York (the  
16 Land); (B) the construction on the Land of an  
17 approximately 25,000 square foot building to be  
18 used to provide urologic services to residents  
19 of Niagara County (the Improvements); and (C)  
20 the acquisition of and installation in and  
21 around the Improvements of certain medical  
22 machinery, equipment and items of personal  
23 property (the Equipment) and collectively, with

APEX REPORTING, INC.  
(716) 854-8900

1 the Land and the Improvements, the Facility).

2 The Agency will acquire or retain title  
3 to, or a leasehold interest in, the Facility and  
4 lease the Facility back to the Company. The  
5 Company will operate the Facility during the  
6 term of the lease. At the end of the lease  
7 term, the Company will purchase the Facility  
8 from the Agency, or if the Agency holds a  
9 leasehold interest, the leasehold interest will  
10 be terminated. The Agency contemplates that it  
11 will provide financial assistance to the Company  
12 for qualifying portions of the Project in the  
13 form of sales and use tax exemptions and a  
14 mortgage recording tax exemption, consistent  
15 with the policies of the Agency, and a partial  
16 real property tax abatement.

17 A representative of the Agency will be  
18 at the above-stated time and place to present a  
19 copy of the Application and hear and accept  
20 written and oral comments from all persons with  
21 views in favor of or opposed to the proposed  
22 financial assistance. The Public Hearing is  
23 being conducted in accordance with Subdivision 2

1 of Section 859-a of the New York General  
2 Municipal Law, dated August 2010 Niagara County  
3 Industrial Development Agency, Samuel M. Ferraro  
4 Executive Director.

5 I will open the hearing. Once you are  
6 recognized, please give the name, address and  
7 the organization you might represent. We ask  
8 that you direct your comments to the chair, and  
9 your comments should be limited to this Project.

10 Anyone wishing to comment at this time,  
11 please raise your hand.

12 F. ANDREWS: My name is Frank Andrews.  
13 I've been a resident of Cambria since 1979. I'd  
14 like to speak in favor of this project. I've  
15 had to use the Harlem Road facility twice. For  
16 those people who aren't familiar with what  
17 happens when you're under radiation treatment,  
18 you have anywhere from a three- to -six-week  
19 period of time where you have to seek treatment  
20 every day. It's a long drive to drive to  
21 Cheektowaga every day for Niagara County  
22 residents and people in the Northtowns here in  
23 Niagara County.

1                   The Harlem Road facility offers state  
2 of the art. My first bout of cancer was in  
3 2008. The facility at that time had technology,  
4 which was the best technology in Western New  
5 York. It what's called rapid arc radiation  
6 treatment, which would fit areas affected from  
7 different angles and not damage surrounding  
8 cells as much as other radiation treatments do.  
9 It's a great facility.

10                   I've gone through six weeks of therapy  
11 every day and I've had a re-occurrence again  
12 about eight months ago and I'm back up for a  
13 treating process. Having something here in  
14 Niagara County -- there's a lot of people  
15 affected with cancer here in Niagara County. I  
16 would like to speak in favor of them.

17                   MR. WITUL: Thank you. Anyone else?

18                   W. ELLIS: Wright Ellis, Supervisor of  
19 the Town of Cambria. The Town of Cambria  
20 strongly supports the application of Western New  
21 York Urology Associates, LLC, and looks forward  
22 to welcoming them into the town in the very near  
23 future.

1 MR. WITUL: Thank you, very much,  
2 Mr. Supervisor. Anyone else wishing to comment?

3 F. MARTIN: Frank Martin, North  
4 Tonawanda. I also have been treated there and  
5 I'm being treated now. It takes an half an hour  
6 from my house in Wheatfield to get there. It  
7 would take me seven or eight minutes to get to  
8 it here, and I've had great care.

9 MR. WITUL: Thank you so much. Anyone  
10 else wishing to comment?

11 J. MARSH: My name is Jerome Marsh. I  
12 live in Sanborn. You have to correct me if I'm  
13 wrong, but the location as you go north by the  
14 tracks down there is on the left-hand side? I'm  
15 not against the project, I'm against the  
16 location. I think you're going to create a lot  
17 of traffic problems there. You've got the  
18 college, BOCES, you got the high schools going,  
19 and I live like a mile and an eighth from that  
20 location.

21 I've seen plenty of accidents in front  
22 of my house just past Baer Road as you're  
23 heading west. There's been a couple critical



1 accidents. I don't know how it's going to work  
2 as far as exit and entrance, but there's only  
3 going to be one way getting on 425. There's  
4 going to be too much of a congested area as far  
5 as traffic goes. That's my main concern.

6 I have a hard enough time just getting  
7 in my driveway. I have wait sometimes for five  
8 minutes. Like I say, I'm not against it. I  
9 think there should be more study as far as the  
10 traffic congestion it's going to cause. I think  
11 it's going to be major congestion.

12 The peek hours I've noticed for the  
13 college is between 8:00 and 11:00. The next  
14 time frame is between 1:00 and 4:00 in the  
15 afternoon, and from that point on it's all  
16 mashed together, workers coming back and forth.  
17 The final point is I would take into  
18 consideration as far as what kind of congestion  
19 there is going to be.

20 W. ELLIS: I believe there's a  
21 misunderstanding about the exact location. It's  
22 not before you get to the railroad tracks, it's  
23 actually on the 31. It's on Route 31. On the

1 South side of 31. That is east of 425 and east  
2 of Old Shawnee Road. That's where it's located.

3 J. MARSH: I might be thinking of the  
4 wrong one. I'm thinking of that big opening.

5 W. ELLIS: No. It's is east of that.

6 MR. WITUL: Your point will certainly  
7 be passed on. Anyone Else?

8 G. Bush: My name is George Bush,  
9 Sanborn, New York. I live on Lower Mountain  
10 Road. I've been a resident here for almost 50  
11 years. I'm on the Town Council for 20. I'm  
12 also a liaison between the planning board. The  
13 planning board did a great job of checking all  
14 these questions out already, and that location  
15 is super and we're supporting it very much. I  
16 came here to see if anyone was objecting to it.  
17 It think it's a great idea.

18 MR. WITUL: Thank you for your  
19 comments. Anyone else?

20 D. GODFREY: David Godfrey, Legislator  
21 for Cambria/Wilson. I'm in favor of this for  
22 residents that do suffer from cancer. My wife  
23 was one and also, we do have a number of cancer

1 patients in Wilson down on the lakeshore.  
2 Speaking for the volunteer fire company, just  
3 recently, three times a week, we had to  
4 transport a patient all the way to Buffalo for  
5 radiation. This is a very traumatic experience  
6 just to have the disease, let alone being  
7 subject to long transports. This is definitely  
8 a good thing. Thank you.

9 MR. WITUL: Thank you very much.  
10 Anyone else wishing to comment? I'll ask if  
11 anybody would let to comment on the WNY Urology  
12 Associates, LLC Project for Cambria, New York?

13 All right. It is now 4:45. There  
14 being no further comments, I will close this  
15 hearing. I thank you for attending this  
16 evening. The transcript of this hearing will be  
17 provided to the agency members, as well as an  
18 oral overview of the project and a summation of  
19 the hearing itself. They will have that  
20 available to them prior to their actions, and we  
21 do pass on the comments of the community.

22 Thank you for joining us this evening,  
23 and please have a safe drive home.

\* \* \* \* \*

APEX REPORTING, INC.  
(716) 854-8900

1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4

5 I, KELLY MAJCHRZAK, a Notary Public in  
6 and for the State of New York, County of Erie,  
7 DO HEREBY CERTIFY, that the proceedings were  
8 taken down by me in a verbatim manner by means  
9 of Machine Shorthand on September 7, 2010,  
10 that the proceedings were taken to be used in  
11 the above-entitled action.

12 I further CERTIFY that the  
13 above-described transcript constitutes a true,  
14 accurate and complete transcript of the  
15 testimony.

16

17

18

19

20

KELLY MAJCHRZAK  
Notary Public

21

22

23

APEX REPORTING, INC.  
(716) 854-8900

