

**Hamburg Industrial Development Agency  
Board of Directors Meeting  
May 6, 2008**

**Room 7B - Hamburg Town Hall  
Public Hearing - Windsong Radiology LLC**

**Present**

Steve Walters  
Kevin Smardz  
Marcella Fugle  
George Lee  
Paul Pellicano  
Matt Dils  
Tom Moses

**Excused**

Patti Paul  
Norma Rusert-Kelly

**Guest**

Craig Cwick  
Tom Best  
Dan Meyer  
(See Attached Sign-in Sheet)

**Executive Director**

Michael J. Bartlett

- **Motion** to open the Public Hearing for Windsong Radiology Group at 8:02 a.m.

- Several representatives from Windsong Radiology and McGuire Development presented their project to the Board of Directors. The company is requesting a sales tax exemption on approximately \$7 million worth of state-of-the-art imaging equipment which will be used at its new facility on Camp Road. The closest current Windsong facility is located on Transit Road in Depew/Lancaster and this facility has a four month backlog for woman's imaging. Windsong also told the Board that the company had performed approximately 28,000 procedures on people living in the 14075 and related zip codes. Windsong also claimed it is purchasing equipment for the Camp Road facility that is currently not available in the Town of Hamburg. This equipment will allow the Camp Road site to apply for accreditation as a Breast Center of Excellence. The company will employ 12 people with a year one payroll of \$606,435.

Representatives from Southtowns Radiology located at 3040 Amsdell Road, Hamburg N.Y. raised the following points when urging the Board to turn down Windsong's request for assistance.

1. There is a moratorium instituted by all of the major third party payors on the purchase of additional high-tech equipment because Western New York has a disproportionately high number of these units.

2. There are a number of similar imaging equipment that Windsong is proposing to purchase located within close proximity to the proposed site.
3. Windsong is the 2<sup>nd</sup> largest radiology company in the country and doesn't need the assistance.
4. Approving Windsong's request will give them a competitive advantage over Southtowns and the HIDA should not assist one company at the expense of another.

Southtowns Radiology also objected to a statement contained in Windsong's Imaging Services proposal that claims Southtowns has vacated its facility in Hamburg. They stated they have not vacated their Amsdell road site and have no intention of discontinuing service at this location. Services being proposed by Windsong have been and will continue to be provided to the Hamburg community by the members of Southtowns Radiology.

Board members Paul Pellicano and Marcella Fugle spoke out against the project. Mr. Pellicano was upset at Windsong's misrepresentation that Southtowns Radiology was leaving its current site in Hamburg. He questioned the truthfulness of other statements made by Windsong. He also felt the company would come even if we did not assist them and that they did not need our assistance. Ms. Fugle stated that she uses the Southtowns Radiology facility and that there is no wait. She too felt the company would come without our assistance and that we should not be giving away tax dollars causing a burden on Town taxpayers. Several other Board members expressed concern over the moratorium imposed by the major third party payors.

- **Motion** to close the Public Hearing for Windsong Radiology Group at 9:32 a.m.

- **Motion** to open the Board of Directors meeting at 9:32 a.m.

- It was decided that because of the issues raised at the Public Hearing that no vote on the proposed Windsong resolution would be taken at this meeting. A special HIDA Board meeting will be scheduled for May 20, 2008 at 8:00 a.m. in Room 7B of the Town Hall to vote on the Windsong resolution.

- **Executive Director Bartlett** informed the Board that he has received a letter from Tony Staub requesting an extension for his project at Main and Buffalo Streets until December 31, 2009. The project has been delayed due to the Rt 62 road reconstruction and unexpected extensive repairs to the foundation at One Buffalo Street.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT  
AGENCY EXTENDING THE INDUCEMENT PERIOD AND SALES TAX PERIOD  
FOR ONE BUFFALO STREET, INC. UNTIL DECEMBER 31, 2009.

**Moved:** Steve Walters

**Seconded:** Tom Moses

**Ayes:** Smardz, Fugle, Dils, Pellicano, Lee

Nays: None  
*Carried*

- **We received a request from IOVATE** to approve Kuehne & Nagel Inc. as sublessee for the 2007, 3880 Jeffrey Blvd Inc. project. The original project had IOVATE as the sublessee of the building and IOVATE is turning the operation of the warehouse over to Kuehne & Nagel Inc.

RESOLUTION OF THE TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT  
AGENCY APPROVING KUEHNE & NAGEL INC. AS A SUBLESSEE FOR THE  
2007, 3880 JEFFREY BLVD. INC. PROJECT.

**Moved:** Marcella Fugle  
**Ayes:** Walters, Smardz, Dils, Pellicano, Moses  
**Nays:** None  
*Carried*

**Seconded:** George Lee

- **Motion** to approve the minutes from the March 25, 2008 Board of Directors meeting.

**Moved:** Steve Walters  
**Ayes:** Smardz, Pellicano, Lee, Moses, Fugel  
**Nays:** None  
*Carried*

**Seconded:** Matt Dils

- **Motion** to approve the March 2008 Treasurer's Report.

**Moved:** Marcella Fugle  
**Ayes:** Walters, Smardz, Pellicano, Moses, Lee  
**Nays:** None  
*Carried*

**Seconded:** Matt Dils

- **Motion** to adjourn the meeting at 8:55 a.m.

**Moved:** Steve Walters  
**Ayes:** Dils, Lee, Moses, Fugel, Pellicano  
**Nays:** None  
*Carried*

**Seconded:** Kevin Smardz

Respectfully submitted,

Michael J. Bartlett  
Executive Director