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ONEIDA COUNTY INDUSTRIAL DEVELOPMENT
AGENCY
PUBLIC HEARING

Re: 411 Columbia Street, Utica, New York
Tax Map No. 318.41-2-38

in person

~~*REMOTE~~ PUBLIC HEARING*

HELD: WEDNESDAY, FEBRUARY 23, 2022
9 a.m. - 9:26 a.m.

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This ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PUBLIC HEARING, held via ~~ZOOM VIDEOCONFERENCING~~ ^{in person.}
was reported via steno writer by DEBORAH M.
MCBYRNE, Certified Court Reporter and Certified
Notary Public within and for the State of New
York

A P P E A R A N C E S:

some
~~**ALL PARTIES APPEARED REMOTELY**~~

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

584 PHOENIX DRIVE

ROME, NY 13441

MICHAEL FITZGERALD, VICE CHAIR - *in person*

SHAWNA PAPALE, SECRETARY/EXECUTIVE DIRECTOR

JENNIFER WATERS, ASSISTANT SECRETARY - *in person*

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REMOTE OATH BY REPORTER ACKNOWLEDGEMENT

1
2 The parties participating in this hearing
3 acknowledge that the reporter is not physically
4 present in the deposition room and that he/she
5 will be reporting this deposition remotely.

6 They further acknowledge that, in lieu of an
7 oath administered in person, the reporter will
8 administer the oath remotely, pursuant to
9 Executive Order Number 202.7, issued by New York
10 State Governor Andrew M. Cuomo on March 19,
11 2020. All parties consent to this arrangement
12 and waive any objections to this manner of
13 reporting.

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I N D E X

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1 **OCIDA PUBLIC HEARING** **Held February 23, 2022**

2 **MS. WATERS:** Good morning,
3 everyone. All right. It is 9 o'clock. We
4 are going to get started.

5 All right. So this is the public
6 hearing for the Central Utica Building, LLC
7 project. Does anyone need me to read the
8 Notice of Public Hearing aloud?

9 *Patrick* ~~**UNIDENTIFIED SPEAKER:**~~ Yes.

Donnelly

10 **MS. WATERS:** Okay.

11 Notice is hereby given that a
12 public hearing pursuant to Article 18A of
13 the New York State General Municipal Law
14 will be held by the Oneida --

15 Oh, hold on. The wrong public
16 hearing notice.

17 Please take notice that a public
18 hearing opened to all persons will be held
19 on February 23, 2022, at the Oneida County
20 Legislature Chambers, Oneida County Office
21 Building, 10th Floor, 800 Park Ave., City
22 of Utica, Oneida County, New York,
23 commencing at 9 o'clock by the Oneida

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1 County Industrial Development Agency,
2 pursuant to Sections 201-203 of the New
3 York State Eminent Domain Procedure Law to
4 consider the proposed acquisition by the
5 condemnation of 411 Columbia Street, SBL
6 Number: 318.41-2-38, in the City of Utica,
7 in connection with the undertaking and
8 development of a certain approximately
9 94,000-square-foot medical office building
10 and a fully licensed six-suite ambulatory
11 surgery center in the footprint of the Wynn
12 Hospital, located at 601 State Street,
13 corner of State and Columbia, by Central
14 Utica Building, LLC, on behalf of itself
15 and/or an entity formed or to be formed on
16 its behalf, which acquisition of the
17 Additional Project Land has been
18 represented by the Company to facilitate
19 the delivery of healthcare services to the
20 residents of Oneida County, create new and
21 improved job opportunities, reduce
22 unemployment, eliminate blight in the
23

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1
2 immediate area of the Project, promote
3 urban renewal and redevelopment and, on an
4 overall basis, result in betterment of
5 community prosperity within Oneida County.

6 The Company has represented that
7 the acquisition of the Additional Project
8 Land is necessary for the development of
9 the Project.

10 Pursuant to Article 2 of the
11 EDPL, the purpose of the project -- of the
12 public hearing is to review the public use
13 to be served by the acquisition of the
14 Additional Project Land, and the impact of
15 the acquisition of the Additional Project
16 Land on the environment and the residents
17 of the locality where the Project is
18 proposed to be constructed, and to give all
19 interested persons an opportunity to
20 present oral or written statements and to
21 submit other documents concerning the
22 Project and the acquisition of Additional
23 Project Land proposed to be acquired

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1 pursuant to the EDPL.

2 The public purposes served by the
3 Project and the Additional Project Land
4 include:
5

6 1: Improving healthcare for the
7 community;

8 2: Creating new and improved job
9 opportunities;

10 3: Reducing unemployment;

11 4: Eliminate blight in the
12 immediate area of the Project;

13 4: [sic] Promote urban renewal
14 and redevelopment and;

15 6: On an overall basis, result
16 in the betterment of community prosperity
17 within Oneida County.

18 The acquisition of the Additional
19 Project Land has been represented to be
20 essential to the development of the Project
21 and the six-suite ambulatory surgery center
22 therein that are proposed to be constructed
23 adjacent to the Wynn Hospital, because the

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1 Project by itself does not have sufficient
2 proximately located parking.

3
4 The proposed property acquisition
5 of the Additional Project Land involves the
6 exercise by OCIDA of its power of eminent
7 domain, either with or without negotiated
8 agreements to the property as described as
9 follows:

10 JP O'Brien Plumbing & Heating
11 Supply, 411 Columbia Street, County Tax Map
12 Number 318.41-2-38.

13 More particular information
14 concerning the Additional Project Land
15 proposed to be acquired by the OCIDA
16 pursuant to the EDPL, including legal
17 descriptions and maps in the projects --
18 and the Project are available for public
19 inspection during normal business hours at
20 the OCIDA's office at 584 Phoenix Drive,
21 Rome, New York.

22 All persons having an interest in
23 the Additional Project Land and the Project

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1 are invited to attend the public hearing,
2 which is happening today, to give oral or
3 written statements and to submit other
4 documentation concerning this project
5 publicly needed -- this proposed publicly
6 needed project.
7

8 According to EDPL, those property
9 owners who may subsequently wish to
10 challenge the condemnation of their
11 property via judicial review, may do so
12 only on the basis of issues, facts, and
13 obligations -- objections raised at the
14 hearing.

15 Comments on the proposed
16 acquisition of the Project and Additional
17 Project Land may be made orally or in
18 writing at this public hearing or presented
19 in writing to the OCIDA's address on or
20 before March 2nd, 2022. Comments received
21 after the close of business on March 2nd,
22 2022 will not be considered.

23 Great.

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1 Has everybody who would like to
2 make a comment signed in?
3

4 Great.

5 So how we are going to run this
6 Public hearing, it is now open. I will be
7 going down the list of speakers as people
8 signed in. If you have a comment, please
9 step up to the microphone to make said
10 public comment. I will remind everybody
11 that this is a public hearing. Please keep
12 to the issues in the description that I
13 just read. There will be no going back and
14 forth between participants.

15 So the first person I have is
16 Patrick Donnelly.

17 **MR. DONNELLY:** Good morning. I'm
18 Patrick Donnelly with Brown Duke & Fogel.
19 We represent Bowers Development, LLC, who
20 I'll refer to as "Bowers."

21 I've submitted a letter to you on
22 our objections to the proposed taking of
23 the 411 Columbia Street property by eminent

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1 domain, and the owner, O'Brien, has also.

2
3 Bowers is one of the largest and
4 most active developers in Utica and has
5 invested a significant amount of time,
6 effort and money into developing and
7 restoring buildings in Utica.

8 Bowers has a contract to purchase
9 the property and intends to construct a
10 brand new state-of-the art medical office
11 building on the property that will have
12 more square footage than the MOB proposed
13 by Central Utica Building, who I'll refer
14 to as CUB.

15 Under the circumstances, it will
16 be outrageous and unlawful for OCIDA to
17 take the property by eminent domain.
18 First, OCIDA cannot take the property by
19 eminent domain because the CUB project is
20 outside the statutory authority of OCIDA.
21 Industrial development agencies are
22 creatures of statute and are limited to
23 powers provided by statute. Article 18A of

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1 the General Municipal Law contains the
2 provisions of law governing the authority
3 and powers of industrial development
4 agencies.
5

6 GML Section 858 in Article 18A
7 provides the current list of projects for
8 which industrial development agencies have
9 authority. The list under GML 858 does not
10 include hospital or health-related
11 projects. The proposed CUB project is a
12 hospital or health-related project.

13 Therefore, the CUB project is not a type of
14 project which OCIDA has jurisdiction or
15 authority.

16 Second, proceeding with the
17 eminent domain taking would be contrary to
18 OCIDA's mission. OCIDA's mission is to
19 encourage development, not to interfere
20 with developers. Bowers already intends to
21 develop the property as an MOB.

22 Interfering with Bowers, one of the largest
23 and most active developers in the City of

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1
2 Utica is contrary to and defeats OCIDA's
3 purpose.

4 Third, Bowers plans to transition
5 the current plumbing business on the
6 property into a new location. CUB has not
7 presented plans for any such transition.
8 It seems CUB has little regard for the
9 property owner and believes it can push
10 everyone out of its way.

11 Fourth, any taking by eminent
12 domain must be for a public purpose and the
13 private benefit must not be dominant.
14 Here, the property is not being taken for a
15 public purpose and the private benefit to
16 CUB is dominant. Taking property from one
17 private entity to give it to another
18 private entity for the same use is
19 unlawful. Here, OCIDA is doing just that.

20 Fifth, all of this indicates that
21 CUB and OCIDA are acting in bad faith and
22 OCIDA has failed to make good faith efforts
23 to negotiate with the property holders and

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1 | **OCIDA PUBLIC HEARING**

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2 | avoid condemnation.

3 | Six, OCIDA failed to comply with
4 | just compensation requirements for a sure
5 | and certain source of compensation, which
6 | we discuss further in the letter. Here
7 | there's not even a bond to secure the
8 | payment of eminent domain damages; e.g.,
9 | the value of the property in its highest
10 | and best use.

11 | Seven, OCIDA failed to consider
12 | alternatives. Here there are a number of
13 | alternatives. For example, there are a
14 | number of already existing parking lots and
15 | garages in the immediate vicinity of the
16 | proposed CUB project that could be used for
17 | parking or converted into parking garages.

18 | Eight, OCIDA's failure to comply
19 | with SEQR. OCIDA's required to do its own
20 | review and the actions here is the taking
21 | of the property by eminent domain under the
22 | current circumstances. OCIDA may not rely
23 | on SEQR review done by -- done for planning

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1 purposes of the hospital years ago.

2 Therefore, for all these reasons,
3 it would be outrageous and unlawful for
4 OCIDA to take the property by eminent
5 domain. Thank you.

6 **MS. WATERS:** Thank you.

7 Up next I have, if I can read the
8 writing, Mr. MacIsaac.

9 **DR. MacISAAC:** Hi. Good morning.
10 My name is Hugh MacIsaac. I'm a local
11 physician. I'm one of the members of
12 Central Utica Building, LLC, the developer
13 of the project.

14 I am a cardiologist at Central
15 New York Cardiology, which will be one of
16 the main tenants in the medical office
17 building that we intend to develop at 601
18 State Street, presuming that we can obtain
19 adequate amount of space and parking for
20 such a facility.

21 Central Utica Building proposes
22 to develop approximately a 94,000 square
23

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2 feet medical office building at 601 State
3 Street.

4 Medical office building is a key
5 component of a new state-of-the-art medical
6 campus being developed in downtown Utica.
7 The centerpiece is the new Wynn Hospital.
8 The building was included in MVHS's
9 certificate of need application to build
10 the Wynn Hospital, which was approved by
11 the Department of Health in 2019.

12 The medical office building,
13 which was approved by the Department of
14 Health are part of the redevelopment of
15 areas of downtown Utica that had previously
16 been impacted with blight.

17 It's anticipated that this
18 development will lead to additional
19 development in the immediate surrounding
20 areas as evidenced by the new Double Tree
21 Hilton hotel located on Lafayette Street.

22 The medical office building
23 itself will house first a

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1 | six-operating-room, Medicare-certified,
2 | multi-specialty ambulatory surgical center.

3 | Second, office space for key
4 | hospital-based or hospital-centered medical
5 | specialties that require proximity to the
6 | Wynn Hospital to provide their services.
7 | This includes cardiology, cardiac surgery,
8 | advanced endoscopy, a brain surgery stroke
9 | center and other medical specialties.

10 | Third, supporting services in an
11 | imaging center and a laboratory center,
12 | which include radiology, CT, fluoroscopy,
13 | PET scan, general radiology and general
14 | ultrasound.

15 | Overall, this project will
16 | significantly enhance, expand and make more
17 | accessible delivery of healthcare services
18 | to the entire community.

19 | The location of the medical
20 | office building adjacent to the Wynn
21 | Hospital will enable the development of a
22 | seamless and integrated healthcare delivery
23 |

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1 system among the Wynn Hospital providers
2 located in the medical office and thereby
3 improving the quality and accessibility of
4 healthcare services in the community.
5 These types of services are essential to a
6 modern hospital.
7

8 In the old days, everything a
9 hospital did provided revenue and was
10 fiscally positively impactful. Nowadays,
11 hospitals have mandates to provide a number
12 of services that are challenging and they
13 require services such as this, effectively
14 to complete the project and maintain
15 physical health of the hospital going
16 forward so that it can provide quality
17 modern healthcare for generations to come
18 in this community.

19 Now, the medical office building,
20 which was always intended to be privately
21 owned will add to the tax base of the City
22 of Utica.

23 In October 2019, the principles

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1 of Central Utica Builders who, like me, are
2 physicians and cardiologists, other
3 specialties as well, neurosurgery, urology,
4 began having discussions about developing a
5 medical office building within the Wynn
6 Hospital campus. Both MVHS and our
7 physicians have been committed to a
8 collaborative approach to improving the
9 quality and accessibility of healthcare in
10 our area. The hospital has over a century
11 track record of providing healthcare to
12 this community, and the cardiology group
13 has over 40 years track record of providing
14 24/7 care and attention to our community.
15

16 Based on these discussions, if we
17 agreed to develop and finance the building,
18 this building, as part of the Wynn Hospital
19 campus, Central Utica Builders will provide
20 all the required equity, and its individual
21 owners will provide all required credit
22 support for the construction loan to
23 construct this building. All of the

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1
2 commitments for this equity are already in
3 place and Central Utica Building is
4 evaluating various loan proposals as we
5 speak.

6 Because the building will be
7 privately owned, it will add to the tax
8 base for the City of Utica. We have
9 committed tenants for over 90 percent of
10 the building space already. This includes
11 the ambulatory surgical center, medical
12 specialty offices and the imaging lab. As
13 a result, this project is immediately
14 financeable as confirmed by the proposals
15 that have been provided.

16 The centerpiece of the medical
17 office building is the six-OR, Article 28,
18 Medicare-certified ambulatory surgery
19 center. The surgery center will be owned
20 for a for-profit proprietary entity in
21 conjunction with the hospital. And because
22 the Wynn Hospital will essentially be an
23 inpatient facility, the outpatient surgery

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1 center will be required to handle a current
2 volume of surgery being performed at St.
3 Elizabeth and St. Luke's Hospital to move
4 to this ambulatory surgery center. Many
5 types of surgeries are currently performed
6 in an inpatient setting, but it's
7 anticipated that they will be transformed
8 over to outpatient surgery in the years to
9 come to an even greater extent. Advances
10 such as laparoscopic surgery, robotic
11 surgery and other minimally-invasive things
12 are ideally suited for patients to go home
13 the same day and to have their whole
14 experience in an ambulatory surgical
15 center. So this new six-OR ambulatory
16 surgical center is absolutely a vital
17 addition to the area's healthcare
18 community, as well as the hospital's
19 complete package of services offered.
20

21 So in addition to creating over
22 100 construction jobs, the medical office
23 building is expected to create a number of

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1 new jobs in the healthcare field from
2 nurses, technicians and also physicians.
3 It's our intention to attract and recruit
4 medical specialists, to bring new services
5 and provide new entities to this community
6 so that people will have less need to
7 travel to Syracuse, Albany or New York City
8 for their medical care. We've already seen
9 this over the past five years. We've
10 attracted a number of new physicians in the
11 areas of structural heart. We've added
12 electrophysiology. We've added new cardiac
13 surgeons. This is a trend that is in place
14 and absolutely must go forward in the years
15 to come.
16

17 We cannot build the medical
18 office building unless we have sufficient
19 parking adjacent to the building. Patients
20 who attend ambulatory surgical centers are
21 patients who see neurosurgeons, patients
22 who see cardiologists, are often infirm.
23 They may be post-op from a surgical

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1 procedure. They may be elderly. They may
2 have already suffered from a cardiac
3 condition or a stroke and they cannot be
4 expected to walk a number of blocks to
5 reach their -- from their transportation to
6 their medical care center. It's very
7 important that these patients have adjacent
8 parking and that the process of them
9 attending their medical visits is
10 facilitated for them.

12 The 411 Columbia Street property
13 which we are requesting OCIDA condemn is
14 located contiguous to the proposed medical
15 office building and this space is needed to
16 support our parking requirements.

17 Now, unless we can secure
18 ownership of this property for parking, we
19 do not feel that it is feasible to proceed
20 with building the medical office building
21 at 601 State Street and, therefore, the
22 community will not benefit by having access
23 to this prized ambulatory surgical center,

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1
2 imaging center and specialized medical
3 services within the campus of the Wynn
4 Hospital. Thank you.

5 **MS. WATERS:** Thank you.

6 All right. Up next we have
7 Michael Licata.

8 And I would like to note that it
9 is County policy that all visitors do need
10 to be masked. So please, if you are a
11 visitor, please remember to put your mask
12 on. Thank you.

13 Mr. Licata?

14 **MR. LICATA:** Can I remove it to
15 speak?

16 **MS. WATERS:** Yes.

17 **MR. LICATA:** Thank you very much.

18 I am Mike Licata, Vice President
19 of Bowers Development.

20 And in listening to the comments,
21 we would start off by saying we agree. We
22 agree that everything that's been said so
23 far -- pretty much everything is accurate.

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1
2 The downtown area will benefit
3 tremendously by having extra medical office
4 space. We believe that urban blight will
5 be addressed. We agree that patient care
6 will be enhanced.

7 What we don't understand is why,
8 when we're trying to build something that
9 will assist in that endeavor, it's being
10 taken. If we are to be able to be
11 collaborative, as Dr. MacIsaac had said, we
12 can build a project that connects to 595
13 parking spaces immediately adjacent, and
14 that takes care of the problem right there.

15 We have received no response from
16 the hospital to discuss this, and that has
17 been a primary frustration on our part.
18 What we're asking for is open and
19 collaborative conversation and we're not
20 getting it.

21 So we are going to move forward
22 with our plans to build a medical office
23 building on that site, one way or another,

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1 in order to provide the services that have
2 been discussed here, and that is the reason
3 we are opposing the taking of this
4 property.
5

6 And as Patrick had said, the
7 process that is being undertaken so far is
8 unlawful. Thank you.

9 **MS. WATERS:** Thank you.

10 Up next, Bob Schofield.

11 **MR. SCHOFIELD:** Good morning. I
12 am Bob Schofield, Executive Vice President
13 from Mohawk Valley Health System and
14 overseeing the construction of the Wynn
15 Hospital, and I will also oversee the
16 construction of the MVHS entities within
17 the MOB.

18 I won't repeat the items that
19 Dr. MacIsaac spoke to. He said them very
20 well. Thank you.

21 Just a couple clarification
22 points and then we do have a written
23 documents that we'll submit.

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1
2 First, the development of the
3 medical office building by a third-party
4 developer has been part of the MVHS plan
5 from day one. It's part of our City
6 Planning Board presentation, part of our
7 certificate of need, as well as part of our
8 New York State grant, which we received
9 \$300 million for the construction of the
10 Wynn Hospital.

11 The premise is the fact that we
12 are building a community downtown medical
13 campus. That medical campus will support
14 inpatient care, outpatient care, education
15 and convenience to the patients of this
16 community.

17 Prior to the selection of our
18 partner for the medical office building, we
19 did have other partners, including Bowers.
20 Over a course of time, we made the decision
21 to go a different direction, hence where we
22 are here today.

23 We continue to move forward. We

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1 **OCIDA PUBLIC HEARING**

Held February 23, 2022

2 have nearly completed schematic design of
3 those spaces inside the medical office
4 building. We hope to have that completed
5 shortly.

6 The timing of this is essential,
7 as I indicated previously, that the MVHS is
8 going to be building an inpatient facility.
9 Those entities inside the medical office
10 building, specifically the medical office
11 of the ambulatory surgery center are
12 essential to be up and operational prior to
13 our opening.

14 If not, we may not be able to
15 open the Wynn Hospital on time, which will
16 be a significant financial impact not only
17 to the MVHS, but to the community as a
18 whole. Thank you.

19 **MS. WATERS:** Thank you.

20 The last one I have is Peter.

21 **DR. HOTVETT:** Hello. My name is
22 Dr. Pete Hotvett. I am also a member of
23 the Central Utica Building, LLC and a

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1
2 26-year member of Central New York
3 Cardiology.

4 I'd like to highlight and expand
5 on a few points that Dr. MacIsaac
6 previously made.

7 First, I want to state, it
8 appears there's no dispute of any of the
9 parties that there's need and demand for a
10 medical office building adjacent to the
11 Wynn Hospital footprint, which is in the
12 public interest for the residents in the
13 City of Utica and the surrounding areas.
14 The services to be made in this project
15 will be transformative to the delivery of
16 healthcare in our community.

17 This will include a six-OR
18 multi-specialty ambulatory surgery center,
19 which will handle outpatient surgical cases
20 previously performed in the hospital of the
21 St. Elizabeth's and St. Luke's campuses.
22 It will provide significant cost savings
23 for patients and payers.

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1
2 Secondly, the office space for
3 key hospital-based or hospital-centric
4 medical personnel, including cardiology,
5 cardiac surgery, neurosurgery and others,
6 will be close to the Wynn Hospital and
7 important for these patients which are
8 needing collaborative care.

9 Third, the project will attract
10 medical subspecialists to the area that
11 would not otherwise locate here. Like I
12 said, I came here 26 years ago because of
13 the promise of opening an open-heart center
14 to do cardiac surgery, and which was not
15 then an opportunity. In the same vein, we
16 are looking to attract new physicians for
17 structural heart and other services which
18 we don't currently offer in this community
19 and people have to leave town for.

20 We currently have committed
21 tenants for just over 90 percent of the
22 building. We have the support of MVHS.

23 The project is real and ready for

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1 commencement and, as the hospital has
2 indicated, the timing of the project is
3 essential so we can coordinate, because as
4 we've pointed out, the hospital itself is
5 based on inpatient services. This is the
6 collaborative outpatient piece of the
7 puzzle.
8

9 The 411 Columbia Street property
10 which we are requesting OCIDA to condemn is
11 located contiguous to the building and
12 within the footprint of the plan
13 development. It is needed for the parking
14 requirements for the services of patients.

15 Thank you very much.

16 **MS. WATERS:** Thank you.

17 Is there anyone else who would
18 like to make any public comment?

19 (No verbal/audible response.)

20 **MS. WATERS:** Great. Hearing
21 none, I will note that I do have a written
22 statement from Patrick Donnelly that will
23 be entered into the record and -- as well

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2 as -- and then I'll have Bob's written
3 statement as well that will be entered into
4 the record.

5 And I'll note that if any written
6 comments would like to be made, they can be
7 made and submitted to our office via e-mail
8 or paper copy, as well, by March 2nd.

9 This public hearing will now
10 conclude. Thank you, everybody.

11 (Whereupon, the HEARING concluded at
12 9:26 a.m.)

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REPORTER'S CERTIFICATE

I, DEBORAH McBYRNE, a Court Reporter and Notary Public in and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand.

DEBORAH McBYRNE

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Public Hearing

Held REMOTELY February 23, 2022

<p>DR. HOTVETT: [1] 30/21 DR. MacISAAC: [1] 17/10 MR. DONNELLY: [1] 12/17 MR. LICATA: [2] 26/14 26/17 MR. SCHOFIELD: [1] 28/11 MS. WATERS: [9] 5/10 6/10 17/7 26/5 26/16 28/9 30/19 33/16 33/20 UNIDENTIFIED SPEAKER: [1] 6/9</p>	<p>4 40 [1] 21/14 411 [6] 1/5 7/6 10/11 12/23 25/12 33/9 5 584 [2] 3/4 10/20 595 [1] 27/12 6 601 [4] 7/13 17/18 18/2 25/21 8 800 [1] 6/21 858 [2] 14/6 14/9 9 90 [2] 22/9 32/21 94,000 [1] 17/23 94,000-square-foot [1] 7/10 9:26 [2] 1/11 34/12</p>	<p>Albany [1] 24/8 aloud [1] 6/8 alternatives [2] 16/12 16/13 ambulatory [12] 7/11 9/21 19/3 22/11 22/18 23/5 23/15 23/16 24/20 25/23 30/11 31/18 Andrew [1] 4/10 anticipated [2] 18/17 23/8 APPEARED [1] 3/2 appears [1] 31/8 approved [2] 18/10 18/13 area's [1] 23/18 areas [4] 18/15 18/20 24/12 31/13 asking [1] 27/18 attending [1] 25/10 attracted [1] 24/11 audible [1] 33/19 Ave [1] 6/21</p>	<p>cardiologist [1] 17/15 cardiologists [2] 21/3 24/22 cardiology [5] 17/16 19/8 21/13 31/3 32/4 cases [1] 31/19 centered [1] 19/5 centerpiece [2] 18/7 22/16 centers [1] 24/20 centric [1] 32/3 certificate [3] 18/9 29/7 35/2 certified [4] 2/5 2/5 19/2 22/18 certify [1] 35/6 challenging [1] 20/12 Chambers [1] 6/20 circumstances [2] 13/15 16/22 clarification [1] 28/21 collaborative [5] 21/9 27/11 27/19 32/8 33/7 Columbia [7] 1/5 7/6 7/14 10/11 12/23 25/12 33/9 commencement [1] 33/1 commencing [1] 6/23 comments [4] 11/15 11/20 26/20 34/6 commitments [1] 22/1 committed [3] 21/8 22/9 32/20 compensation [2] 16/4 16/5 completed [2] 30/2 30/4 comply [2] 16/3 16/18 concerning [3] 8/21 10/14 11/5 concluded [1] 34/11 condemn [2] 25/13 33/10 condemnation [3] 7/6 11/10 16/2</p>	<p>confirmed [1] 22/14 conjunction [1] 22/21 connects [1] 27/12 consent [1] 4/11 considered [1] 11/22 constructed [2] 8/18 9/22 contains [1] 14/2 contiguous [2] 25/14 33/11 contrary [2] 14/17 15/2 convenience [1] 29/15 converted [1] 16/17 coordinate [1] 33/4 creating [2] 9/8 23/21 creatures [1] 13/22 CT [1] 19/13 CUB [9] 13/14 13/19 14/11 14/13 15/6 15/8 15/16 15/21 16/16 Cuomo [1] 4/10</p>	<p>8/21 28/23 doing [1] 15/19 domain [10] 7/4 10/7 13/1 13/17 13/19 14/17 15/12 16/8 16/21 17/6 done [2] 16/23 16/23 Donnelly [4] 5/5 12/16 12/18 33/22 Dr [5] 5/6 5/9 27/11 30/22 31/5 Dr. [1] 28/19 Dr. MacIsaac [1] 28/19 Duke [1] 12/18</p>
<p>\$ \$300 [1] 29/9 1 100 [1] 23/22 10th [1] 6/21 12 [1] 5/5 13441 [1] 3/5 17 [1] 5/6 18A [3] 6/12 13/23 14/6 19 [1] 4/10</p>	<p>A a.m [3] 1/11 1/11 34/12 accessibility [2] 20/4 21/10 accessible [1] 19/18 acquired [2] 8/23 10/15 acquisition [9] 7/5 7/17 8/7 8/13 8/15 8/22 9/18 10/4 11/16 acting [1] 15/21 actions [1] 16/20 added [2] 24/12 24/13 addressed [1] 27/5 adjacent [6] 9/23 19/21 24/19 25/8 27/13 31/10 administer [1] 4/8 administered [1] 4/7 Advances [1] 23/10 agencies [3] 13/21 14/5 14/8 agreed [1] 21/17 agreements [1] 10/8</p>	<p>B based [4] 19/5 21/16 32/3 33/6 behalf [2] 7/15 7/17 believes [1] 15/9 betterment [2] 8/4 9/16 blight [4] 7/23 9/11 18/16 27/4 blocks [1] 25/5 Bob [3] 5/8 28/10 28/12 Bob's [1] 34/2 Bowers [9] 12/19 12/20 13/3 13/8 14/20 14/22 15/4 26/19 29/19 Builders [2] 21/2 21/19 buildings [1] 13/7</p>	<p>C campuses [1] 31/21 cannot [3] 13/18 24/17 25/4 cardiac [5] 19/8 24/13 25/3 32/5 32/14</p>	<p>D damages [1] 16/8 days [1] 20/8 DEBORAH [3] 2/4 35/4 35/17 defeats [1] 15/2 deposition [2] 4/4 4/5 described [1] 10/8 descriptions [1] 10/17 developed [1] 18/6 developer [2] 17/13 29/4 developers [3] 13/4 14/20 14/23 discussed [1] 28/3 discussions [2] 21/5 21/16 documentation [1] 11/5 documents [2]</p>	<p>E e.g [1] 16/8 EDPL [4] 8/11 9/2 10/16 11/8 efforts [1] 15/22 electrophysiology [1] 24/13 Elizabeth [1] 23/4 Elizabeth's [1] 31/21 eminent [10] 7/4 10/6 12/23 13/17 13/19 14/17 15/11 16/8 16/21 17/5 endeavor [1] 27/9 endoscopy [1] 19/9 enhanced [1] 27/6 entered [2] 33/23 34/3 entities [3] 24/6 28/16 30/9 entity [4] 7/16 15/17 15/18 22/20 equity [2] 21/20 22/2 evaluating [1] 22/4 evasive [1] 23/12 evidenced [1] 18/20 expected [2] 23/23 25/5</p>
<p>3 30 [1] 5/9 318.41-2-38 [3] 1/6 7/7 10/12 38 [3] 1/6 7/7 10/12</p>	<p>3 30 [1] 5/9 318.41-2-38 [3] 1/6 7/7 10/12 38 [3] 1/6 7/7 10/12</p>	<p>3 30 [1] 5/9 318.41-2-38 [3] 1/6 7/7 10/12 38 [3] 1/6 7/7 10/12</p>	<p>3 30 [1] 5/9 318.41-2-38 [3] 1/6 7/7 10/12 38 [3] 1/6 7/7 10/12</p>	<p>3 30 [1] 5/9 318.41-2-38 [3] 1/6 7/7 10/12 38 [3] 1/6 7/7 10/12</p>	<p>F facilitate [1] 7/19 facilitated [1] 25/11 facts [1] 11/12 failed [3] 15/22</p>

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<p>F</p> <p>failed... [2] 16/3 16/11</p> <p>feasible [1] 25/19</p> <p>FEBRUARY [2] 1/10 6/19</p> <p>feet [1] 18/1</p> <p>financeable [1] 22/14</p> <p>fiscally [1] 20/10</p> <p>FITZGERALD [1] 3/6</p> <p>fluoroscopy [1] 19/13</p> <p>Fogel [1] 12/18</p> <p>follows [1] 10/9</p> <p>footage [1] 13/12</p> <p>footprint [3] 7/12 31/11 33/12</p> <p>foregoing [1] 35/9</p> <p>formed [2] 7/16 7/16</p> <p>further [2] 4/6 16/6</p> <hr/> <p>G</p> <p>garages [2] 16/15 16/17</p> <p>generations [1] 20/17</p> <p>getting [1] 27/20</p> <p>GML [2] 14/6 14/9</p> <p>going [7] 6/4 12/5 12/7 12/13 20/15 27/21 30/8</p> <p>governing [1] 14/3</p> <p>greater [1] 23/10</p> <hr/> <p>H</p> <p>happening [1] 11/3</p> <p>has [16] 7/18 8/6 9/19 12/1 13/2 13/4 13/8 14/14 15/6 15/8 15/22 21/11 21/14 27/16 29/4 33/2</p> <p>having [4] 10/22 21/5 25/22 27/3</p> <p>he/she [1] 4/4</p> <p>heading [1] 35/8</p> <p>health-related [2] 14/10 14/12</p> <p>healthcare [11] 7/20 9/6 19/18 19/23 20/5 20/17</p>	<p>21/10 21/12 23/18 24/2 31/16</p> <p>Heating [1] 10/10</p> <p>held [4] 1/10 2/3 6/14 6/18</p> <p>hence [1] 29/21</p> <p>hereby [2] 6/11 35/6</p> <p>herein [1] 35/7</p> <p>hereof [1] 35/8</p> <p>hereunto [1] 35/12</p> <p>highest [1] 16/9</p> <p>Hilton [1] 18/21</p> <p>holders [1] 15/23</p> <p>hospital's [1] 23/19</p> <p>hospital-based [2] 19/5 32/3</p> <p>hospital-centered [1] 19/5</p> <p>hospital-centric [1] 32/3</p> <p>hospitals [1] 20/11</p> <p>Hotvett [2] 5/9 30/22</p> <p>hours [1] 10/19</p> <p>Hugh [2] 5/6 17/11</p> <hr/> <p>I</p> <p>I'd [1] 31/4</p> <p>I'll [4] 12/20 13/13 34/2 34/5</p> <p>I'm [3] 12/17 17/11 17/12</p> <p>I've [1] 12/21</p> <p>ideally [1] 23/13</p> <p>imaging [3] 19/12 22/12 26/1</p> <p>impacted [1] 18/16</p> <p>impactful [1] 20/10</p> <p>improved [2] 7/22 9/8</p> <p>improving [3] 9/6 20/4 21/9</p> <p>included [1] 18/8</p> <p>includes [2] 19/8 22/10</p> <p>indicated [2] 30/7 33/3</p> <p>indicates [1] 15/20</p> <p>infirm [1] 24/22</p> <p>inpatient [5] 22/23</p>	<p>23/7 29/14 30/8 33/6</p> <p>inspection [1] 10/19</p> <p>integrated [1] 19/23</p> <p>intended [1] 20/20</p> <p>intends [2] 13/9 14/20</p> <p>interfere [1] 14/19</p> <p>Interfering [1] 14/22</p> <p>invested [1] 13/5</p> <p>invited [1] 11/2</p> <p>involves [1] 10/5</p> <p>is [57]</p> <p>issued [1] 4/9</p> <p>issues [2] 11/12 12/12</p> <p>items [1] 28/18</p> <hr/> <p>J</p> <p>JENNIFER [1] 3/8</p> <p>jobs [2] 23/22 24/2</p> <p>JP [1] 10/10</p> <p>judicial [1] 11/11</p> <p>jurisdiction [1] 14/14</p> <hr/> <p>L</p> <p>Lafayette [1] 18/21</p> <p>laparoscopic [1] 23/11</p> <p>largest [2] 13/3 14/22</p> <p>Legislature [1] 6/20</p> <p>Licata [4] 5/7 26/7 26/13 26/18</p> <p>licensed [1] 7/11</p> <p>lieu [1] 4/6</p> <p>listening [1] 26/20</p> <p>LLC [5] 6/6 7/15 12/19 17/13 30/23</p> <p>locality [1] 8/17</p> <p>located [6] 7/13 10/3 18/21 20/3 25/14 33/11</p> <p>looking [1] 32/16</p> <p>Luke's [2] 23/4 31/21</p> <hr/> <p>M</p> <p>Maclsaac [6] 5/6 17/9 17/11 27/11</p>	<p>28/19 31/5</p> <p>made [6] 11/17 29/20 31/6 31/14 34/6 34/7</p> <p>mandates [1] 20/11</p> <p>maps [1] 10/17</p> <p>March [4] 4/10 11/20 11/21 34/8</p> <p>masked [1] 26/10</p> <p>MCBYRNE [3] 2/5 35/4 35/17</p> <p>Medicare [2] 19/2 22/18</p> <p>Medicare-certified [2] 19/2 22/18</p> <p>members [1] 17/12</p> <p>MICHAEL [3] 3/6 5/7 26/7</p> <p>microphone [1] 12/9</p> <p>Mike [1] 26/18</p> <p>minimally [1] 23/12</p> <p>minimally-evasive [1] 23/12</p> <p>MOB [3] 13/12 14/21 28/17</p> <p>Mohawk [1] 28/13</p> <p>Mr [5] 5/5 5/7 5/8 17/9 26/13</p> <p>Ms [1] 5/3</p> <p>multi [2] 19/3 31/18</p> <p>multi-specialty [2] 19/3 31/18</p> <p>Municipal [2] 6/13 14/2</p> <p>MVHS [6] 21/7 28/16 29/4 30/7 30/17 32/22</p> <p>MVHS's [1] 18/8</p> <hr/> <p>N</p> <p>needed [4] 11/6 11/7 25/15 33/13</p> <p>needing [1] 32/8</p> <p>negotiated [1] 10/7</p> <p>neurosurgeons [1] 24/21</p> <p>neurosurgery [2] 21/4 32/5</p> <p>Notary [2] 2/6 35/5</p> <p>noted [1] 35/8</p> <p>Nowadays [1]</p>	<p>20/10</p> <p>nurses [1] 24/3</p> <p>NY [1] 3/5</p> <hr/> <p>O</p> <p>O'Brien [2] 10/10 13/2</p> <p>oath [2] 4/7 4/8</p> <p>objections [3] 4/12 11/13 12/22</p> <p>obligations [1] 11/13</p> <p>OCIDA [15] 10/6 10/15 13/16 13/18 13/20 14/14 15/19 15/21 15/22 16/3 16/11 16/22 17/5 25/13 33/10</p> <p>OCIDA's [7] 10/20 11/19 14/18 14/18 15/2 16/18 16/19</p> <p>October [1] 20/23</p> <p>offered [1] 23/20</p> <p>offices [1] 22/12</p> <p>ONEIDA [11] 1/2 2/2 3/3 6/14 6/19 6/20 6/22 6/23 7/21 8/5 9/17</p> <p>op [1] 24/23</p> <p>open-heart [1] 32/13</p> <p>opened [1] 6/18</p> <p>operational [1] 30/12</p> <p>opportunities [2] 7/22 9/9</p> <p>opposing [1] 28/4</p> <p>oral [2] 8/20 11/3</p> <p>orally [1] 11/17</p> <p>outpatient [5] 22/23 23/9 29/14 31/19 33/7</p> <p>outrageous [2] 13/16 17/4</p> <p>oversee [1] 28/15 28/14</p> <p>owned [3] 20/21 22/7 22/19</p> <p>owners [2] 11/9 21/21</p> <p>ownership [1] 25/18</p> <hr/> <p>P</p> <p>PAPALE [1] 3/7</p> <p>participants [1]</p>	<p>12/14</p> <p>participating [1] 4/2</p> <p>parties [4] 3/2 4/2 4/11 31/9</p> <p>partners [1] 29/19</p> <p>patients [9] 23/13 24/19 24/21 24/21 25/8 29/15 31/23 32/7 33/14</p> <p>Patrick [5] 5/5 12/16 12/18 28/6 33/22</p> <p>payers [1] 31/23</p> <p>percent [2] 22/9 32/21</p> <p>performed [3] 23/3 23/6 31/20</p> <p>persons [3] 6/18 8/19 10/22</p> <p>Pete [1] 30/22</p> <p>Peter [2] 5/9 30/20</p> <p>PHOENIX [2] 3/4 10/20</p> <p>physicians [5] 21/3 21/8 24/3 24/11 32/16</p> <p>plans [3] 15/4 15/7 27/22</p> <p>plumbing [2] 10/10 15/5</p> <p>pointed [1] 33/5</p> <p>points [2] 28/22 31/5</p> <p>positively [1] 20/10</p> <p>post-op [1] 24/23</p> <p>powers [2] 13/23 14/4</p> <p>premise [1] 29/11</p> <p>presented [2] 11/18 15/7</p> <p>presuming [1] 17/19</p> <p>principles [1] 20/23</p> <p>privately [2] 20/20 22/7</p> <p>prized [1] 25/23</p> <p>proceeding [1] 14/16</p> <p>proceedings [1] 35/7</p> <p>projects [3] 10/17 14/7 14/11</p> <p>proposals [2] 22/4 22/14</p>
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Public Hearing

Held REMOTELY February 23, 2022

<p>P</p> <p>proposes [1] 17/22</p> <p>proprietary [1] 22/20</p> <p>prosperity [2] 8/5 9/16</p> <p>provided [3] 13/23 20/9 22/15</p> <p>providers [1] 20/2</p> <p>provides [1] 14/7</p> <p>providing [2] 21/12 21/14</p> <p>provisions [1] 14/3</p> <p>proximately [1] 10/3</p> <p>proximity [1] 19/6</p> <p>purposes [2] 9/3 17/1</p> <p>pursuant [6] 4/8 6/12 7/3 8/10 9/1 10/16</p> <p>puzzle [1] 33/8</p> <hr/> <p>R</p> <p>radiology [2] 19/13 19/14</p> <p>raised [1] 11/13</p> <p>Re [1] 1/5</p> <p>reasons [1] 17/3</p> <p>received [3] 11/20 27/15 29/8</p> <p>recorded [1] 35/6</p> <p>redevelopment [3] 8/3 9/14 18/14</p> <p>Reducing [1] 9/10</p> <p>related [2] 14/10 14/12</p> <p>Remark [1] 5/3</p> <p>remotely [3] 3/2 4/5 4/8</p> <p>renewal [2] 8/3 9/13</p> <p>reported [1] 2/4</p> <p>REPORTER'S [1] 34/13</p> <p>reporting [2] 4/5 4/13</p> <p>represented [3] 7/19 8/6 9/19</p> <p>requesting [2] 25/13 33/10</p> <p>required [4] 16/19 21/20 21/21 23/2</p> <p>requirements [3] 16/4 25/16 33/14</p>	<p>residents [3] 7/21 8/16 31/12</p> <p>restoring [1] 13/7</p> <p>robotic [1] 23/11</p> <p>ROME [2] 3/5 10/21</p> <hr/> <p>S</p> <p>said [6] 12/9 26/22 27/11 28/6 28/19 32/12</p> <p>savings [1] 31/22</p> <p>saying [1] 26/21</p> <p>SBL [1] 7/6</p> <p>scan [1] 19/14</p> <p>schematic [1] 30/2</p> <p>Schofield [3] 5/8 28/10 28/12</p> <p>seamless [1] 19/23</p> <p>Secondly [1] 32/1</p> <p>SECRETARY/EXE CUTIVE [1] 3/7</p> <p>Sections [1] 7/3</p> <p>seems [1] 15/8</p> <p>seen [1] 24/9</p> <p>SEQR [2] 16/19 16/23</p> <p>served [2] 8/13 9/3</p> <p>services [16] 7/20 19/7 19/11 19/18 20/5 20/6 20/12 20/13 23/20 24/5 26/3 28/2 31/14 32/17 33/6 33/14</p> <p>SHAWNA [1] 3/7</p> <p>sic [1] 9/13</p> <p>signed [2] 12/3 12/8</p> <p>six-operating-room [1] 19/1</p> <p>six-OR [3] 22/17 23/16 31/17</p> <p>six-suite [2] 7/11 9/21</p> <p>spaces [2] 27/13 30/3</p> <p>speakers [1] 12/7</p> <p>specialists [1] 24/5</p> <p>specialized [1] 26/2</p> <p>specialties [3] 19/6 19/10 21/4</p> <p>specialty [3] 19/3</p>	<p>22/12 31/18</p> <p>spoke [1] 28/19</p> <p>St [4] 23/3 23/4 31/21 31/21</p> <p>started [1] 6/4</p> <p>statements [2] 8/20 11/4</p> <p>statute [2] 13/22 13/23</p> <p>statutory [1] 13/20</p> <p>steno [1] 2/4</p> <p>stenographically [1] 35/7</p> <p>structural [2] 24/12 32/17</p> <p>submitted [2] 12/21 34/7</p> <p>subsequently [1] 11/9</p> <p>subspecialists [1] 32/10</p> <p>suffered [1] 25/3</p> <p>suite [2] 7/11 9/21</p> <p>suited [1] 23/13</p> <p>supporting [1] 19/11</p> <p>surgeons [1] 24/14</p> <p>surgeries [1] 23/6</p> <p>surgical [8] 19/3 22/11 23/15 23/17 24/20 24/23 25/23 31/19</p> <p>surrounding [2] 18/19 31/13</p> <p>Syracuse [1] 24/8</p> <hr/> <p>T</p> <p>taken [2] 15/14 27/10</p> <p>takes [1] 27/14</p> <p>taking [6] 12/22 14/17 15/11 15/16 16/20 28/4</p> <p>technicians [1] 24/3</p> <p>tenants [3] 17/17 22/9 32/21</p> <p>thereby [1] 20/3</p> <p>therein [1] 9/22</p> <p>things [1] 23/12</p> <p>third-party [1] 29/3</p> <p>timing [2] 30/6 33/3</p> <p>transcript [1] 35/9</p> <p>transformative [1]</p>	<p>31/15</p> <p>transformed [1] 23/8</p> <p>tremendously [1] 27/3</p> <p>trying [1] 27/8</p> <p>types [2] 20/6 23/6</p> <hr/> <p>U</p> <p>ultrasound [1] 19/15</p> <p>undertaken [1] 28/7</p> <p>undertaking [1] 7/8</p> <p>unemployment [2] 7/23 9/10</p> <p>unlawful [4] 13/16 15/19 17/4 28/8</p> <p>urology [1] 21/4</p> <p>Utica [20]</p> <hr/> <p>V</p> <p>vein [1] 32/15</p> <p>verbal [1] 33/19</p> <p>verbal/audible [1] 33/19</p> <p>VICE [3] 3/6 26/18 28/12</p> <p>vicinity [1] 16/15</p> <p>VIDEOCONFERENCING [1] 2/3</p> <p>visitors [1] 26/9</p> <p>visits [1] 25/10</p> <hr/> <p>W</p> <p>waive [1] 4/12</p> <p>was [7] 2/4 18/8 18/10 18/13 20/9 20/20 32/14</p> <p>WATERS [2] 3/8 5/3</p> <p>WEDNESDAY [1] 1/10</p> <p>WHEREOF [1] 35/12</p> <p>Whereupon [1] 34/11</p> <p>written [6] 8/20 11/4 28/22 33/21 34/2 34/5</p> <p>Wynn [16] 7/12 9/23 18/7 18/10 19/7 19/21 20/2 21/6 21/18 22/22 26/3 28/14 29/10 30/15 31/11 32/6</p>	<p>Y</p> <p>years [6] 17/2 21/14 23/9 24/10 24/15 32/12</p> <p>York [12] 1/5 2/7 4/9 6/13 6/22 7/4 10/21 17/16 24/8 29/8 31/2 35/6</p> <hr/> <p>Z</p> <p>ZOOM [1] 2/3</p>
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