

# Just the Facts

## NEW REGIONAL MEDICAL CENTER

Each week, “Just the Facts” provides information about a key aspect of the new regional medical center being built by Mohawk Valley Health System (MVHS). It is designed to keep our medical staff, employees and volunteers updated and to share with family, friends and neighbors so we keep our community informed about how we’re transforming healthcare in our region.



### TOPIC FOR TUESDAY, JANUARY 11, 2022:

#### ***I heard the State dismissed the parking garage eminent domain lawsuit against Oneida County. Is this true?***

Yes. Good news. This is the lawsuit brought against the county regarding eminent domain on property involving the parking garage. The following is the press release from Oneida County released today:

Oneida County Executive Anthony J. Picente Jr. announced today that one of the lawsuits brought against the county by petitioners within the footprint of the future public parking garage for the Wynn Hospital has been dismissed by the New York State Supreme Court Appellate Division, Fourth Department.

“I am pleased that the Appellate Division dismissed this meritless law suit against Oneida County, and that we can continue to move forward with our parking garage project,” Picente said. “This facility is integral to the success of the Wynn Hospital and will provide many other benefits to the ongoing growth of Downtown Utica.”

In a decision dated December 23, 2021, the Fourth Judicial Department of the Appellate Division dismissed the claims by the petitioners in the suit – Brett Truett, Joseph Cerini and 418 Lafayette Street Corporation – that the county failed to comply with the requirements of the State Environmental Quality Review Act (SEQRA) in condemning their properties by eminent domain.

The Court further determined that Oneida County had the requisite authority to condemn the petitioners’ properties through eminent domain, that the acquisition of the properties will serve a public use and that the proceeding was constitutionally sound.

The decision stated: “(Oneida County) properly determined that the condemnation of the properties will serve the public use of mitigating parking and traffic congestion, notwithstanding the fact that the need for the parking facility is, at least in part, due to a nearby private construction project, i.e., the construction of a hospital. We have reviewed petitioners’ remaining contentions and conclude they lack merit.”

“We are extremely pleased with the outcome of the parking garage eminent domain lawsuit and its dismissal by the State Appellate Division,” said Darlene Stromstad, President/CEO, Mohawk Valley Health System. The new downtown parking garage is extremely important for The Wynn Hospital project as it will provide convenient and protected parking to our patients and their family and friends. Many of those who use our services are elderly and/or very sick, and we all know the weather in Central New York can be challenging, so providing the most accessible and sheltered parking was imperative. Additionally, members of our staff and physicians – particularly those who work overnight – will park in this garage.

“Our sincerest appreciation goes out to Oneida County Executive Anthony J. Picente, Jr. and the Oneida County Board of Legislators to ensure the construction of the downtown parking garage and for their work to continue to move this project forward.”