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P R O C E E D I N G S

PUBLIC HEARING

SARATOGA COUNTY

Industrial Development Agency

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A Public Hearing

In the matter of

Maple Avenue Development Associates, LLC

Article 18-A

General Municipal Law

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September 10, 2024  
8:30 a.m.

Wilton Town Hall  
22 Traver Road  
Wilton, New York

1 PRESENT:

2 FOR THE SARATOGA COUNTY IDA:

3 Rodney Sutton - Chairman  
4 Philip Klein - Vice Chairman  
5 Tom Lewis - Member  
6 Kevin Tollison - Member  
7 Mike Mooney - Member  
8 Erinn Kolligian - Member  
9 Yvonne Manso - Member

10 ALSO PRESENT:

11 Scott Duffy, CEO  
12 Nisha Merchant, Saratoga County Planning  
13 and Economics Development  
14 Kimberly Lambert, IDA Administrator  
15 Lori Eddey  
16 Jeffrey Many, CFO  
17 James Carminucci, Esq. - Counsel  
18 Gregory Connors, President Saratoga Economic  
19 Development Corporation

20 Rich Paulsen, 612 Maple  
21 Ryan Paulsen, 612 Maple  
22 Matt Paulsen, 612 Maple  
23 Lenny Goldstock, 612 Maple

24 Kevin Kleis, OrthoNY  
25 Jill VanKuren, CEO Saratoga Hospital  
John Lant, Wilton Town Supervisor

Nash Alexander  
Jim Deloria  
Paul Goldman, Esq.  
Dwayne Bogardus  
Matt Jones  
Ryan River  
Todd Shimkus

1                   VICE CHAIRMAN KLEIN: Good morning.  
2                   My name is Phil Klein. I'm the vice chairman  
3                   of Saratoga County IDA. It's 8:30 a.m. on  
4                   Tuesday, September 10th, 2024.

5                   I will call to order the public  
6                   hearing of the Industrial Development Agency  
7                   of Saratoga County.

8                   The public hearing is scheduled for  
9                   today, September 10th, 2024, and is being held  
10                  at the County of Saratoga Industrial  
11                  Development Agency (the Agency) at the Town of  
12                  Wilton Town Hall at 22 Traver Road in Wilton  
13                  in accordance with the provisions of Article  
14                  18-A of the New York General Municipal Law  
15                  with respect to Maple Avenue Development  
16                  Associates, LLC, (the Applicant).

17                  The public has been made aware of  
18                  the Hearing through the August 28th, 2024,  
19                  legal advertisement in the Daily Gazette and  
20                  by the posting to the Agency website on August  
21                  28th, 2024.

22                  The three taxing jurisdictions  
23                  affected by the Project - the Town of Wilton,  
24                  the County of Saratoga, and the City of  
25                  Saratoga Springs School District along with

1 the President of the School Board - were  
2 notified of the Hearing by certified,  
3 return-receipt mail on August 28, 2024.

4 The Notice posted to the Agency  
5 website advised that comments may also be  
6 submitted to the Agency in writing or  
7 electronically via e-mail to  
8 KLambert@saratogacountyny.gov.

9 The minutes of the Public Hearing  
10 will be transcribed and later posted on the  
11 Agency's website.

12 We have received an application from  
13 Maple Avenue Development Associates, LLC, a  
14 limited liability company of New York State  
15 with a mailing address of 5 Palisades Drive,  
16 Albany, New York 12205. The Company has  
17 requested that this agency undertake a project  
18 consisting of (a) the acquisition of an  
19 interest in an approximately 13.66 acre parcel  
20 or parcels of land constituting tax map parcel  
21 number 140.17-1-9 and 140.18-1-13 and located  
22 at 612 Maple Avenue in the Town of Wilton,  
23 New York (the Land) (b) the construction on  
24 the Land of the approximately 125,000 square  
25 foot mixed-use medical office campus, known as

1 the Facility, to be utilized by third-party  
2 providers now known as the Providers in  
3 connection with a delivery of medical services  
4 and related functions, and (c) the acquisition  
5 and installation in the Facility of certain  
6 furnishings, machinery, and equipment (the  
7 Equipment) and together with the Land and  
8 Facility collectively known as the Project.

9 The Project additionally consists of  
10 acquisition and installation of certain  
11 furnishings -- excuse me, the Project  
12 additionally consists of the acquisition and  
13 installation of certain furnishings,  
14 machinery, and equipment (the Equipment).  
15 Together the Equipment the Facility and the  
16 Land shall be noted as the Project Facility.  
17 The Project also consists of (b) the lease  
18 (with the obligation to purchase) or sale of  
19 the proposed Facility to the Applicant and (c)  
20 the consideration of the granting financial  
21 assistance in the form of exemptions from  
22 state and local sales tax, a portion of the  
23 Project's mortgage recording tax, and the  
24 abatement of real property taxes.

25 The total cost associated with the

1 acquisition, construction, and installation of  
2 the Project Facility is presently estimated to  
3 equal \$69,324 and -- no, I'm sorry,  
4 \$69,340,223.00.

5 The Agency is considering whether to  
6 undertake the Project and finance the Project  
7 by executing and delivering a mortgage or  
8 mortgages to secure the borrowing or  
9 borrowings by the Owner of the land in an  
10 aggregate principal amount sufficient to  
11 finance all or a portion of the cost to  
12 acquire, construct, and install the Project  
13 Facility and the cost of the Loan.

14 The principal amount currently  
15 estimated to be financed per the application  
16 is \$55,472,180.00.

17 If the undertaking of the Project  
18 and execution and delivery of the Mortgage or  
19 Mortgages are approved by this Agency then the  
20 Project may be granted such assumptions with  
21 respect to a portion of the mortgage recording  
22 tax, estimated at \$416,041.00, to state and  
23 local sales tax, estimated at \$3,011,531.00,  
24 and to the real property tax, estimated at  
25 \$147,951.00, as are applicable to

1 manufacturing facilities as described in the  
2 Agency's Uniform Tax Exemption Policy adopted  
3 on March 11th, 1999, and amended last on  
4 October 14, 2014, subject to deviation as  
5 determined by the Agency and Project Facility  
6 will be acquired, constructed, and installed  
7 by the Agency and leased (with an obligation  
8 to purchase) or sold by the Agency to the  
9 Applicant pursuant to a Project Agreement (the  
10 agreement), (C) the Applicant will be the  
11 initial users of the Project Facility, and  
12 (D) the Mortgage will be separate via -- a  
13 special obligation of the Agency payable  
14 solely out of certain proceeds of the  
15 Agreement and certain other assets of the  
16 Agency pledged to the repayment of the Loan.

17 I will now ask our IDA Counsel,  
18 James Carminucci, to give proper legal notice  
19 as provided for the Public Hearing in  
20 accordance with the regulations.

21 MR. CARMINUCCI: Yes, Mr. Vice  
22 Chair, notice of the Public Hearing was  
23 published in the Saratogian on August 28,  
24 2024.

25 I do have a few corrections. Can

1           you scroll back up there? So there is  
2           reference in that reading to the estimated  
3           real property tax savings and it indicates  
4           147,951. I believe that number is 796,199.00  
5           and there is also reference in there somewhere  
6           to manufacturing facilities, that should be  
7           commercial service.

8                       MR. DUFFY: Changes are noted.

9           Thank you.

10                      MR. CARMINUCCI: Mr. Chairman, as  
11           required by the statute Notice was placed and  
12           the changes were made.

13                      VICE CHAIRMAN KLEIN: Okay. Thank  
14           you. The Agency members present today are Tom  
15           Lewis, Yvonne Manso, Erinn Kolligian, Kevin  
16           Tollisen, Michael Mooney, myself Phil Klein as  
17           Vice Chair.

18                      Staff present are Scott Duffy, CEO;  
19           Jeff Many, CFO; IDa counsel James Carminucci;  
20           Kimberly Lambert, Administrator; and Nisha  
21           Merchang of the Saratoga County Department of  
22           Planning and Economic Development.

23                      Regarding the application, the  
24           request for the Project was last presented to  
25           this Agency on August 20, 2024. That



1 application and supporting material have been  
2 available for review by any interested parties  
3 since received by staff on August 6, 2024,  
4 with additional material submitted August 28,  
5 2024, at the IDA office at 50 West High Street  
6 in Ballston Spa.

7 Since the presentation of that  
8 application, are there any additional comments  
9 or thoughts from staff for the Applicant that  
10 need to be provided at this public hearing  
11 relative to the application that was  
12 previously submitted.

13 Mr. Connors.

14 MR. CONNORS: Yes. Good morning,  
15 Mr. Vice Chairman, members of the the Saratoga  
16 County IDA, ladies and gentlemen.

17 For the record, my name is Greg  
18 Connors. I'm the President of the Saratoga  
19 Economic Development Corporation charged with  
20 economic development and new job creation in  
21 Saratoga County. The Project for public  
22 comment this morning is on behalf of Malta  
23 Avenue Development Associates, LLC, a proposed  
24 medical service destination serving the  
25 residents of the Town of Wilton, Northern

1           Saratoga, Southern Warren, and neighboring  
2           Montgomery and Washington Counties. The  
3           application supports the acquisition of real  
4           property and the delivery of medical services  
5           not currently present at scale in the Town of  
6           Wilton. If approved, the project is proposed  
7           to be located at 612 Maple Avenue. The  
8           application estimates a total project cost of  
9           approximately 69.3 million dollars, which will  
10          include real property acquisition, mortgage  
11          financing, construction, and soft costs  
12          resulting in a medical campus of approximately  
13          125,000 square feet.

14                 If approved, the application will  
15          create and retain approximately 450 full-time  
16          jobs over a three-year period beginning at the  
17          completion of construction and when a  
18          Certificate of Occupancy has been issued.

19                 In my view this application is a  
20          textbook definition of economic development.  
21          It is legally permissible for IDA  
22          consideration as a commercial services  
23          project. There is a substantial private  
24          capital investment in the Town of Wilton.  
25          There is a creation and retention of

1 approximately 450 full-time jobs. There is an  
2 estimated 1.1 million in public benefit to the  
3 Town of Wilton added to the overall cost of  
4 the project and allocated to transportation,  
5 traffic improvements, multi-mobile  
6 connectivity, and sanitary sewer extension.

7 The Project will introduce a myriad  
8 of medical services into the Town and region  
9 currently not available at scale. The Project  
10 is not an emergency room or emergent care  
11 facility but it does represent a new and  
12 emerging model in healthcare designed to  
13 reduce the frustration and anxiety of long  
14 waits to see a healthcare professional and, in  
15 this case, represented by a long list of  
16 licensed medical disciplines.

17 This project as proposed is further  
18 justified by the rationale and determination  
19 set forth in the Saratoga County Community  
20 Health Assessment Survey from 2022. The  
21 application has asked the IDA to consider an  
22 investment package based on 69.3 million  
23 dollar private investment of approximately 4.2  
24 million dollars which includes sales and  
25 mortgage tax incentives plus a ten-year

1 commercial pilon. The Applicant is  
2 represented here this morning by Attorney Paul  
3 Goldman, Dr. Lenny Goldstock, and Richard  
4 Paulsen of Paulsen Development.

5 Thank you, Mr. Vice Chair.

6 VICE CHAIRMAN KLEIN: You're  
7 welcome.

8 I'm therefore going to open the  
9 hearing for any input from the public in  
10 response to the comments relative to the  
11 application.

12 MR. LANT: Good morning. My name is  
13 John Lant, the town supervisor, and I am fully  
14 supportive of this medical building. One  
15 reason, it is going to bring a lot of jobs but  
16 the main reason is I have had a lot of health  
17 issues in the last year, very lucky to get in.  
18 I have some other problems I have been waiting  
19 three months with the Glens Falls Hospital for  
20 a scope down my stomach. I have talked to a  
21 lot of people waiting a month, two months to  
22 get an appointment. They don't want to go to  
23 the ERs.

24 Even last Friday my mother-in-law  
25 asked me where my heart doctor was. She has

1 to get her knee done and she has to get her  
2 heart checked before she gets in. I think it  
3 is very sad that many of our senior citizens,  
4 and there are quite a few of us in this room,  
5 that we can't get service. I don't know if  
6 it's that doctors are just so busy or if they  
7 have golf dates, I don't know but it is very  
8 sad. I hope I didn't hurt anybody's feelings.  
9 I think it is very sad that people can't get  
10 in to see a doctor quickly so I fully support  
11 this. Thank you.

12 VICE CHAIRMAN KLEIN: Thank you.

13 Miss.

14 MS. VANKUREN: Good morning. My  
15 name is Jill VanKuren. I'm the CEO of  
16 Saratoga Hospital and I'm actually here to  
17 oppose the tax inducements for this retail  
18 project. The negative impact to Saratoga  
19 Hospital is significant. Many of the services  
20 that are being proposed will be shifted from  
21 the current hospital facility to the new  
22 retail facility. I stress retail. I asked  
23 you to consider who will be served in this  
24 particular retail facility and I would venture  
25 to say it is the well insured, not the

1 underinsured, not necessarily medicaid, and  
2 surely not the uninsured, which your tax  
3 dollars 100 percent help to support at our  
4 medical facility at Saratoga Hospital.

5 Particularly with orthopedic volume  
6 that will shift from our hospital to this new  
7 facility. We have capacity in our ORs at the  
8 main campus. We have capacity in our Wilton  
9 facility in our surgery center. There are  
10 opportunities for us to grow absolutely but  
11 with less than a one percent profit margin at  
12 a community hospital that growth can be  
13 difficult because we serve everyone regardless  
14 of their ability to pay.

15 I ask that you consider declining  
16 the request for tax inducements. Thank you.

17 MR. GOLDMAN: Good morning. Paul  
18 Goldman for Maple Development Associates.

19 What you just heard was an  
20 anticompetitive attempt as trying to close  
21 down this project. This project is  
22 meritorious. I mean, you have heard all the  
23 reasons why it is meritorious. We are all old  
24 enough to understand the importance of  
25 healthcare. Lastly, it is a commercial

1 project and it is fully allowed under the  
2 statute.

3 The reality is there's not a  
4 facility of a similar nature in the Town or  
5 Northern Saratoga County. It is needed.  
6 There has been ample time for people, either  
7 the hospitals, to construct or develop a  
8 facility in the Town. It hasn't happened. So  
9 you have a developer with doctor Ownership,  
10 which I explained in the August 28th letter  
11 why that is important. It is not pre-owned,  
12 it is not hospital owned, it is actually  
13 facility owned. They are going to bring these  
14 services out there. Those are not recently  
15 available in the community. This project has  
16 got merit. It provides new tax dollars for  
17 what is essentially vacant land and unused  
18 property. It provides services that are badly  
19 needed. You heard examples of why it is  
20 needed. It has obvious merit. Healthcare is  
21 probably the most important thing we can do  
22 for our community and I would urge the  
23 approval of the tax incentives because again  
24 the project is needed. If the project isn't  
25 built you just have vacant land. This project

1 brings necessary and valuable services to this  
2 community and I would urge the approval. It  
3 is an appropriate project, it is a permitted  
4 project, and it is one that is needed in the  
5 community because they haven't built since --  
6 you know, for a myriad of time. It is needed  
7 in in community. Thank you.

8 DR. KLEIS: Hi, my name is Dr. Kevin  
9 Kleis. I am one of the surgeons with  
10 Ortho NY. I would like to speak a little bit  
11 on our behalf of our initiative for the  
12 project.

13 So currently we do operate out of  
14 surgery centers and other locations. We do  
15 take all payers, we do not segregate any  
16 payers within our practice whatsoever, and we  
17 do strive to serve all of our community, and  
18 even at that stance we still struggle with  
19 block time, space availability, and also  
20 clinic office availability.

21 This expansion will not only help us  
22 serve our community with a greater magnitude  
23 but also have additional space to really catch  
24 up on our backlog. I never saw myself, you  
25 know, at 40 years old doing 80 to 85 surgeries



1 a month, seeing hundreds of patients a week,  
2 and still having a six week backlog. We are  
3 work very, very hard to try to serve our  
4 community and this project will hopefully help  
5 everybody in this room to have better access  
6 and, you know, I don't know if anybody has  
7 been to any ER recently but it is brutal and  
8 trying to hinder access to our community for  
9 healthcare, I find that very impulsive so I  
10 urge everyone to really encourage this  
11 development because this will greatly help not  
12 only our practice but multiple practices  
13 within the community.

14 Thank you.

15 VICE CHAIRMAN KLEIN: Anyone else?

16 If there is no other input in this  
17 public hearing relative to this application,  
18 we will then close the public hearing.

19 MS. MANSO: I make that motion.

20 MR. MOONEY: Second.

21 VICE CHAIRMAN KLEIN: All those in  
22 favor signify by saying aye.

23 MR. TOLLISON: Aye.

24 MR. LEWIS: Aye.

25 MR. MOONEY: Aye.

1 MR. SUTTON: Aye.

2 MS. KOLLIGIAN: Aye.

3 VICE CHAIRMAN KLEIN: Aye.

4 MS. MANSO: Aye.

5 VICE CHAIRMAN KLEIN: Opposed.

6 (No response.)

7 VICE CHAIRMAN KLEIN: Okay. Hearing  
8 is closed.

9 (Public Hearing adjourned at 8:51  
10 a.m.)

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C-E-R-T-I-F-I-C-A-T-I-O-N

I, ANN MARIE KILMER, Shorthand Reporter and Notary Public in and for the State of New York, do hereby CERTIFY that I recorded stenographically the foregoing testimony taken at the time and place herein stated and the preceding testimony is a true and accurate transcript hereof to the best of my knowledge and belief.

*Ann Marie Kilmer* \_\_\_\_\_

ANN MARIE KILMER

	<b>Agency (16)</b> 3:6,11,11,20;4:4,6, 17;6:5,19;7:5,7,8,13, 16;8:14,25	<b>assumptions (1)</b> 6:20	12:14	14:20;17:18
<b>\$</b>	<b>Agency's (2)</b> 4:11;7:2	<b>attempt (1)</b> 14:20	<b>built (2)</b> 15:25;16:5	<b>closed (1)</b> 18:8
<b>\$147,951.00 (1)</b> 6:25	<b>aggregate (1)</b> 6:10	<b>Attorney (1)</b> 12:2	<b>busy (1)</b> 13:6	<b>collectively (1)</b> 5:8
<b>\$3,011,531.00 (1)</b> 6:23	<b>Agreement (3)</b> 7:9,10,15	<b>August (8)</b> 3:18,20;4:3;7:23; 8:25;9:3,4;15:10	<b>C</b>	<b>comment (1)</b> 9:22
<b>\$416,041.00 (1)</b> 6:22	<b>Albany (1)</b> 4:16	<b>availability (2)</b> 16:19,20	<b>call (1)</b> 3:5	<b>comments (3)</b> 4:5;9:8;12:10
<b>\$55,472,180.00 (1)</b> 6:16	<b>allocated (1)</b> 11:4	<b>available (3)</b> 9:2;11:9;15:15	<b>campus (3)</b> 4:25;10:12;14:8	<b>commercial (4)</b> 8:7;10:22;12:1; 14:25
<b>\$69,324 (1)</b> 6:3	<b>allowed (1)</b> 15:1	<b>Avenue (5)</b> 3:15;4:13,22;9:23; 10:7	<b>Can (3)</b> 7:25;14:12;15:21	<b>Community (12)</b> 11:19;14:12;15:15, 22;16:2,5,7,17,22; 17:4,8,13
<b>\$69,340,223.00 (1)</b> 6:4	<b>along (1)</b> 3:25	<b>aware (1)</b> 3:17	<b>capacity (2)</b> 14:7,8	<b>company (2)</b> 4:14,16
<b>A</b>	<b>amended (1)</b> 7:3	<b>aye (8)</b> 17:22,23,24,25; 18:1,2,3,4	<b>capital (1)</b> 10:24	<b>completion (1)</b> 10:17
<b>abatement (1)</b> 5:24	<b>amount (2)</b> 6:10,14	<b>B</b>	<b>care (1)</b> 11:10	<b>connection (1)</b> 5:3
<b>ability (1)</b> 14:14	<b>ample (1)</b> 15:6	<b>back (1)</b> 8:1	<b>Carminucci (4)</b> 7:18,21;8:10,19	<b>connectivity (1)</b> 11:6
<b>absolutely (1)</b> 14:10	<b>ANN (2)</b> 19:9,18	<b>backlog (2)</b> 16:24;17:2	<b>case (1)</b> 11:15	<b>Connors (3)</b> 9:13,14,18
<b>access (2)</b> 17:5,8	<b>anticompetitive (1)</b> 14:20	<b>badly (1)</b> 15:18	<b>catch (1)</b> 16:23	<b>consider (3)</b> 11:21;13:23;14:15
<b>accordance (2)</b> 3:13;7:20	<b>anxiety (1)</b> 11:13	<b>Ballston (1)</b> 9:6	<b>center (1)</b> 14:9	<b>consideration (2)</b> 5:20;10:22
<b>accurate (1)</b> 19:14	<b>applicable (1)</b> 6:25	<b>based (1)</b> 11:22	<b>centers (1)</b> 16:14	<b>considering (1)</b> 6:5
<b>acquire (1)</b> 6:12	<b>Applicant (6)</b> 3:16;5:19;7:9,10; 9:9;12:1	<b>beginning (1)</b> 10:16	<b>CEO (2)</b> 8:18;13:15	<b>consisting (1)</b> 4:18
<b>acquired (1)</b> 7:6	<b>application (13)</b> 4:12;6:15;8:23;9:1, 8,11;10:3,8,14,19; 11:21;12:11;17:17	<b>behalf (2)</b> 9:22;16:11	<b>certain (5)</b> 5:5,10,13;7:14,15	<b>consists (3)</b> 5:9,12,17
<b>acquisition (7)</b> 4:18;5:4,10,12;6:1; 10:3,10	<b>appointment (1)</b> 12:22	<b>belief (1)</b> 19:15	<b>Certificate (1)</b> 10:18	<b>constituting (1)</b> 4:20
<b>acre (1)</b> 4:19	<b>appropriate (1)</b> 16:3	<b>benefit (1)</b> 11:2	<b>C-E-R-T-I-F-I-C-A-T-I-O-N (1)</b> 19:7	<b>construct (2)</b> 6:12;15:7
<b>actually (2)</b> 13:16;15:12	<b>approval (2)</b> 15:23;16:2	<b>best (1)</b> 19:14	<b>certified (1)</b> 4:2	<b>constructed (1)</b> 7:6
<b>added (1)</b> 11:3	<b>approved (3)</b> 6:19;10:6,14	<b>better (1)</b> 17:5	<b>CERTIFY (1)</b> 19:11	<b>construction (4)</b> 4:23;6:1;10:11,17
<b>additional (3)</b> 9:4,8;16:23	<b>approximately (7)</b> 4:19,24;10:9,12,15; 11:1,2,3	<b>bit (1)</b> 16:10	<b>CFO (1)</b> 8:19	<b>Corporation (1)</b> 9:19
<b>additionally (2)</b> 5:9,12	<b>Article (1)</b> 3:13	<b>block (1)</b> 16:19	<b>Chair (3)</b> 7:22;8:17;12:5	<b>corrections (1)</b> 7:25
<b>address (1)</b> 4:15	<b>Assessment (1)</b> 11:20	<b>Board (1)</b> 4:1	<b>CHAIRMAN (12)</b> 3:1,2;8:10,13;9:15; 12:6;13:12;17:15,21; 18:3,5,7	<b>cost (5)</b> 5:25;6:11,13;10:8; 11:3
<b>adjourned (1)</b> 18:9	<b>assets (1)</b> 7:15	<b>borrowing (1)</b> 6:8	<b>Changes (2)</b> 8:8,12	<b>costs (1)</b> 10:11
<b>Administrator (1)</b> 8:20	<b>assistance (1)</b> 5:21	<b>borrowings (1)</b> 6:9	<b>charged (1)</b> 9:19	<b>Counsel (2)</b> 7:17;8:19
<b>adopted (1)</b> 7:2	<b>associated (1)</b> 5:25	<b>bring (2)</b> 12:15;15:13	<b>checked (1)</b> 13:2	<b>Counties (1)</b> 10:2
<b>advertisement (1)</b> 3:19	<b>Associates (4)</b> 3:16;4:13;9:23; 14:18	<b>brings (1)</b> 16:1	<b>citizens (1)</b> 13:3	<b>County (9)</b> 3:3,7,10,24;8:21; 9:16,21;11:19;15:5
<b>advised (1)</b> 4:5		<b>brutal (1)</b> 17:7	<b>City (1)</b> 3:24	<b>create (1)</b> 10:15
<b>affected (1)</b> 3:23		<b>building (1)</b>	<b>clinic (1)</b> 16:20	<b>creation (2)</b>
<b>again (1)</b> 15:23			<b>close (2)</b>	

9:20;10:25 <b>current (1)</b> 13:21 <b>currently (4)</b> 6:14;10:5;11:9; 16:13	<b>Dr (3)</b> 12:3;16:8,8 <b>Drive (1)</b> 4:15 <b>DUFFY (2)</b> 8:8,18	5:21 <b>expansion (1)</b> 16:21 <b>explained (1)</b> 15:10 <b>extension (1)</b> 11:6	3:19 <b>General (1)</b> 3:14 <b>gentlemen (1)</b> 9:16 <b>gets (1)</b> 13:2 <b>Glens (1)</b> 12:19 <b>Goldman (3)</b> 12:3;14:17,18 <b>Goldstock (1)</b> 12:3 <b>golf (1)</b> 13:7 <b>Good (5)</b> 3:1;9:14;12:12; 13:14;14:17 <b>granted (1)</b> 6:20 <b>granting (1)</b> 5:20 <b>greater (1)</b> 16:22 <b>greatly (1)</b> 17:11 <b>Greg (1)</b> 9:17 <b>grow (1)</b> 14:10 <b>growth (1)</b> 14:12	19:14 <b>Hi (1)</b> 16:8 <b>High (1)</b> 9:5 <b>hinder (1)</b> 17:8 <b>hope (1)</b> 13:8 <b>hopefully (1)</b> 17:4 <b>Hospital (8)</b> 12:19;13:16,19,21; 14:4,6,12;15:12 <b>hospitals (1)</b> 15:7 <b>hundreds (1)</b> 17:1 <b>hurt (1)</b> 13:8
<b>D</b>	<b>E</b>	<b>F</b>	<b>H</b>	<b>I</b>
<b>Daily (1)</b> 3:19 <b>dates (1)</b> 13:7 <b>declining (1)</b> 14:15 <b>definition (1)</b> 10:20 <b>delivering (1)</b> 6:7 <b>delivery (3)</b> 5:3;6:18;10:4 <b>Department (1)</b> 8:21 <b>described (1)</b> 7:1 <b>designed (1)</b> 11:12 <b>destination (1)</b> 9:24 <b>determination (1)</b> 11:18 <b>determined (1)</b> 7:5 <b>develop (1)</b> 15:7 <b>developer (1)</b> 15:9 <b>Development (12)</b> 3:6,11,15;4:13; 8:22;9:19,20,23; 10:20;12:4;14:18; 17:11 <b>deviation (1)</b> 7:4 <b>difficult (1)</b> 14:13 <b>disciplines (1)</b> 11:16 <b>District (1)</b> 3:25 <b>doctor (3)</b> 12:25;13:10;15:9 <b>doctors (1)</b> 13:6 <b>dollar (1)</b> 11:23 <b>dollars (4)</b> 10:9;11:24;14:3; 15:16 <b>done (1)</b> 13:1 <b>down (2)</b> 12:20;14:21	<b>Economic (4)</b> 8:22;9:19,20;10:20 <b>either (1)</b> 15:6 <b>electronically (1)</b> 4:7 <b>else (1)</b> 17:15 <b>e-mail (1)</b> 4:7 <b>emergency (1)</b> 11:10 <b>emergent (1)</b> 11:10 <b>emerging (1)</b> 11:12 <b>encourage (1)</b> 17:10 <b>enough (1)</b> 14:24 <b>equal (1)</b> 6:3 <b>equipment (5)</b> 5:6,7,14,14,15 <b>ER (1)</b> 17:7 <b>Erinn (1)</b> 8:15 <b>ERs (1)</b> 12:23 <b>essentially (1)</b> 15:17 <b>estimated (7)</b> 6:2,15,22,23,24; 8:2;11:2 <b>estimates (1)</b> 10:8 <b>Even (2)</b> 12:24;16:18 <b>everybody (1)</b> 17:5 <b>everyone (2)</b> 14:13;17:10 <b>examples (1)</b> 15:19 <b>excuse (1)</b> 5:11 <b>executing (1)</b> 6:7 <b>execution (1)</b> 6:18 <b>Exemption (1)</b> 7:2 <b>exemptions (1)</b>	<b>facilities (2)</b> 7:1;8:6 <b>Facility (20)</b> 5:1,5,8,15,16,19; 6:2,13;7:5,11;11:11; 13:21,22,24;14:4,7,9; 15:4,8,13 <b>Falls (1)</b> 12:19 <b>favor (1)</b> 17:22 <b>feelings (1)</b> 13:8 <b>feet (1)</b> 10:13 <b>few (2)</b> 7:25;13:4 <b>finance (2)</b> 6:6,11 <b>financed (1)</b> 6:15 <b>financial (1)</b> 5:20 <b>financing (1)</b> 10:11 <b>find (1)</b> 17:9 <b>foot (1)</b> 4:25 <b>foregoing (1)</b> 19:12 <b>form (1)</b> 5:21 <b>forth (1)</b> 11:19 <b>Friday (1)</b> 12:24 <b>frustration (1)</b> 11:13 <b>full-time (2)</b> 10:15;11:1 <b>fully (3)</b> 12:13;13:10;15:1 <b>functions (1)</b> 5:4 <b>furnishings (3)</b> 5:6,11,13 <b>further (1)</b> 11:17	<b>Hall (1)</b> 3:12 <b>happened (1)</b> 15:8 <b>hard (1)</b> 17:3 <b>Health (2)</b> 11:20;12:16 <b>healthcare (5)</b> 11:12,14;14:25; 15:20;17:9 <b>heard (3)</b> 14:19,22;15:19 <b>hearing (13)</b> 3:6,8,18;4:2,9;7:19, 22;9:10;12:9;17:17, 18;18:7,9 <b>heart (2)</b> 12:25;13:2 <b>held (1)</b> 3:9 <b>help (4)</b> 14:3;16:21;17:4,11 <b>hereby (1)</b> 19:11 <b>herein (1)</b> 19:13 <b>hereof (1)</b>	<b>IDA (7)</b> 3:3;7:17;8:19;9:5, 16;10:21;11:21 <b>impact (1)</b> 13:18 <b>importance (1)</b> 14:24 <b>important (2)</b> 15:11,21 <b>improvements (1)</b> 11:5 <b>impulsive (1)</b> 17:9 <b>incentives (2)</b> 11:25;15:23 <b>include (1)</b> 10:10 <b>includes (1)</b> 11:24 <b>indicates (1)</b> 8:3 <b>inducements (2)</b> 13:17;14:16 <b>Industrial (2)</b> 3:6,10 <b>initial (1)</b> 7:11 <b>initiative (1)</b> 16:11 <b>input (2)</b> 12:9;17:16 <b>install (1)</b> 6:12 <b>installation (4)</b> 5:5,10,13;6:1 <b>installed (1)</b> 7:6 <b>insured (1)</b> 13:25 <b>interest (1)</b>
		<b>G</b>		
		<b>Gazette (1)</b>		

4:19 <b>interested (1)</b> 9:2 <b>into (1)</b> 11:8 <b>introduce (1)</b> 11:7 <b>investment (3)</b> 10:24;11:22,23 <b>issued (1)</b> 10:18 <b>issues (1)</b> 12:17	8:20 <b>land (8)</b> 4:20,23,24;5:7,16; 6:9;15:17,25 <b>LANT (2)</b> 12:12,13 <b>last (4)</b> 7:3;8:24;12:17,24 <b>Lastly (1)</b> 14:25 <b>later (1)</b> 4:10 <b>Law (1)</b> 3:14 <b>lease (1)</b> 5:17 <b>leased (1)</b> 7:7 <b>legal (2)</b> 3:19;7:18 <b>legally (1)</b> 10:21 <b>Lenny (1)</b> 12:3 <b>less (1)</b> 14:11 <b>letter (1)</b> 15:10 <b>Lewis (2)</b> 8:15;17:24 <b>liability (1)</b> 4:14 <b>licensed (1)</b> 11:16 <b>limited (1)</b> 4:14 <b>list (1)</b> 11:15 <b>little (1)</b> 16:10 <b>LLC (3)</b> 3:16;4:13;9:23 <b>Loan (2)</b> 6:13;7:16 <b>local (2)</b> 5:22;6:23 <b>located (2)</b> 4:21;10:7 <b>locations (1)</b> 16:14 <b>long (2)</b> 11:13,15 <b>lot (3)</b> 12:15,16,21 <b>lucky (1)</b> 12:17	<b>mail (1)</b> 4:3 <b>mailing (1)</b> 4:15 <b>main (2)</b> 12:16;14:8 <b>Malta (1)</b> 9:22 <b>Manso (3)</b> 8:15;17:19;18:4 <b>manufacturing (2)</b> 7:1;8:6 <b>Many (3)</b> 8:19;13:3,19 <b>map (1)</b> 4:20 <b>Maple (5)</b> 3:15;4:13,22;10:7; 14:18 <b>March (1)</b> 7:3 <b>margin (1)</b> 14:11 <b>MARIE (2)</b> 19:9,18 <b>material (2)</b> 9:1,4 <b>may (2)</b> 4:5;6:20 <b>mean (1)</b> 14:22 <b>medicaid (1)</b> 14:1 <b>medical (9)</b> 4:25;5:3;9:24;10:4, 12;11:8,16;12:14; 14:4 <b>members (2)</b> 8:14;9:15 <b>Merchang (1)</b> 8:21 <b>merit (2)</b> 15:16,20 <b>meritorious (2)</b> 14:22,23 <b>Michael (1)</b> 8:16 <b>million (4)</b> 10:9;11:2,22,24 <b>minutes (1)</b> 4:9 <b>Miss (1)</b> 13:13 <b>mixed-use (1)</b> 4:25 <b>model (1)</b> 11:12 <b>Montgomery (1)</b> 10:2 <b>month (2)</b> 12:21;17:1 <b>months (2)</b> 12:19,21	<b>Mooney (3)</b> 8:16;17:20,25 <b>morning (7)</b> 3:1;9:14,22;12:2, 12;13:14;14:17 <b>mortgage (7)</b> 5:23;6:7,18,21; 7:12;10:10;11:25 <b>mortgages (2)</b> 6:8,19 <b>most (1)</b> 15:21 <b>mother-in-law (1)</b> 12:24 <b>motion (1)</b> 17:19 <b>multi-mobile (1)</b> 11:5 <b>multiple (1)</b> 17:12 <b>Municipal (1)</b> 3:14 <b>myriad (2)</b> 11:7;16:6 <b>myself (2)</b> 8:16;16:24	<b>number (2)</b> 4:21;8:4 <b>NY (1)</b> 16:10
<b>J</b>				<b>O</b>
<b>James (2)</b> 7:18;8:19 <b>Jeff (1)</b> 8:19 <b>Jill (1)</b> 13:15 <b>job (1)</b> 9:20 <b>jobs (3)</b> 10:16;11:1;12:15 <b>John (1)</b> 12:13 <b>jurisdictions (1)</b> 3:22 <b>justified (1)</b> 11:18				<b>obligation (3)</b> 5:18;7:7,13 <b>obvious (1)</b> 15:20 <b>Occupancy (1)</b> 10:18 <b>October (1)</b> 7:4 <b>office (3)</b> 4:25;9:5;16:20 <b>old (2)</b> 14:23;16:25 <b>One (4)</b> 12:14;14:11;16:4,9 <b>only (2)</b> 16:21;17:12 <b>open (1)</b> 12:8 <b>operate (1)</b> 16:13 <b>opportunities (1)</b> 14:10 <b>oppose (1)</b> 13:17 <b>Opposed (1)</b> 18:5 <b>order (1)</b> 3:5 <b>ORs (1)</b> 14:7 <b>Ortho (1)</b> 16:10 <b>orthopedic (1)</b> 14:5 <b>out (3)</b> 7:14;15:14;16:13 <b>over (1)</b> 10:16 <b>overall (1)</b> 11:3 <b>owned (2)</b> 15:12,13 <b>Owner (1)</b> 6:9 <b>Ownership (1)</b> 15:9
<b>K</b>				<b>N</b>
<b>Kevin (2)</b> 8:15;16:8 <b>KILMER (2)</b> 19:9,18 <b>Kimberly (1)</b> 8:20 <small>KLambert@saratogacountyngov (1)</small> 4:8 <b>KLEIN (11)</b> 3:1,2;8:13,16;12:6; 13:12;17:15,21;18:3, 5,7 <b>KLEIS (2)</b> 16:8,9 <b>knee (1)</b> 13:1 <b>knowledge (1)</b> 19:15 <b>known (3)</b> 4:25;5:2,8 <b>Kolligian (2)</b> 8:15;18:2				<b>name (5)</b> 3:2;9:17;12:12; 13:15;16:8 <b>nature (1)</b> 15:4 <b>necessarily (1)</b> 14:1 <b>necessary (1)</b> 16:1 <b>need (1)</b> 9:10 <b>needed (6)</b> 15:5,19,20,24;16:4, 6 <b>negative (1)</b> 13:18 <b>neighboring (1)</b> 10:1 <b>New (10)</b> 3:14;4:14,16,23; 9:20;11:11;13:21; 14:6;15:16;19:10 <b>Nisha (1)</b> 8:20 <b>Northern (2)</b> 9:25;15:5 <b>Notary (1)</b> 19:10 <b>noted (2)</b> 5:16;8:8 <b>Notice (4)</b> 4:4;7:18,22;8:11 <b>notified (1)</b> 4:2
<b>L</b>	<b>M</b>			<b>P</b>
<b>ladies (1)</b> 9:16 <b>Lambert (1)</b>	<b>machinery (2)</b> 5:6,14 <b>magnitude (1)</b> 16:22			<b>package (1)</b> 11:22 <b>Palisades (1)</b> 4:15 <b>parcel (2)</b> 4:19,20 <b>parcels (1)</b>

4:20	<b>presentation (1)</b> 9:7	<b>quickly (1)</b> 13:10	9:25	<b>seeing (1)</b> 17:1
<b>particular (1)</b> 13:24	<b>presented (1)</b> 8:24	<b>quite (1)</b> 13:4	<b>respect (2)</b> 3:15;6:21	<b>segregate (1)</b> 16:15
<b>Particularly (1)</b> 14:5	<b>presently (1)</b> 6:2	<b>R</b>	<b>response (2)</b> 12:10;18:6	<b>senior (1)</b> 13:3
<b>parties (1)</b> 9:2	<b>President (2)</b> 4:1;9:18	<b>rationale (1)</b> 11:18	<b>resulting (1)</b> 10:12	<b>separate (1)</b> 7:12
<b>patients (1)</b> 17:1	<b>previously (1)</b> 9:12	<b>reading (1)</b> 8:2	<b>retail (4)</b> 13:17,22,22,24	<b>September (2)</b> 3:4,9
<b>Paul (2)</b> 12:2;14:17	<b>principal (2)</b> 6:10,14	<b>real (5)</b> 5:24;6:24;8:3;10:3, 10	<b>retain (1)</b> 10:15	<b>serve (4)</b> 14:13;16:17,22; 17:3
<b>Paulsen (2)</b> 12:4,4	<b>private (2)</b> 10:23;11:23	<b>reality (1)</b> 15:3	<b>retention (1)</b> 10:25	<b>served (1)</b> 13:23
<b>pay (1)</b> 14:14	<b>probably (1)</b> 15:21	<b>really (2)</b> 16:23;17:10	<b>return-receipt (1)</b> 4:3	<b>service (3)</b> 8:7;9:24;13:5
<b>payable (1)</b> 7:13	<b>problems (1)</b> 12:18	<b>reason (2)</b> 12:15,16	<b>review (1)</b> 9:2	<b>services (8)</b> 5:3;10:4,22;11:8; 13:19;15:14,18;16:1
<b>payers (2)</b> 16:15,16	<b>proceeds (1)</b> 7:14	<b>reasons (1)</b> 14:23	<b>Richard (1)</b> 12:3	<b>servicing (1)</b> 9:24
<b>people (3)</b> 12:21;13:9;15:6	<b>professional (1)</b> 11:14	<b>received (2)</b> 4:12;9:3	<b>Road (1)</b> 3:12	<b>set (1)</b> 11:19
<b>per (1)</b> 6:15	<b>profit (1)</b> 14:11	<b>recently (2)</b> 15:14;17:7	<b>room (3)</b> 11:10;13:4;17:5	<b>sewer (1)</b> 11:6
<b>percent (2)</b> 14:3,11	<b>Project (37)</b> 3:23;4:17;5:8,9,11, 16,17;6:2,6,6,12,17, 20;7:5,9,11;8:24; 9:21;10:6,8,23;11:4,7, 9,17;13:18;14:21,21; 15:1,15,24,24,25; 16:3,4,12;17:4	<b>record (1)</b> 9:17	<b>S</b>	<b>shall (1)</b> 5:16
<b>period (1)</b> 10:16	<b>Project's (1)</b> 5:23	<b>recorded (1)</b> 19:11	<b>sad (3)</b> 13:3,8,9	<b>shift (1)</b> 14:6
<b>permissible (1)</b> 10:21	<b>proper (1)</b> 7:18	<b>recording (2)</b> 5:23;6:21	<b>sale (1)</b> 5:18	<b>shifted (1)</b> 13:20
<b>permitted (1)</b> 16:3	<b>property (6)</b> 5:24;6:24;8:3;10:4, 10;15:18	<b>reduce (1)</b> 11:13	<b>sales (3)</b> 5:22;6:23;11:24	<b>Shorthand (1)</b> 19:9
<b>Phil (2)</b> 3:2;8:16	<b>proposed (5)</b> 5:19;9:23;10:6; 11:17;13:20	<b>reference (2)</b> 8:2,5	<b>sanitary (1)</b> 11:6	<b>significant (1)</b> 13:19
<b>pilon (1)</b> 12:1	<b>provided (2)</b> 7:19;9:10	<b>Regarding (1)</b> 8:23	<b>Saratoga (15)</b> 3:3,7,10,24,25; 8:21;9:15,18,21;10:1; 11:19;13:16,18;14:4; 15:5	<b>signify (1)</b> 17:22
<b>place (1)</b> 19:12	<b>Providers (2)</b> 5:2,2	<b>regardless (1)</b> 14:13	<b>Saratogian (1)</b> 7:23	<b>similar (1)</b> 15:4
<b>placed (1)</b> 8:11	<b>provides (2)</b> 15:16,18	<b>region (1)</b> 11:8	<b>savings (1)</b> 8:3	<b>six (1)</b> 17:2
<b>Planning (1)</b> 8:22	<b>provisions (1)</b> 3:13	<b>regulations (1)</b> 7:20	<b>saw (1)</b> 16:24	<b>soft (1)</b> 10:11
<b>pledged (1)</b> 7:16	<b>public (14)</b> 3:5,8,17;4:9;7:19, 22;9:10,21;11:2;12:9; 17:17,18;18:9;19:10	<b>related (1)</b> 5:4	<b>saying (1)</b> 17:22	<b>sold (1)</b> 7:8
<b>plus (1)</b> 11:25	<b>published (1)</b> 7:23	<b>relative (3)</b> 9:11;12:10;17:17	<b>scale (2)</b> 10:5;11:9	<b>solely (1)</b> 7:14
<b>Policy (1)</b> 7:2	<b>purchase (2)</b> 5:18;7:8	<b>repayment (1)</b> 7:16	<b>scheduled (1)</b> 3:8	<b>somewhere (1)</b> 8:5
<b>portion (3)</b> 5:22;6:11,21	<b>pursuant (1)</b> 7:9	<b>Reporter (1)</b> 19:9	<b>School (2)</b> 3:25;4:1	<b>sorry (1)</b> 6:3
<b>posted (2)</b> 4:4,10		<b>represent (1)</b> 11:11	<b>scope (1)</b> 12:20	<b>Southern (1)</b> 10:1
<b>posting (1)</b> 3:20		<b>represented (2)</b> 11:15;12:2	<b>Scott (1)</b> 8:18	<b>Spa (1)</b> 9:6
<b>practice (2)</b> 16:16;17:12		<b>request (2)</b> 8:24;14:16	<b>scroll (1)</b> 8:1	<b>space (2)</b> 16:19,23
<b>practices (1)</b> 17:12		<b>requested (1)</b> 4:17	<b>Second (1)</b> 17:20	<b>speak (1)</b> 16:10
<b>preceding (1)</b> 19:13		<b>required (1)</b> 8:11	<b>secure (1)</b> 6:8	<b>special (1)</b> 7:13
<b>pre-owned (1)</b> 15:11	<b>Q</b>	<b>residents (1)</b>		<b>Springs (1)</b>
<b>present (3)</b> 8:14,18;10:5				

3:25 <b>square (2)</b> 4:24;10:13 <b>Staff (3)</b> 8:18;9:3,9 <b>stance (1)</b> 16:18 <b>State (4)</b> 4:14;5:22;6:22; 19:10 <b>stated (1)</b> 19:13 <b>statute (2)</b> 8:11;15:2 <b>stenographically (1)</b> 19:11 <b>still (2)</b> 16:18;17:2 <b>stomach (1)</b> 12:20 <b>Street (1)</b> 9:5 <b>stress (1)</b> 13:22 <b>strive (1)</b> 16:17 <b>struggle (1)</b> 16:18 <b>subject (1)</b> 7:4 <b>submitted (3)</b> 4:6;9:4,12 <b>substantial (1)</b> 10:23 <b>sufficient (1)</b> 6:10 <b>supervisor (1)</b> 12:13 <b>support (2)</b> 13:10;14:3 <b>supporting (1)</b> 9:1 <b>supportive (1)</b> 12:14 <b>supports (1)</b> 10:3 <b>surely (1)</b> 14:2 <b>surgeons (1)</b> 16:9 <b>surgeries (1)</b> 16:25 <b>surgery (2)</b> 14:9;16:14 <b>Survey (1)</b> 11:20 <b>SUTTON (1)</b> 18:1	<b>tax (14)</b> 4:20;5:22,23;6:22, 23,24;7:2;8:3;11:25; 13:17;14:2,16;15:16, 23 <b>taxes (1)</b> 5:24 <b>taxing (1)</b> 3:22 <b>ten-year (1)</b> 11:25 <b>testimony (2)</b> 19:12,13 <b>textbook (1)</b> 10:20 <b>therefore (1)</b> 12:8 <b>third-party (1)</b> 5:1 <b>thoughts (1)</b> 9:9 <b>three (2)</b> 3:22;12:19 <b>three-year (1)</b> 10:16 <b>today (2)</b> 3:9;8:14 <b>together (2)</b> 5:7,15 <b>Tollisen (1)</b> 8:16 <b>TOLLISON (1)</b> 17:23 <b>Tom (1)</b> 8:14 <b>total (2)</b> 5:25;10:8 <b>Town (12)</b> 3:11,12,23;4:22; 9:25;10:5,24;11:3,8; 12:13;15:4,8 <b>traffic (1)</b> 11:5 <b>transcribed (1)</b> 4:10 <b>transcript (1)</b> 19:14 <b>transportation (1)</b> 11:4 <b>Traver (1)</b> 3:12 <b>true (1)</b> 19:13 <b>try (1)</b> 17:3 <b>trying (2)</b> 14:20;17:8 <b>Tuesday (1)</b> 3:4 <b>two (1)</b> 12:21	<b>U</b> <b>under (1)</b> 15:1 <b>underinsured (1)</b> 14:1 <b>undertake (2)</b> 4:17;6:6 <b>undertaking (1)</b> 6:17 <b>Uniform (1)</b> 7:2 <b>uninsured (1)</b> 14:2 <b>unused (1)</b> 15:17 <b>up (2)</b> 8:1;16:24 <b>urge (3)</b> 15:22;16:2;17:10 <b>users (1)</b> 7:11 <b>utilized (1)</b> 5:1	<b>West (1)</b> 9:5 <b>whatsoever (1)</b> 16:16 <b>Wilton (9)</b> 3:12,12,23;4:22; 9:25;10:6,24;11:3; 14:8 <b>within (2)</b> 16:16;17:13 <b>work (1)</b> 17:3 <b>writing (1)</b> 4:6	11:20 <b>2024 (9)</b> 3:4,9,18,21;4:3; 7:24;8:25;9:3,5 <b>22 (1)</b> 3:12 <b>28 (3)</b> 4:3;7:23;9:4 <b>28th (3)</b> 3:18,21;15:10
			<b>Y</b>	<b>4</b>
			<b>year (1)</b> 12:17 <b>years (1)</b> 16:25 <b>York (5)</b> 3:14;4:14,16,23; 19:10 <b>Yvonne (1)</b> 8:15	<b>4.2 (1)</b> 11:23 <b>40 (1)</b> 16:25 <b>450 (2)</b> 10:15;11:1
			<b>1</b>	<b>5</b>
		<b>V</b>		<b>5 (1)</b> 4:15 <b>50 (1)</b> 9:5
		<b>vacant (2)</b> 15:17,25 <b>valuable (1)</b> 16:1 <b>VANKUREN (2)</b> 13:14,15 <b>venture (1)</b> 13:24 <b>via (2)</b> 4:7;7:12 <b>VICE (14)</b> 3:1,2;7:21;8:13,17; 9:15;12:5,6;13:12; 17:15,21;18:3,5,7 <b>view (1)</b> 10:19 <b>volume (1)</b> 14:5		<b>6</b>
		<b>W</b>	<b>1.1 (1)</b> 11:2 <b>100 (1)</b> 14:3 <b>10th (2)</b> 3:4,9 <b>11th (1)</b> 7:3 <b>12205 (1)</b> 4:16 <b>125,000 (2)</b> 4:24;10:13 <b>13.66 (1)</b> 4:19 <b>14 (1)</b> 7:4 <b>140.17-1-9 (1)</b> 4:21 <b>140.18-1-13 (1)</b> 4:21 <b>147,951 (1)</b> 8:4 <b>18-A (1)</b> 3:14 <b>1999 (1)</b> 7:3	<b>6 (1)</b> 9:3 <b>612 (2)</b> 4:22;10:7 <b>69.3 (2)</b> 10:9;11:22
			<b>2</b>	<b>7</b>
		<b>waiting (2)</b> 12:18,21 <b>waits (1)</b> 11:14 <b>Warren (1)</b> 10:1 <b>Washington (1)</b> 10:2 <b>website (3)</b> 3:20;4:5,11 <b>week (2)</b> 17:1,2 <b>welcome (1)</b> 12:7		<b>796,199.00 (1)</b> 8:4
<b>T</b>				<b>8</b>
<b>talked (1)</b> 12:20			<b>20 (1)</b> 8:25 <b>2014 (1)</b> 7:4 <b>2022 (1)</b>	<b>8:30 (1)</b> 3:3 <b>8:51 (1)</b> 18:9 <b>80 (1)</b> 16:25 <b>85 (1)</b> 16:25