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UTICA HARBOR POINT DEVELOPMENT CORPORATION

MEETING MINUTES – NOVEMBER 15, 2017

A meeting of the Board of Directors of the Harbor Point Development Corporation (the “LDC”) was held in the Mayor’s Conference Room at Utica City Hall. Present at the meeting were members Chairman Vin Gilroy, Brian Thomas, Mary Brown-DePass, Evon Ervin, Councilwoman Samantha Colosimo-Testa, Councilman Jack LoMedico and Mike Pezzolanella. Also present was Mayor Robert Palmieri, Jack Spaeth, Paul Romano, Cat Manion, Lisa Nagle, Bob Murray and Tim Fitzgerald.

The meeting was called to order at 4:15 PM by Board Chairman Vin Gilroy. The first item on the agenda was approval of the minutes of the previous regular Board meeting held on September 26, 2017. On a motion by Ms. Brown-DePass, seconded by Ms. Ervin and unanimously approved by all voting members in attendance, the minutes of the September 26th meeting were approved.

The next item on the agenda was a report by all committees. Ms. Nagle summarized the status of discussions with both the Canal Corporation and the Power Authority. Mr. Murray indicated that he continues to coordinate efforts on the Land Disposition Agreement with the Canal Corporation and that the Canal Corporation has taken the lead on preparing the necessary legal documents. Additionally, Chairman Gilroy informed the Board that the Canal Corporation reiterated as late as yesterday’s Developer’s Forum that the Canal Corporation and the Power Authority will be financially responsible for their relocation.

From the Design/Engineering Committee, Mr. Romano and Ms. Nagle briefed the Board on the latest steps toward formal agreement with the State Historic Preservation Office on the demolition of various buildings at the Harbor and the preservation of the 1933 building.

From the Property Acquisition Committee, Mr. Murray indicated that he had been having regular communication with Glacier Ice up until recently. He apprised Board members that the UHPDC’s appraisal of the Glacier Ice property had been shared with them and that he was under the belief that they were conducting their own appraisal of the property. Based on the lack of communication, Mr. Murray suggested that the UHPDC consider the use of eminent domain; significant discussion ensued regarding the process and anticipated timeline of eminent domain.

Following the discussion, Mr. Thomas made a motion that a letter be sent to Glacier Ice from Chairman Gilroy/UHPDC, by way of the Utica Industrial Development Agency, indicating that the UHPDC intended to employ eminent domain as a means of acquiring the property, unless communication were resumed with Mr. Murray prior to December 4, 2017. While making the motion, it was noted that control of the Glacier Ice parcel is necessary in order to continue fruitful negotiations with Mr. Patel. The motion was seconded by Ms. Brown-DePass and unanimously approved by all voting members.

Under Old Business, Chairman Gilroy and Ms. Nagle updated the Board members on the Developer's Forum that had been conducted the previous day; both noted that the presentation by State and City officials, including the Mayor, Canal Corporation Director Brian Stratton, ESDC Regional Director Mike Reese, Jack Spaeth, Tim Fitzgerald and Brian Thomas, was received well by those in attendance and that the bus tour was extremely helpful in helping the developers understand the synergy between the Harbor, Utica Nano and other development currently planned or underway in the City.

The next meeting was scheduled for Tuesday, December 19th at 4 PM. There being no further business before the Board, Mr. Thomas made a motion to adjourn which was seconded by Mr. Pezzolanella at 4:57 PM.