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## UTICA HARBOR POINT DEVELOPMENT CORPORATION

### MEETING MINUTES – OCTOBER 17, 2018

A regular meeting of the Board of Directors of the Utica Harbor Point Development Corporation (the “LDC”) was held in the Mayor’s Conference Room at Utica City Hall. Present at the meeting were members President Vin Gilroy, Brian Thomas, Michael Pezzolanella, Councilman LoMedico, Mary Brown-DePass and Councilwoman Colosimo-Testa. Also present was Jack Spaeth, Paul Romano, Cat Manion, Allison Damiano-DeTraglia, Christian Mercurio, Ed “Butch” Waskiewicz, Ken Roser and Greg Mason; Lisa Nagle and Bob Murray participated in the meeting via conference call. The meeting was called to order at 4:00 PM by Board President Vin Gilroy.

The first item on the agenda was approval of the minutes of the September 19<sup>th</sup> regular meeting and the September 26<sup>th</sup> special meeting. On a motion by Ms. Brown-DePass, seconded by Mr. Pezzolanella, all voting members of the Board unanimously approved the minutes of the September 19<sup>th</sup> regular meeting. On a motion by Councilman LoMedico, seconded by Mr. Thomas, all voting members of the Board unanimously approved the minutes of the September 26<sup>th</sup> special meeting.

Under the various committee reports, Mr. Romano noted that conversations continue with the Canal Corporation regarding the ownership of the concrete bulkhead walls. Some discussion ensued among Board members regarding the preferred progression of events in light of the State’s award of grant funding necessary to replace the walls. In the end, the general consensus of the Board was to proceed as is currently planned – with the bulkhead work to be done under a work permit with the Canal Corporation and the UHPDC taking title upon completion of the work.

Relative to our partners at National Grid, Ms. Nagle noted that she and Mr. Romano had a lengthy conversation with NG representatives the week prior. The conversation centered around the remaining remediation process, real estate issues and the relocation of the transformer terminal. According to Ms. Nagle, NG is still working with US Fish & Wildlife and NYS DEC on the finer points of the remediation of the Mohawk River. At this point, it appears that any material dredged from the River is expected to go in the triangular site on the southwest side of the Harbor. It is likely that it will be several years before the remediation is completed and the triangular site can be closed out.

On the real estate side, Ms. Nagle informed the Board that they found out that NG is currently marketing parcels 7, 8 and 9 and asked openly if the Board should consider formally expressing its interest in the properties. The general consensus of the Board was that the landlocked nature of the property, combined with its current zoning, would make it unlikely that anyone other than the UHPDC would be interested or able to develop the properties.

On the matter of relocating their transformer terminal, Ms. Nagle and Mr. Romano expressed concern that NG still seems to have a preference to relocate to the south side of the 'Parthenon' building which would put the terminal in left field of the ballfield that is proposed in the current Harbor Point master plan. They added that a meeting has been scheduled for next week with NG to discuss further.

Under the Design & Engineering committee report, Mr. Romano noted that work on the closure of DSA-1 is proceeding. He did note that there is an existing fence that encircles the property, portions of which are in poor condition or missing altogether. He added that there is a retaining pond which is about 6' deep at points that is a liability concern. As such, he asked for quotes for the repair/replacement of the fence; the lowest received was for \$15,114 which he was recommending that the Board approve. On a motion by Councilman LoMedico, seconded by Mr. Pezzolanella and unanimously approved by all voting members, the Board agreed to a change order totaling \$15,114 in additional work to repair/replace the existing fence around the property.

Mr. Romano went on to appraise the Board that the engineering team was finalizing the bid specifications for the concrete bulkhead work. Some discussion ensued regarding the bid advertisement date and the length of the bid period. On a motion by Councilman LoMedico, seconded by Mr. Thomas and unanimously approved by all voting members, the Board granted authorization to publicly advertise the bid opportunity as soon as practicable.

Finally, Mr. Romano noted that a nearby community is removing soil as part of a flooding mitigation project and may have a need to dispose of the soil. In his estimation, Mr. Romano felt that the quality of that soil was preferable to the soil received from the Nano Utica project. As such, assuming that the testing of the soil did not raise any red flags and that NYS DEC was on board, Mr. Romano suggested that the Board consider expending up to \$40,000 for the construction of a haul road to be utilized by trucks bringing in the soil. On a motion by Ms. Brown-DePass, seconded by Councilman LoMedico, the Board unanimously agreed to expend the additional \$40,000 for the construction of the haul road.

Prior to any report from the Property Acquisition committee, Councilman LoMedico made a motion to go into Executive Session to discuss the potential sale and/or acquisition of real property.

The motion was seconded by Mr. Pezzolanella and unanimously approved by all voting members at 4:37. At 4:57, Councilman LoMedico made a motion to come out of Executive Session. This motion was seconded by Ms. Brown-DePass and unanimously approved by all voting members.

Relative to the next meeting date, the Board agreed to move the December meeting date up by a week to December 12<sup>th</sup> in order to hopefully award the concrete bulkhead contract in a timely manner and therefore cancel the November meeting in light of the Thanksgiving holiday.

There being no further business before the Board, Mr. Thomas made a motion to adjourn which was seconded by Councilman LoMedico at 5:05 PM.