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UTICA HARBOR POINT DEVELOPMENT CORPORATION

MEETING MINUTES – FEBRUARY 21, 2018

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 President Vin Gilroy, Brian Thomas, Mary Brown-DePass, Evon Ervin, Councilwoman Samantha Colosimo-Testa, Councilman Jack LoMedico, Barb Brodock and Steve DiMeo. Also present was Mayor Robert Palmieri, Tony Nyugen, Jack Spaeth, Paul Romano, Lisa Nagle, Bob Murray (via telephone), Allison Damiano-DeTraglia and Tim Fitzgerald.

The meeting was called to order at 4:20 PM by Board President Vin Gilroy. The first item on the agenda was approval of the minutes of the previous regular Board meeting held on January 17, 2018. On a motion by Ms. Brodock, seconded by Ms. DePass Brown and unanimously approved by all voting members in attendance, the minutes of the January 17th meeting were approved.

The next item on the agenda was a brief update on the work of the various committees. Ms. Nagle noted that discussion with the State’s Canal Corporation are proceeding relative to the transfer of the land. She added that the Request For Proposals is roughly 75% complete, but that site control is necessary before it can be advertised. Finally, she noted that the Army Corps of Engineers agreement with the State Historic Preservation Office is under review.

As a report from the Design/Engineering Committee, Mr. Romano noted that the LDC must keep in mind that the various property acquisitions need to occur if the project is to be kept on track. Additionally, he noted that we continue to wait on word regarding the City’s URI application for the bulkhead walls. Along those lines, the design for the walls is complete and the work needs to be done in the Canal’s off-season; if not done this off-season, then it will be forced to move into the 2019 off-season. Finally, he added that meetings have been conducted with the new budget director for the City and the Comptroller’s office regarding the project’s finances.

Mr. Spaeth informed the LDC that the Utica Industrial Development Agency approved the LDC’s request to undertake condemnation of the Arctic Glacier parcel and that UIDA representatives will be reaching out to attempt to reach someone at Arctic Glacier.

Under Old Business, Mr. Murray discussed with the Board his concerns relative to legal counsel for the LDC and that he is technically only a subconsultant to Elan Planning for specific legal matters. He advised the LDC that consideration should be given to procuring a general counsel for the all LDC matters outside of his purview. President Gilroy acknowledged that the suggestion made sense and asked for thoughts from the Board. On a motion by Ms. DePass Brown, seconded by Ms. Brodock and unanimously approved by all voting Board members, the LDC agreed that Mr. Murray should serve as general counsel to the LDC and that proposed terms of the engagement be prepared by Mr. Murray to be shared with the Board at the next meeting.

Additionally, it was noted that the Board had vacancies for the positions of Treasurer and Secretary. On a motion by Councilman LoMedico, seconded by Ms. Brodock and unanimously approved by all voting members, Ms. Ervin was elected Treasurer. On a motion by Ms. DePass Brown, seconded by Mr. Thomas and unanimously approved by all voting members, Ms. Brodock was elected Secretary.

The next meeting was scheduled for Wednesday, March 21st at 4 PM. There being no further business before the Board, Councilwoman Colosimo-Testa made a motion to adjourn which was seconded by Councilman LoMedico at 4:37 PM.