



**VINCENT GILROY, JR.**  
**CHAIRMAN**

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## **UTICA HARBOR POINT DEVELOPMENT CORPORATION**

### **MEETING MINUTES – APRIL 18, 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, Evon Ervin, Councilwoman Samantha Colosimo-Testa, Councilman Jack LoMedico, Barb Brodock, Mike Pezzolanella and Steve DiMeo. Also present was Mayor Robert Palmieri, Jack Spaeth, Paul Romano, Rick Duff, Steve Eckler, Lisa Nagle, Bob Murray, Allison Damiano-DeTraglia, Cat Manion and Tim Fitzgerald.

The meeting was called to order at 4:05 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 February 21, 2018. On a motion by Councilman LoMedico, seconded by Ms. Brodock and unanimously approved by all voting members in attendance, the minutes of the February 21<sup>st</sup> meeting were approved.

The next item on the agenda was a brief update on the work of the various committees. President Gilroy indicated that, pursuant to the Board’s request at the previous meeting, he had received a proposal for providing legal counsel to the Board from Bob Murray/Harris-Beach just prior to the meeting. As he had not yet had a chance to review himself, he committed to sending the proposal to all Board members for their review and did not expect action to be taken on the proposal until the next meeting, at the earliest.

As a report from the Design/Engineering Committee, Mr. Duff noted that an analysis had been performed on the proposed grades of DSA-1 and available soil already on-site. Based on that analysis, it was the opinion of O’Brien & Gere that no additional soil would be needed, adding that such a measure comes at a significant cost savings to the UHPDC. It was also noted that a ring road would be constructed, soil will sit for one year to recharge and a retention pond will be created adjacent to the roundabout for stormwater purposes.

Mr. Eckler addressed permitting for the bulkhead work, stating that the permits are anticipated to be issued in May. He added that NYS DEC and the US COE are both waiting on a letter from the State Historic Preservation Office (SHPO) that had just been issued today. He went on to say that

SHPO agreed with the design of the bulkhead wall as it resembles the original as closely as possible; waterside plantings will be made along the sides of the neck of the Harbor. Mr. Romano also noted that the Canal Corporation has made mention of the fact that they believe approximately 100' of the bulkhead wall appears to have moved significantly over the past several months. O'Brien & Gere representatives also stated that NYS DEC has accepted the findings relative to the issue of the impact to the freshwater mussels and will not require further study. As far as additional design and engineering work being needed, further delineation of possible wetlands needs to be completed along with a survey of hazardous materials as Canal Corporation does not want soils removed from the petroleum contamination to be stored on site. Instead, testing will have to be done in real-time as the soil is being removed.

Under Property Acquisition, Mr. Murray discussed the conditions that Visions Hotels requested be contained in the draft Five Party Agreement – fill to be placed on site, sight line to the Harbor not be blocked and that no other hotel be permitted as part of the proposed development of DSA-1. Mr. Murray went on to say that the Five Party Agreement will eventually become three separate purchase and sale agreements.

Mr. Spaeth noted that UIDA's public hearing for the condemnation of the Arctic Ice parcel was postponed pending possible negotiation with the property owner. The Board was reminded that their appraisal set the value of the property at \$150,000 while Arctic Ice's appraisal based on comparables came back initially at \$200,000. However, based on the specialized equipment within the building, a subsequent appraisal based on replacement value done by Arctic Ice came back at approximately \$900,000.

At the request of President Gilroy, Mr. Spaeth and Mr. Romano briefly reviewed the proposed budget for the Board. Councilwoman Colosimo-Testa had some questions relative to the breakdown on some of the figures within the budget, which Mr. Spaeth and Mr. Romano confirmed that they could provide. On a motion by Ms. Brodock, seconded by Mr. Thomas and unanimously approved by all voting members, the Board approved the proposed budget with the condition that the Councilwoman be provided the breakdown of the various line items.

Ms. Nagle then reviewed the draft Request For Proposals seeking private developers for DSA-1. She noted that several iterations had been shared with the Board via e-mail seeking review and comment. Having received nothing, she indicated that the RFP was slated for release on or about May 1<sup>st</sup> with questions due by June 1<sup>st</sup> and responses due no later than 5 PM on July 27<sup>th</sup>. On a motion by Ms. Brodock, seconded by Ms. Ervin and unanimously approved by all voting members, the Board authorized the release of the RFP subject to any final comments from Board members by April 25<sup>th</sup>.

On a motion by Mr. Pezzolanella, seconded by Ms. Brodock and unanimously approved by all voting members, the Board agreed to go into Executive Session for the purpose of discussing real estate transactions (sale and purchase of property) at 5:29 PM. On a motion by Ms. Ervin, seconded by Mr. Thomas and unanimously approved by all voting members, the Board agreed to come out of Executive Session at 5:41.

Upon exiting Executive Session, a motion was made by Mr. Pezzolanella for President Gilroy to negotiate with Arctic Ice for the possible sale of their property. The motion was seconded by Mr. Thomas and unanimously approved by all voting members. On another motion by Ms. Ervin, seconded by Mr. Thomas and unanimously approved by all voting members, the Board authorized a contract modification with Elan.

The next meeting was scheduled for Wednesday, May 16<sup>th</sup> at 4 PM. There being no further business before the Board, Ms. Ervin made a motion to adjourn which was seconded by Mr. Pezzolanella at 5:44 PM.