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UTICA HARBOR POINT DEVELOPMENT CORPORATION

MEETING MINUTES – SEPTEMBER 18, 2019

A 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, Mary Brown-DePass, Evon Ervin and Councilman Jack LoMedico. Also present was Paul Romano, Catherine Manion, Allison Damiano-DeTraglia, Tim Fitzgerald, Marques Phillips, Rob Esche, Jack Spaeth, Frank DuRoss, Mayor Palmieri and Bob Murray. The meeting was called to order at 4:45 PM by Board President Vin Gilroy.

The first item on the agenda was the approval of the Board minutes for its June and July 2019 meeting. On a motion by Mr. Thomas, seconded by Ms. Brown-DePass and unanimously approved by all voting Board members, the minutes of the Board’s June 19th and July 30th meetings were both approved.

President Gilroy noted that the LDC had received one proposal in response to its Request For Expressions of Interest (RFEI); the response came from Mohawk Valley Garden. As a courtesy to Mohawk Valley Garden, President Gilroy introduced Rob Esche and Frank DuRoss to give a presentation of their proposal to the Board. A robust discussion followed the presentation that focused on details of the proposal and next steps for the Board. On a motion by Ms. Ervin, seconded by Ms. Brown-DePass, the Board resolved to authorize UHPDC staff to negotiate, but not execute, an exclusive pre-development agreement with Mohawk Valley Garden establishing milestone dates that lead to completion of a master site plan and re-use plan sufficient to ultimately prepare a land disposition and development agreement; the resolution was approved unanimously.

Mr. Romano provided an update to the Board, noting that work on the concrete bulkheads was nearing completion. He added that less concrete ended up being needed between the piles and the embankment, resulting in a cost savings that would likely offset contract increase needed as a result of NYS DEC’s requirement for the monitoring of pH levels in the water.

Mr. Romano and Ms. Nagle asked consideration by the Board for award of a contract for construction oversight services for the 1917 terminal building foundation. They indicated that the

award totaled \$41,400. On a motion by Mr. Thomas, seconded by Councilman LoMedico and unanimously approved by all voting Board members, the Board approved entering into a contract for construction supervision services at a cost of \$41,400.

Finally, Mr. Murray and Ms. Nagle provided an update to the Board on the status of various property acquisitions. On the Arctic Ice property, Mr. Murray indicated that a closing was anticipated by September 30th. Relative to the SuitKote property, Mr. Murray noted that he is still reviewing the monitoring issues and that there are annual costs of roughly \$15,000 per year. He did state that the site has been remediated and that the current owner(s) have been deemed liable for the continued monitoring of the site. Mr. Romano noted that the current environmental status of the site is acceptable from his perspective. Mr. Murray agreed to draft an agreement for the Board's consideration at their next meeting.

There being no further business before the Board, Mr. Thomas made a motion to adjourn which was seconded by Councilman LoMedico at 5:14 PM.