



# Utica Harbor Point Development Corp.

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## UTICA HARBOR POINT DEVELOPMENT CORPORATION

### MEETING MINUTES – October 20, 2021

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 City Hall as well as via WebEx. Present at the meeting were members President Vin Gilroy, Brian Thomas, Councilman Joe Betrus, David Bonacci, Tom Colucci, Evon Ervin (via WebEx), and Mary Brown-DePass (via WebEx). Also present were Mayor Robert Palmieri, Jack Spaeth, Lisa Nagle, Paul Romano, Bob Murray, Melanie Marotto, Allison Damiano-DeTraglia, Rob Esche, Andy Patel, Dominic Pavia, Mannion O’Connor, Alberto Bianchetti, and Tim Fitzgerald. The meeting was called to order at 4:08 PM by Board President Vin Gilroy.

The first item on the agenda was a presentation by Rob Esche and Mannion O’Connor on the preliminary designs of the 1933 building from Mohawk Valley Garden. There was discussion about the building event space functionality, raising of the floor of the building, and the need for connectivity to the main parking areas. Lisa Nagle to review and share the promenade drawings to see if they might influence pedestrian movements in the area.

The second item was a presentation from Andy Patel of the land-use outline for DSA-1. The drawings will be further refined once the team receives feedback from the Utica Fire Chief. In conjunction with this presentation, Paul Romano presented a bio-retention and grading plan for the area. There was discussion among the group. The following action items were identified:

1. Brian Thomas and Jack Spaeth will reach out and secure separate, new appraisals on the 12.5 acres and the 1.87 acres. Deadline for finals 11/17.
2. Rob Halpin on behalf of Andy Patel to send Bob Murray and Melanie Marotto the purchase sale agreement draft as soon as possible.
3. Rob Halpin, Andy Patel and Dominic Pavia to send a succinct written description of the project including what falls under Phase I and Phase II ASAP.
4. Rob Halpin, Andy Patel and Dominic Pavia to provide drawings of the project and phases (once they have the updated bio-retention and grading drawings from Paul Romano) for presentation

at the next LDC meeting 11/17.

5. Paul Romano to update the stormwater bioretention and drawing to a four-legged roundabout. Deadline 11/12.

On a motion made by Mr. Thomas seconded by Councilman Betrus the board resolved to extend due to the progress being made the preferred developer status with Andy Patel or an Andy Patel controlled entity to be created, for an additional period of six months from the upcoming November 2021 expiration, during which acceptable terms, conditions, and timeframe for land disposition and development can be negotiated in a manner that is consistent with the revised master plan and otherwise acceptable to members of the Utica Harbor Point Development Corporation; the resolution was approved unanimously.

The next action was approval of the Board minutes for the September 15, 2021 meeting. On a motion by Mr. Thomas, seconded by Councilman Betrus, and unanimously approved by all voting members, the Board approved the minutes of the meeting.

President Gilroy noted that the LDC financials were included for review and will be included in all regular meetings going forward.

The next item on the agenda was review of the terms of the line of credit with NBT Bank. On a motion made by Councilman Betrus and seconded by Mr. Thomas the board resolved to approve certain amendments to the demand revolving line of credit with NBT Bank, NA, in the current maximum principal amount of \$2,650,000.00 and the demand construction line of credit with NBT Bank, NA in the current maximum principal amount of \$2,500,000.00. The resolution was approved unanimously.

The next item on the agenda was Amendment #9 from Elan Planning, Design, & Landscape Architecture, PLLC for tasks associated with the 2014 Empire State Development (ESD) Priority Project Grant Award Z182. The proposed tasks specifically address the final phases of work at the roundabout and entrance road to DSA-1, property agreement negotiations with National Grid and associated recreational site planning and renderings, and the 2021 submerged aquatic vegetation (SAV) inspections. The lump sum compensation for these services is \$59,352. On a motion made by Councilman Betrus, seconded by Mr. Bonacci, and unanimously approved by all voting members, the board approved Amendment #9.

The next item on the agenda was for discussion of the work of the various committees.

National Grid – Alberto Bianchetti presented to the committee on the status of Parcels 7, 8, and 9 owned by National Grid. He stated that a meeting was held just before the LDC meeting to discuss

them. He praised the committee for the momentum of development of Harbor Point and stated that there is a pathway to these parcels, recognizing that safety and in the best interest of the ratepayers is most important. Mr. Bianchetti will be providing Mr. Murray and Ms. Marotto some additional information on the procedure for land disposition and also provide the name and contact information of their counsel. He will remain in communications with the board.

There being no further business before the Board, Councilman Betrus made a motion to adjourn, which was seconded by Mr. Thomas at 5:51 PM.