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UTICA HARBOR POINT DEVELOPMENT CORPORATION

MEETING MINUTES – August 19, 2026

A regular meeting of the Board of Directors of the Utica Harbor Point Development Corporation (the "LDC") was held in the Urban and Economic Development Conference Room at City Hall. Present at the meeting were members President Vin Gilroy, Councilman Joe Betrus, Robert Calli, Brian Thomas, Evon Ervin and Phil Sabarra. Also present were Jack Spaeth, Chris Lawrence, Paul Romano, Allison Damiano-DeTraglia, Lisa Nagle (Webex), Melanie Marotto (Webex) and Bob Murray (Webex). The meeting was called to order at 4:09PM by Board President Vin Gilroy.

The first item was approval of the Board minutes for the June 17, 2026 meeting. On a motion by Mr. Thomas seconded by Ms. Ervin and unanimously approved by all voting members, the Board approved the minutes of the June 17, 2026 meeting.

The next item was an amendment to the purchase and sale agreement (PSA) with Mohawk Valley Garden (MVG) and the termination of engineering contracts associated with the 1933 building. Mr. Romano and Ms. Marotto reminded the Board that the PSA requires that, at closing on the land adjacent to the 1933 Building, MVG reimburse the LDC for the structural and civil utility engineering costs accrued and/or paid by LDC before MVG entered into the PSA, and before the DASNY contract was assigned to MVG. The amount owed to LDC is $125,576.67. MVG has asked that this reimbursement requirement be removed from the PSA and that the parties enter into a separate agreement for the reimbursement of these funds. It was also noted that the original engineering contracts for improvements of the property need to be terminated, and that MVG will privately decide to reengage with these firms or seek other professional engineering support once they close on the property. There was discussion among the LDC that they are open to a separate agreement for reimbursement, but it must be secured. Mr. Calli made a motion to terminate the engineering contracts and amend the PSA to remove the reimbursement of the engineering costs and for President Gilroy to negotiate and execute a Note in the amount of $125,576.67 to be paid within 90 days of the PSA closing date, said note to accrue interest at the prime interest rate and the accrued interest to be forgiven if payment is made on or before the payment due date and, further, that MVG deliver a mortgage on the

property, further securing payment of the $125,576.67 note, together with any accrued interest, said mortgage to be held in escrow by the LDC and recorded only if reimbursement is not made within 90 days after closing on the property. The motion was seconded by Mr. Sbarra and approved by all voting members. Ms. Marotto updated the Board that there are still some remaining items before MVG can close on the property including (i) the placement of certain easements on the Premises by the City of Utica; (ii) the receipt and approval of a commitment for title insurance; and (iii) final subdivision approval and recordation. The team is working to complete these items and move to closing.

The next item was review of the 1917 building request for expressions of interest (RFEI). This discussion was tabled until the next meeting.

The next item was project updates

Banks: President Gilroy updated the Board that he has been in contact with NBT Bank and updated them on the current status of property sales and that the Board will not be moving forward with a loan with Bank of Utica.

Jones (Monarch) Chemical: Mr. Thomas updated the Board that the City of Utica Corporation Counsel office is working to finalize the materials to close on the property.

National Grid: Mr. Romano shared that conversations are continuing so that the boat launch can be built in the next construction season. They are currently working on a title/deed issue specific to a .46 acre parcel needed for the boat launch. The goal is to have the City of Utica purchase this parcel to complete the boat launch. The completion date for the movement of the substation is now 2028.

Canal Corporation Grant: Mr. Romano shared that the work is moving along. The plan is to bid for the work in September 2026 and the work will be completed into 2027.

Councilman Betrus asked about the status of the new sign for the Harbor. Mr. Thomas updated the Board that his team is working on the new signage designs and will have an update at the next meeting.

There being no further business before the Board, Mr. Sbarra made a motion to adjourn, which was seconded by Councilman Betrus and unanimously approved by all voting members at 4:48PM.