



# Utica Harbor Point Development Corp.

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## UTICA HARBOR POINT DEVELOPMENT CORPORATION

### MEETING MINUTES – OCTOBER 19, 2022

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, Evon Ervin, Alicia Dicks, Philip Sabarra, Richard Fox, Mary Brown-DePass (via WebEx), and Jack LoMedico (via WebEx). Also present were Mayor Robert Palmieri, Jack Spaeth, Paul Romano, Allison Damiano- DeTraglia, Melanie Marotto (via WebEx), Bob Murray (via WebEx). Andy Patel (via WebEx), and Robert Halpin (via WebEx). The meeting was called to order at 4: 06PM by Board President Vin Gilroy.

The first item on the agenda was approval of the Board minutes for the August 17, 2022 meeting. On a motion by Ms. Dicks, seconded by Mr. LoMedico and unanimously approved by all voting members, the Board approved the minutes of the meeting.

The second item on the agenda was approval of the Special Meeting minutes for the August 31, 2022 meeting. On a motion by Mr. Sbarra, seconded by Mr. Thomas and unanimously approved by all voting members, the Board approved the minutes of the meeting.

The next item on the agenda was discussion of the various project updates.

Promenade and '33 Parcel: Mr. Romano provided the update that he is awaiting the final report from NYS DEC regarding the spill cleanup on the property. He believes that it is within the existing budget for it to be addressed. In addition he is working on an ESD grant application for the property.

DSA-1: Mr. Romano shared that the site management plan for DSA-1 should not hold up the sale of property, yet they continue to work to see if the property can be moved outside the plan.

MVG: Mr. Murray provided the update that they have prepared and shared an early access agreement for on-site diligence and it is yet to be signed. Need confirmation if that is still needed, or if they are ready to negotiate the purchase sale agreement, including the project description and phasing. President Gilroy will reach out for an update.

Andy Patel Controlled Entity: New Parcel: Ms. Marotto shared that specific to New Parcel they are working with counsel to resolve a few open issues including reverter language with Canal

Corporation, site management plan with DEC, easements with National Grid, and language surrounding parcel 4. Mr. Murray and Ms. Marotto to work with Mr. Halpin to clarify the language and then present back to the LDC at the next board meeting.

Canal Corporation: Mayor Palmieri shared that the concerns on the lock and maintenance has been addressed with Canal Corporation leadership and that they are working to get the funding for the improvements into the next budget.

National Grid: Mr. Murray noted that he is working with National Grid on parcels 7,8, and 9 land dispositions and as requested by National Grid, has provided National Grid with analysis as to how National Grid can avail itself to using a provision under Section 70 of the NY Public Service Law to more efficiently convey real property to the UHPDC outside of the normal more lengthy and costly petition process that National Grid will otherwise have to utilize. The legal argument for the properties has been shared with Mr. Fox to review with his team. Mr. Fox added that it has been shared with National Grid legal counsel and they will be reaching out to NYS PSC for clarity and if a Section 70 exemption is available. Mr. Romano added that we would like to establish regular meetings with the substation team to review design plans. Mr. Romano will send an email to Mr. Fox to get scheduling that meeting in motion.

Jones Chemical: The team would like to restart discussions again on this property. Mr. Thomas to follow up.

The next item was old/new business. President Gilroy shared the audit response plan of correction with the LDC. It will be shared with the auditor once finalized. President Gilroy continued that the team is working on the budget and it will be presented at the next meeting.

There being no further business before the Board, Ms. Dicks made a motion to adjourn, which was seconded by Ms. Ervin at 4:40PM.