



# Utica Harbor Point Development Corp.

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## UTICA HARBOR POINT DEVELOPMENT CORPORATION

### MEETING MINUTES – November 16, 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 and via conference call. Present at the meeting were members President Vin Gilroy, Brian Thomas, Alicia Dicks, Councilman Joe Betrus, Louis Parrotta, Richard Fox, Mary Brown-DePass (conference line). Also present were Mayor Robert Palmieri, Jack Spaeth, Lisa Nagle, Allison Damiano- DeTraglia, Dominic Pavia, Tim Fitzgerald, Paul Romano (conference line), Melanie Marotto (conference line), Bob Murray (conference line), Andy Patel (conference line), and Robert Halpin (conference line). The meeting was called to order at 4: 04PM by Board President Vin Gilroy.

The first item on the agenda was approval of the Board minutes for the October 19, 2022 meeting. On a motion by Councilman Betrus, seconded by Mr. Thomas 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 April 1, 2023-March 31, 2024 budget. Mr. Romano provided an overview of it. On a motion by Ms. Dicks, seconded by Councilman Betrus 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: Ms. Nagle provided the update that the group is waiting for a decision on the submitted grant application for the project.

MVG: Ms. Marotto provided the update that the early access agreement for on-site diligence has been signed and returned and is ready for President Gilroy’s signature. She has reached out to MVG’s counsel for timing of the purchase sale agreement and is waiting for a reply.

Real property acquisitions and dispositions:

New Parcel: Ms. Marotto shared that earlier in the day a small group met with representatives from National Grid and discussed the 2001 settlement agreement. with Canal Corporation and NYS Thruway Authority. It now under review with National Grid legal counsel. Ms. Nagle shared that they are currently waiting for the survey from Delta on new parcel, or Lot 1. Mr. Halpin shared that an

environmental consultant has been retained by the Andy Patel Controlled Entity to review the property and the NYS DEC management plan. Mr. Murray shared that he, Ms. Marotto, and Mr. Romano would be available for a call with the consultant, if needed. Mr. Halpin will follow up after speaking with the consultant.

DSA-1: The redlined letter of intent was discussed by the board. Mr. Patel and Mr. Halpin noted that there were some additional changes needed to dates as well as Exhibit B and Exhibit C. On a motion by Mr. Parotta, seconded by Mr. Thomas and unanimously approved by all voting members, the Board approved execution of the letter of intent with changes including; update of the date on page 1, inclusion of a date under item 8 on page 4, update to the date under item 11 at the bottom of page 4, updated image for Exhibit B, and an updated Exhibit C. The updated document will be shared with Mr. Murray and Ms. Marotto for review and signature by President Gilroy by November 30.

Jones (Monarch) Chemical: Ms. Nagle shared that an appraisal of the property has been received in the amount of \$41,000. Ms. Nagle has been in contact with counsel for the owners about their interest in discussing a possible sale. The board discussed and requested that Ms. Nagle continue to discuss with them and negotiate a purchase price, taking into account the environmental conditions and obligations at the property.

National Grid: Earlier in the day a small group met with representatives from National Grid and discussed parcels 7, 8, and 9. Conversations are continuing regarding a potential fee purchase or a long-term ground lease. 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 to determine if a Section 70 exemption is available.

Canal Corporation: Mr. Thomas shared that Mayor Palmieri has expressed concerns on the lock and maintenance with Canal Corporation leadership and that they are working to get the funding for the improvements into the next budget. The board discussed reaching out to other elected officials to share their support with the LDC in advocating that the lock be addressed and fixed.

There being no further business before the Board, Ms. Dicks made a motion to adjourn, which was seconded by Councilman Betrus at 5:02PM.