

BROADWAY MARKET MANAGEMENT INC. BOARD MEETING AGENDA

August 19, 2024 | 1:30 pm | In Person

AGENDA TOPICS

1.0 CALL TO ORDER

2.0 READING OF THE MINUTES

2.1 5/20/2024 AND 6/24/2024

NO JULY MEETING

3.0 NEW BUSINESS

3.1 BROADWAY MARKET
PROJECT UPDATE (*Enclosure*)

3.2 BOARD COMMITTEE

REPORTS

3.2.1 Governance

3.2.2 Audit and Finance

3.2.3 Operations, Tenant

leasing and Programs

3.2.4 Development and
Construction

3.2.5 Fundraising

4.0 MONTHLY FINANCIAL REPORTS

5.0 TABLED ITEMS

6.0 PUBLIC PARTICIPATION

7.0 EXECUTIVE SESSION

8.0 ADJOURNMENT (*Action*)

2.0 READING OF THE MINUTES

2.0 MEETING MINUTES



BROADWAY MARKET MANAGEMENT INC. BOARD MEETING MINUTES

June 24, 2024 | 1:30 pm | In Person at 1021 Broadway Room 443B

Members and Officers Present:

Peter Cammarata
Tuona Batchler
Lisa Hicks
Karen Utz, Atiqur Rahman
Chris Del Prince
Jim Rykowski
Pearl Omphalius
Raymour Nosworthy

Guests: Kathleen Peterson

1.0 CALL TO ORDER

Peter Cammarata called the meeting to order. Quorum established. Dispense with roll call.

2.0 READING OF THE MINUTES

May minutes will be approved at August 2024 meeting. Peter recommended suspending committee meetings and board meeting for July. No motion needed, approved by board. Kathy will send notices out for changes in meetings. August 5, Operations, Tenants, and Programs 1:30; August 6, Audit and Finance at 11:00; August 7 Governance Meeting 11:30; Board meeting August 19 at 1:30 at Jericho Road.

3.0 NEW BUSINESS

3.1 Broadway Market Project Update

Lisa, Peter, Johanna, Paul T. meeting with John Heffron on master lease with COB and BMMI. The board will be voting today on Legal RFP. Once this firm is on board they will attend the lease meetings. Nate Marton, Commissioner of Public Works, would like to be involved with lease discussions and attend meetings with Flynn Battaglia. Master lease will not go before the board until the August board meeting.

Flynn Battaglia discussions on the design of the market. Hugh Boyd market design may be presented at the August mtg. Parking garage discussion, no demolition due to Historic Tax Credits. Historic Tax Credits are an important part of the budget. Structural testing results of concrete core are due late June/early

July. Interesting to see possible designs. M& T would stay where it is, prepared food located in northwest corner of market. The police station will be moved further to the Gibson side of the market. Hugh Boyd and Robert Lavala will be meeting with full-time vendors to discuss their individual spaces including size, equipment, deliveries. The loading docks are being redesigned for the Gibson side of the market. Expand the current Gibson Street loading dock. Trash compactor will also be located on Gibson St. side of market near loading dock. Still a draft.

Jim Rykowski – any additional SHPO limitations. Peter- no, not currently.

Peter Cammarata - recommendation is to reduce the size of the market to 65,000 square feet with a 25,000 – 30,000 ‘shell’ area. Shell area to be used for Easter and other events.

Raymour Nosworthy – can ‘shell’ be used for revenue generating events or office space. Kathy - Pop-Ups throughout the year could be held in this area. Peter – this has been discussed, possibly used as an event space.

Tuona B- any conversation on the exterior? Kathy – only in terms of Historic Tax Credits.

3.2 Board Committee Reports

3.2.1 Governance

Tuona Batchelor – RFP process for legal services. Seven proposals submitted. Two were selected for interviews: Hurwitz Fine and Harter Secrest & Emery LLP. Both firms were strong candidates and interviewed very well. Hurwitz Fine is being recommended to the board for approval based on their experience and reasonable pricing.

Motion: Tuona – motion to consider Hurwitz Fine as Legal service provider, seconded by Chris DelPrince. Opened to floor for discussion.

Comments:

Chris DelPrince – Hurwitz & Fine is a top firm in Western New York

Peter Cammarata – experience with Hurwitz Fine through BUDC. Kevin Zanner has an excellent team put together for this type of work.

Karen Utz – Top notch particularly with non-profit. Never had an unpleasant encounter.

Lisa Hicks – Experience with Hurwitz Fine as well. The firm is familiar with the NYS Public Authority Act.

The cost was reasonable. Good experience working with Hurwitz Fine.

Motion to approve – unanimous

Tuona yes

Peter yes

Chris yes

Lisa yes

Raymour yes

Karen yes

Pearl yes

Jim yes

Atiqur yes

Their first task will be to work with BMMI and COB on lease. Johanna and/or Kathy will contact firm. The contract is with BMMI.

3.2.2 Audit and Finance

No meeting was held. Accounting RFP rereleased. RFP was not changed. Freed Maxick and Kirisits submitted RFPs. Analysis of RFP will be submitted at the August board meeting. Hard copies will be sent to the committee.

Ralph C. Wilson Jr. Foundation – grant was approved \$5,875,000. Financial piece – who is the signor on document? Lisa or Kathy can sign.

3.2.3 Operations, Programs and Tenant Leasing Committee

- Margie’s Soul Food space. Possible RFP for another vendor. Space needs to be cleaned.
- Lindsey Taylor will be leasing space in the market for his non-profit, Beau Fleuve, in the former Burke Sportz vendor space located in the front of the market.
- Save a Lot -owner, Ron Horrigan, has fluctuated on closing. Discussion with Upstate Supermarkets on leasing space. They declined COB’s offer. COB met with Ron Horrigan again. Ron needs financial assistance from the COB. Ron is losing money due to COVID, change in EBT, and theft. Ron submitted a request for \$300,000 to remain open until the end of his lease 9/2026 for working capital and to restock his shelves. We can only offer help with the current rent. Discussion on other funding options and if Ron has received any money due to COVID. Restructuring of business. City decision because lease between COB and BMMI is not completed. COB was a firm no with second offer from Upstate Supermarkets who submitted a request with a reduced square foot rate and longer abatement time frame. Any request would have to go before the Common Council. BMMI will need a decision to move forward with design of this space.
Discussion on other grocery store options: Aldi, ethnic grocery store. Possibly contact C&S Distributors, broker for supermarkets, locally owned preferred. Mayor’s office recommends national chain.

3.2.4 Development and Construction

No update to report. The committee did not meet.

3.2.5 Fundraising

No update to report. The committee did not meet.

Chris Del Prince – Dave Gordon has CEOSCs he purchased from the Galleria and Boulevard Mall for sale for \$900. Chris will send pictures. Flynn Battaglia should be made aware of this as well.

4.0 Monthly Financial Reports

No new items.

5.0 Tabled Items

Peter Cammarata stated that there no tables items to discuss.

6.0 Public Participation

None

7.0 EXECUTIVE SESSION

8.0 ADJOURNMENT (action)

Lisa Hicks made a motion to adjourn, seconded by Chris Del Prince.

Respectfully submitted by.

Kathleen Peterson

Kathleen Peterson, Broadway Market Management Inc., June 24, 2024



3.0 3.1 BROADWAY MARKET PROJECT UPDATE (*Enclosure*)

BROADWAY MARKET REDEVELOPMENT PROGRESS (AS OF AUGUST 9, 2024)

Outstanding Tasks

Task	Description	Status	Notes
1	Transition Non-Profit to Broadway Market Management, Inc. (BMMI)	In progress	Committee consisting of Lisa H., Kathy P., Johanna W., Paul T. and Peter C. will resume lease meetings with COB which will now include Kevin Zanner of Hurwitz & Fine
2	Hire Technical Support Consultant(s) and Prepare BMMI to Hire Staff	In progress	Meet and Greet meeting held with legal team of Hurwitz & Fine on 8/7/24. Team includes Kevin J. Zanner, Evan Y. Bussiere, and Alexi M. Florczak. Two accounting firms were interviewed. Kirisits & Associates will be hired for general accounting and bookkeeping.
5	Launch Search for Deputy Director and Facilities Manager	Pending	Job descriptions have been completed by JLP&D. They will be circulated to board members for review.
4	Begin Short-Term Improvements Designs	Pending	Pending revised quotes for Broadway Market Gallery Space
5	Procure Business Plan Implementation Support and Architecture and Engineering	In progress	August 20, 2024, in-person joint meeting with JLP&D and Flynn Battaglia. Day will begin with a WNY Food System Leader Breakfast followed by design meeting with both teams. LERA completed structural evaluation of columns. COB approved BMMI moving forward with Historic Tax Credit Part One of application. Motion will be filed with the Common Council.



Upcoming Tasks

Task	Description	Status	Notes
1	Hire and onboard Deputy Director (title TBD) & Facilities Manager	TBD	Aiming for Q1 2025 hire.
2	Short-Term Capital Improvements	TBD	Pending
3	Kick-off Long-Term Renovations Design Process	TBD	Aiming for Q1 2025
4	Hire Website & Marketing/Communications Support	TBD	Aiming for Q1 2025
5	Develop a Fundraising Plan and Capital Campaign for Additional Operations and Capital needs	TBD	Aiming for Q2 2025

3.2 BOARD COMMITTEE REPORTS

3.2.1 Governance

3.2.2 Audit and Finance

3.2.3 Operations, Tenant leasing and Programs

3.2.4 Development and Construction - no update

3.2.5 Fundraising - no update

4.0 MONTHLY FINANCIAL REPORTS

5.0 TABLED ITEMS

6.0 PUBLIC PARTICIPATION



7.0 EXECUTIVE SESSION

8.0 ADJOURNMENT (*Action*)