

**March 2025**

**Erie County Cultural Funding Grant  
Monitoring Program  
Buffalo Arts Studio Inc.  
January 1, 2020 through December 31, 2022**



**HON. KEVIN R. HARDWICK  
ERIE COUNTY COMPTROLLER**

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**HON. KEVIN R. HARDWICK  
ERIE COUNTY COMPTROLLER'S OFFICE  
DIVISION OF AUDIT & CONTROL  
95 FRANKLIN STREET  
BUFFALO, NEW YORK 14202**



March 25, 2025

Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, New York 14202

Dear Honorable Members:

In 2023, the Erie County Comptroller's Office, Division of Audit & Control initiated a regular Monitoring Program of Erie County Cultural Funding Grants. The Erie County Cultural Funding program provides annual grants to non-profit arts and cultural organizations operating within the County. County funds are intended to be limited in their use to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies, and equipment. Grant funds may not be used for or applied towards capital projects or physical improvements of buildings or facilities, nor as a revenue offset against accounts receivable. No funds received shall be used for any services provided or activities performed outside Erie County. The County's Department of Environment and Planning executes contracts with organizations and is the primary agency charged with monitoring.

**Objective**

The objective of the Cultural Funding Monitoring Program is to verify that the recipients have utilized County funds according to the terms and conditions associated with the Erie County Cultural Funding grant process and the recipient's contract with the County. In order to verify the proper use of the grant award, a number of agencies were selected in order to review their expenses and financial records.

**Scope and Methodology**

Approximately 120 different organizations receive funding annually from Erie County. The Comptroller's Cultural Funding Grant Monitoring Program is intended to review organizations that received a minimum of \$5,000 in funding during any of the three prior years. Approximately 80 agencies were identified as receiving \$5,000 or more in grant funding. The list of recipient organizations was split into two groups of approximately 40 agencies. The first batch of letters announcing the commencement of a review was sent to the selected non-profit organizations during mid-February 2023, and a second batch was sent in early October 2023. The review of all agencies is expected to be completed by July 31, 2025.

**2023 – 2024 Program**

During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. A table of agencies which meet the criteria for review along with the amount of grant awards can be found on the following page.

## Monitoring Program – Phase I

ACT #	APPROPRIATION	YENDOW NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517125	Doyle's Bookstore	152183	\$ 28,600.00	\$ 26,600.00	\$ 55,000.00
518004	African American Cultural Center	112604	\$ 279,450.00	\$ 313,050.00	\$ 200,000.00
518012	Alleyway Theatre	109340	\$ 8,500.00	\$ 8,500.00	\$ 11,000.00
518016	American Legion Band of	100379	\$ 7,500.00	\$ 7,500.00	\$ 45,000.00
518017	Amherst Symphony Orchestra	100475	\$ 32,500.00	\$ 26,750.00	\$ 28,740.00
518019	Arts Services Initiative of WNY Inc	147159	\$ 26,000.00	\$ 26,000.00	\$ 30,000.00
518028	Ballet Artists Of WNY (Neglia)	100794	\$ 24,000.00	\$ 24,000.00	\$ 20,000.00
518040	Buffalo Arts Studio (Arts Studio of Western New York, Inc)	101544	\$ 38,000.00	\$ 45,500.00	\$ 51,000.00
518044	Buffalo Inner City Ballet Co, Inc	100597	\$ 22,000.00	\$ 27,000.00	\$ 27,000.00
518050	Buffalo Music Hall of Fame	111342	\$ 4,500.00	\$ -	\$ 5,500.00
518051	Buffalo Heritage Carousel	167829	\$ 10,000.00	\$ 30,000.00	\$ 35,000.00
518074	Colored Musicians Club	100377	\$ 5,000.00	\$ -	\$ 12,500.00
518084	El Museo Gallery	109836	\$ 12,585.00	\$ 8,885.00	\$ 11,000.00
518104	Graycliff Conservancy	100107	\$ 50,300.00	\$ 50,100.00	\$ 60,000.00
518115	Hull House Foundation	144478	\$ 15,375.00	\$ 3,375.00	\$ 7,500.00
518119	Jewish Community Center Cultural	111236	\$ 15,500.00	\$ 8,750.00	\$ 15,500.00
518120	Just Buffalo Literacy Center	108577	\$ 78,100.00	\$ 78,100.00	\$ 85,500.00
518152	Locust St Neighborhood Art Classes	109865	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00
518156	Martin House Restoration	104883	\$ 175,500.00	\$ 175,500.00	\$ 190,000.00
518159	Musicians in Art	159815	\$ 48,000.00	\$ 48,000.00	\$ 39,000.00
518166	Polish Arts Club of Buffalo Inc	100132	\$ 7,000.00	\$ 7,000.00	\$ 3,000.00
518167	Preservation Buffalo Niagara	147209	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
518160	Springville Center For The Arts	111308	\$ 10,585.00	\$ 20,585.00	\$ 36,000.00
518164	Squeaky Wheel	101268	\$ 20,900.00	\$ 20,900.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	100551	\$ 22,320.00	\$ 22,320.00	\$ 27,000.00
518176	Ujima Ensemble	101047	\$ 83,000.00	\$ 83,000.00	\$ 92,214.00
518180	Western New York Artists Group	100295	\$ 6,275.00	\$ 6,275.00	\$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	135858	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
518184	Young Audiences of WNY	100818	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	\$ 18,500.00	\$ 18,500.00	\$ 36,500.00
518200	Michigan St African Amer Heritage	125278	\$ 15,000.00	\$ 15,000.00	\$ 32,200.00
518201	General Pulaski Association	100660	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
518204	Brighton Place, Inc	156194	\$ 10,000.00	\$ 16,000.00	\$ 20,000.00
518211	Hispanic Heritage Council of WNY	159905	\$ 12,000.00	\$ 20,000.00	\$ 24,500.00
518218	Black Rock Historical Society (Black Rock River-side Alliance)	170380	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
518233	Centro Culturale Italiano di Buffalo	167500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
518249	Scout Buffalo Irish Feis/Caen Fou Dig	111041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
518296	Nat Positive DBA The Foundry	168006	\$ 5,000.00	\$ -	\$ 5,000.00

## Monitoring Program – Phase II

ACT #	APPROPRIATION	YENDOW NUMBER	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517533	Buffalo Olmsted Parks Conservancy	140231	\$ 25,910.00	\$ 25,910.00	\$ 35,000.00
518008	Albright-Knox Art Gallery	108707	\$ 575,000.00	\$ 575,000.00	\$ 675,000.00
518009	Albright-Knox Public Art Curator	141228	\$ 68,250.00	\$ 68,250.00	\$ -
518025	Assembly House 130, Inc	167747	\$ 1,000.00	\$ 1,000.00	\$ 8,500.00
518034	Buffalo & Erie County Botanical Garden	100743	\$ 103,000.00	\$ 125,000.00	\$ 150,000.00
518036	Buffalo & Erie Co Historical Society	100772	\$ 417,000.00	\$ 667,000.00	\$ 417,000.00
518052	Buffalo & Erie County Naval & Servicemans	100939	\$ 35,000.00	\$ 35,000.00	\$ 50,000.00
518060	Buffalo Philharmonic Oeh Society	101082	\$ 926,000.00	\$ 926,000.00	\$ 940,000.00
518081	Buffalo Philharmonic Chorus	109796	\$ 34,500.00	\$ 34,500.00	\$ 35,000.00
518084	Buffalo Society Natural Sciences	109767	\$ 955,000.00	\$ 955,000.00	\$ 955,000.00
518085	Buffalo String Works, Inc	167519	\$ 1,500.00	\$ 1,500.00	\$ 3,955.00
518088	Burnfield Primary Art Center	101004	\$ 155,000.00	\$ 155,000.00	\$ 140,000.00
518072	Center for Exploratory and Perceptu	109931	\$ 55,000.00	\$ 55,000.00	\$ 63,000.00
518081	Danceability	156838	\$ 2,500.00	\$ 3,500.00	\$ 3,000.00
518095	Explore & More Children's Museum	101758	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00
518108	Halfwalls Contemporary Arts Center	108598	\$ 57,000.00	\$ 57,000.00	\$ 60,000.00
518112	Hamburg Nat Hist Society/Penn-Del	101282	\$ 98,314.00	\$ 98,314.00	\$ 98,314.00
518116	Insh Classical Theatre Company	101727	\$ 85,500.00	\$ 65,500.00	\$ 85,500.00
518125	O'Learyville College Kennedy Theater	109141	\$ 11,750.00	\$ -	\$ 3,500.00
518128	Lancaster Opera House	111681	\$ 43,200.00	\$ 30,300.00	\$ 55,000.00
518140	MusicalFare Theatre	105306	\$ 61,525.00	\$ 61,525.00	\$ 66,000.00
518141	New Phoenix Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -
518148	Road Less Traveled Productions	121043	\$ 63,500.00	\$ 63,500.00	\$ 67,000.00
518152	Roycroft Campus Corporation	118213	\$ 50,000.00	\$ 40,000.00	\$ 50,000.00
518156	Shakespeare In The Park	109475	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
518168	Theatre Of Youth	109808	\$ 89,400.00	\$ 89,400.00	\$ 74,000.00
518173	Town Square Theatre	143871	\$ 20,440.00	\$ 15,440.00	\$ 25,500.00
518184	Zoological Society of Buffalo	106620	\$ 1,300,000.00	\$ 1,500,000.00	\$ 1,700,000.00
518195	Orchard Park Symphony Orchestra	147747	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
518202	Buffalo Opera Unlimited Incorporated	155972	\$ 2,300.00	\$ 2,300.00	\$ 10,000.00
518203	Buffalo-Toronto Public Media WTED/WBFO	172901	\$ 3,750.00	\$ -	\$ 3,000.00
518209	Cheektowaga Comm Symphony Orchestra	109177	\$ -	\$ 7,500.00	\$ -
518209	Newstead Historical Society	105519	\$ 1,500.00	\$ 1,500.00	\$ 3,500.00
518213	O'Connell & Company Productions	159162	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00
518219	Amherst Male Glee Club dba Red Blazer	162041	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	\$ 1,000.00	\$ 3,000.00	\$ 2,500.00
518226	Cheektowaga Historical Association	163121	\$ 3,250.00	\$ 6,250.00	\$ 6,100.00
518229	Second Generation Theatre Company	164857	\$ 2,020.00	\$ 2,020.00	\$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	\$ 2,020.00	\$ 2,020.00	\$ 3,000.00
518203	Alden Christian Theater Society	134358	\$ 10,000.00	\$ -	\$ 3,000.00
518511	Clarence Concert Association	101711	\$ 1,500.00	\$ -	\$ 3,000.00
518535	Town of Chester	113867	\$ 1,500.00	\$ -	\$ 8,000.00

## BEST PRACTICES

Over the course of the Monitoring Program, the Division of Audit found a number of problematic practices and questionable expense categories on a recurring basis. In order to address issues pertaining to a large number of organizations, certain generally applicable best practices and recommendations are included here.

## Alcohol

Several organizations used or appeared to use CGF funds to obtain alcohol. While the Division of Audit does not recommend that CGF awards be made contingent on the absence of alcohol from events hosted by the organization, alcohol should not be purchased with CGF funds. The Division of Audit found dozens of alcohol purchases that appeared to be personal in nature and several more which likely violated NYS Alcoholic Beverage Control Laws. Furthermore, the NYS Comptroller has long held that alcohol is not a "lawful county charge", meaning that government officials and employees may not use taxpayer funds to purchase alcohol. The Division of Audit sees no reason that organizations receiving taxpayer funds should be treated differently.

## Debit Cards

Credit cards, particularly with smaller organizations, can provide a critical layer of expense control. The Division of Audit found a large quantity of small-dollar expenses appearing personal in nature. If a debit card is used, the money is gone by the time statements are typically reviewed, while a credit card bill often needs to be paid and approved by the organization's board of directors.

## Alternate Funding Sources and Segregation of Accounts

Organizations may have several sources of governmental or philanthropic funding. One way to ensure that CGF funds go farthest is to tailor awards to the needs of the organization. Such an assessment would require



applicants to provide certain financial documents covering prior years and a disclosure of current year funding applications. Furthermore, accounts received from Erie County should not be comingled with the other funds of the organization. Having source information upfront and requiring the segregation of accounts substantially decreases the likelihood of wasted CGF funds.

## **BUFFALO ARTS STUDIO INC.**

### **Background**

Buffalo Arts Studio (BAS) is a 501(c)(3) non-profit organization established in 1991 to provide affordable studio space and community exposure for visual artists while creating cultural connections through exhibitions, public art, and educational programs.

BAS received Cultural Grant Funding (CGF) as follows:

- **2020:** \$38,000
- **2021:** \$45,500 (including \$7,500 over the executive recommendation)
- **2022:** \$53,000 (including \$10,000 over the executive recommendation)
- Additionally, in 2022, BAS received a \$10,000 grant from the Office of Children and Family Services (OCFS) for an anti-violence exhibit (excluded from this review).

### **Auditor's Observations**

BAS serves as a vibrant community and cultural center, supporting emerging artists by providing subsidized studio space and opportunities for public exposure. Focused on the visual arts, BAS fulfills its mission through two key programs: the Artists' Studio Program and the Jump Start education initiative. The Studio Program offers artists a dedicated space to create, along with a platform to showcase their work, while also providing essential support services such as advertising, travel assistance, and exhibition funding. Meanwhile, the Jump Start program nurtures high school students with exceptional artistic talent by offering professional instruction, portfolio development, exhibition opportunities, mentorship, high-quality art supplies, and career-focused workshops.

During the years under review, grants, contributions, and donations represented the largest source of revenue for BAS, accounting for more than half of its total income. Additionally, approximately 30% of operating revenue was generated through programming-related activities, including tuition fees, studio fees, and gift shop sales. To supplement its income, BAS also relies on its annual art auction fundraiser, Live on Five, which features both virtual and live auctions and concludes with a large art pick-up event. The organization confirmed to the Auditor that the auctions focus on small artwork and do not involve games of chance.

The Covid-19 pandemic significantly impacted BAS operations, requiring a temporary shutdown and resulting in decreased program participation due to occupancy restrictions. However, studio space utilization increased as more artists took advantage of the time to focus on their work. Throughout this period, BAS successfully maintained its administrative functions both on-site and remotely.

### **Auditor's Conclusions**

During the grant monitoring review, BAS successfully provided the Auditor with sufficient documentation to substantiate its use of the CGF award for each year under review. The organization confirmed that the County's CGF funding was allocated toward occupancy expenses and salaries & wages. To verify these expenses, BAS submitted payroll records, lease agreements, invoices, check records, and electronic financial documentation.

The review found that BAS's operating expenses for occupancy and salaries exceeded the CGF funds awarded each year, ensuring that all allocated funding was fully utilized by the end of each fiscal year.

BAS currently has a Board of Directors consisting of 14 members. Officers may serve up to two consecutive three-year terms, after which they must step down for at least one year before being eligible to return. The Board of Directors plays an integral role in the organization's internal controls, overseeing expenses, approving large purchases, reviewing programming implementation, and ensuring compliance with financial reporting. Additionally, the Board reviews and approves IRS Form 990 before filing, and all members are required to complete conflict-of-interest disclosures, which are reviewed by the Chair.

At the conclusion of the grant review, the Auditor determined that BAS was fully compliant with all filing requirements, including IRS Form 990, New York State Form CHAR500, and all necessary information return documents.