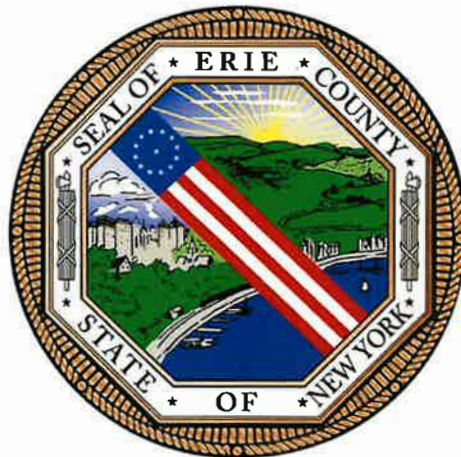


June 2025

**Erie County Cultural Funding Grant
Monitoring Program
Young Audiences of Western New York
January 1, 2020 through December 31, 2022**



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

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



June 9, 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, with a second batch scheduled to be sent in early October 2023. The review of all agencies is expected to be completed by July 31, 2025.

2023 Program

During the interview phase, the Auditor identifies use of funding to narrow down the expenses to be verified. If an organization fails to respond to the Auditor's request for records, they will be deemed non-responsive. If an organization refuses to provide some or all requested documentation, it will be deemed non-compliant. Either designation will be reported to the Department of Environment and Planning. 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	VENDOR	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
	Enlightenment Literary Arts Center &				
51725	Dog Ears Bookstore	152151	\$ 28,600.00	\$ 38,000.00	\$ 55,000.00
518004	African American Cultural Center	112642	\$ 275,450.00	\$ 321,950.00	\$ 300,000.00
518013	Artway 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 Synagogue Orchestra	100471	\$ 32,500.00	\$ 26,750.00	\$ 28,740.00
518018	Arts Services Initiative of WNY Inc.	147159	\$ 26,050.00	\$ 26,050.00	\$ 30,000.00
518071	Ballet Artists Of WNY Inc.	100794	\$ 24,000.00	\$ 24,000.00	\$ 30,000.00
	Buffalo Arts Studio (Arts Studio of				
518040	Western New York, Inc.)	101244	\$ 38,000.00	\$ 45,500.00	\$ 53,000.00
518044	Buffalo Inner City Ballet Co. Inc.	108597	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
518050	Buffalo Music Hart of Fame	113142	\$ 4,500.00	\$ -	\$ 5,500.00
518051	Buffalo Heritage Carousel	167829	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00
518074	Colored Musicians Club	130377	\$ 5,000.00	\$ -	\$ 12,500.00
518084	El Museo Gallery	105836	\$ 12,585.00	\$ 8,583.00	\$ 11,000.00
518101	Graycliff Conservancy	103197	\$ 59,200.00	\$ 19,200.00	\$ 60,000.00
518113	Hull House Foundation	143473	\$ 15,375.00	\$ 1,375.00	\$ 7,500.00
	Jewish Community Center Cultural				
518119	(Jewish Ctr of Greater Buff)	112139	\$ 13,500.00	\$ 8,750.00	\$ 13,500.00
518120	Just Buffalo Literary Center	106377	\$ 78,100.00	\$ 78,100.00	\$ 83,500.00
518137	Locust St Neighborhood Art Classes	109985	\$ 29,250.00	\$ 25,250.00	\$ 28,500.00
518138	Martin House Restoration	104061	\$ 175,000.00	\$ 175,000.00	\$ 190,000.00
518139	Music is Art	139815	\$ 48,000.00	\$ 48,000.00	\$ 19,000.00
518146	Polish Arts Club Of Buffalo Inc	106132	\$ 7,000.00	\$ 7,000.00	\$ 1,000.00
518147	Preservation Buffalo Niagara	147529	\$ 4,615.00	\$ 4,615.00	\$ 6,000.00
518160	Springville Center For The Arts	113308	\$ 30,025.00	\$ 20,505.00	\$ 36,000.00
518164	Squeaky Wheel	102586	\$ 20,820.00	\$ 20,820.00	\$ 27,000.00
518172	Theodore Roosevelt Inaugural Site	126532	\$ 32,320.00	\$ 32,320.00	\$ 37,000.00
518176	Ujima Company	101047	\$ 81,000.00	\$ 83,000.00	\$ 57,716.00
518181	Western New York Artists Group	108259	\$ 6,275.00	\$ 6,275.00	\$ 7,500.00
518181	WNY Book Arts Collaborative, Inc	133959	\$ 4,640.00	\$ 4,640.00	\$ 6,000.00
518181	Young Audiences Of WNY	109811	\$ 10,500.00	\$ 10,500.00	\$ 14,000.00
518196	Buffalo Niagara Heritage Village	151996	\$ 18,500.00	\$ 18,500.00	\$ 24,500.00
518200	Michigan St African Amer Heritage	152371	\$ 15,000.00	\$ 15,000.00	\$ 32,500.00
518201	General Pulaski Association	101060	\$ 10,000.00	\$ 11,000.00	\$ 12,500.00
518202	Ingraham Place Inc	156194	\$ 10,000.00	\$ 18,000.00	\$ 20,000.00
518211	Hispanic Heritage Council of WNY	139395	\$ 12,000.00	\$ 20,000.00	\$ 24,500.00
	Black Rock Historical Society (Black				
518215	Rock Riverside Alliance)	170369	\$ 22,500.00	\$ 7,500.00	\$ 10,000.00
518223	Centro Culturale Italiano di Buffalo	167500	\$ 25,000.00	\$ 20,000.00	\$ 15,000.00
518340	South Buffalo Irish Fest Can You Dig	113041	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
518596	Net Positive DBA The Foundry	168005	\$ 5,000.00	\$ -	\$ 5,000.00

Monitoring Program – Phase II

ACT #	APPROPRIATION	VENDOR	TAX YEAR 2020	TAX YEAR 2021	TAX YEAR 2022
517331	Buffalo Olmsted Parks Conservancy	140231	\$ 25,910.00	\$ 29,110.00	\$ 31,000.00
518008	Albright-Knox Art Gallery	103707	\$ 375,000.00	\$ 375,000.00	\$ 475,000.00
518009	Albright-Knox Public Art Curator	147228	\$ 68,250.00	\$ 68,250.00	\$ -
518025	Assembly House 150, Inc.	187747	\$ 1,000.00	\$ 1,000.00	\$ 8,000.00
518034	Buffalo & Erie County Schenck's Garden	108749	\$ 107,000.00	\$ 123,000.00	\$ 130,000.00
518036	Buffalo & Erie Co Historical Society	188772	\$ 417,000.00	\$ 467,000.00	\$ 477,000.00
	Buffalo & Erie County Naval & Seafarers				
518052	Park	109119	\$ 35,000.00	\$ 35,000.00	\$ 50,000.00
518060	Buffalo Philharmonic Oth Society	101032	\$ 126,000.00	\$ 126,000.00	\$ 140,000.00
518061	Buffalo Philharmonic Chorus	109199	\$ 38,500.00	\$ 38,500.00	\$ 55,000.00
518064	Buffalo Society Natural Sciences	109767	\$ 955,000.00	\$ 955,000.00	\$ 955,000.00
518065	Buffalo Silver Works, Inc.	157813	\$ 3,500.00	\$ 3,500.00	\$ 3,555.00
518068	Burchfield Penney Art Center	101084	\$ 155,000.00	\$ 155,000.00	\$ 160,000.00
518072	Center for Entrepreneurship and Concepts	109934	\$ 35,000.00	\$ 35,000.00	\$ 63,000.00
518082	Danceability	156639	\$ 2,500.00	\$ 5,500.00	\$ 1,000.00
518095	Explore & More Children's Museum	102756	\$ 42,000.00	\$ 42,000.00	\$ 78,000.00
518108	Hallewells Contemporary Arts Center	108598	\$ 57,000.00	\$ 57,000.00	\$ 60,000.00
518112	Heritage Bar Mus Socy/Penn State	103281	\$ 76,314.00	\$ 96,314.00	\$ 98,114.00
518116	Irish Classical Theatre Company	103727	\$ 83,500.00	\$ 83,500.00	\$ 83,500.00
518124	O'Connell College Community Theater	109541	\$ 11,750.00	\$ -	\$ 9,900.00
518128	Lancaster Opera House	111841	\$ 45,500.00	\$ 30,300.00	\$ 80,000.00
518140	Muscellaire Theatre	105304	\$ 61,525.00	\$ 61,525.00	\$ 84,000.00
518141	New Phoenix Theatre	109342	\$ 7,500.00	\$ 7,500.00	\$ -
518148	Real Less Travelers Productions	121043	\$ 63,500.00	\$ 63,500.00	\$ 67,500.00
518152	Reynolds Campus Cooperation	118713	\$ 30,000.00	\$ 40,000.00	\$ 40,000.00
518155	Shakespeare in The Park	109673	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00
518168	Theatre Of Youth	109888	\$ 88,400.00	\$ 88,400.00	\$ 74,000.00
518173	Tom Space Theatre	148173	\$ 25,440.00	\$ 25,440.00	\$ 25,500.00
518188	Zoological Society Of Buffalo	106421	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,200,000.00
518191	Orchard Park Symphony Orchestra	147741	\$ 4,815.00	\$ 4,815.00	\$ 4,800.00
518202	Buffalo Opera Unit/United Incorporated	109878	\$ 2,800.00	\$ 2,800.00	\$ 10,000.00
518217	Buffalo-Toronto Public Media Partnership	172028	\$ 1,750.00	\$ -	\$ 1,000.00
518205	Chesterwong Gammon Symphony Orchestra	100177	\$ -	\$ 7,500.00	\$ -
518217	Newstead Historical Society	105118	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
518219	O'Connell & Company Productions	109162	\$ 23,100.00	\$ 23,100.00	\$ 31,500.00
	Amherst Main Clee Club aka Red Blazer				
518219	Amherst Chorus	162045	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00
518221	Buffalo Center for Arts and Technology	152207	\$ 3,000.00	\$ 3,000.00	\$ 7,500.00
518226	Chesterwong Historical Association	181121	\$ 1,250.00	\$ 6,250.00	\$ 5,100.00
518228	Second Generation Theatre Company	166952	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00
518230	Steel Plant Museum of Western New York	147740	\$ 2,020.00	\$ 2,020.00	\$ 5,000.00
518239	Alden Christian Theater Society	114358	\$ 10,000.00	\$ -	\$ 1,000.00
518241	Clarence Concert Association	101711	\$ 3,500.00	\$ -	\$ 5,000.00
	Clarence Museum Historical Soc. of the				
518243	Town of Clarence)	113067	\$ 5,500.00	\$ -	\$ 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.

Young Audiences of Western New York (YAWNY)
Also known as Arts for Learning WNY

Background

Young Audiences of Western New York, Inc. (YAWNY), also known as Arts for Learning WNY, is a 501(c)(3) nonprofit organization formally established in 1966. Its mission is to “inspire, expand learning, and strengthen the community through engagement with the arts.”

YAWNY operates a variety of long-term residency programs featuring professional artists across a wide range of artistic disciplines, serving eight counties throughout Western New York.

The organization received \$10,500 in Cultural Grant Funding (CGF) for the years 2020 and 2021 and was awarded \$14,000 in 2022.

Auditor’s Observations

Young Audiences of Western New York (YAWNY), doing business as Arts for Learning WNY, is an arts education organization dedicated to finding innovative and inclusive ways to integrate the arts into learning. Over nearly six decades, YAWNY has developed and delivered educational programs in music, multimedia, theater, dance, visual arts, literary arts, and other disciplines, reaching over 3 million individuals. The organization envisions “a world where the arts empower the community and transform young lives,” and employs a variety of educational programs to inspire and connect with young, aspiring artists while supporting their continued development.

YAWNY’s cornerstone programs include:

- Master Teaching Artist (MTA) Fellowship: An advanced professional development program for individuals already engaged in teaching art.
- Young Generations Program: A partnership with the Erie County Department of Probation, this afterschool program for high school students uses arts-based activities grounded in restorative justice principles.
- Arts Partners for Learning (APL): A broad initiative involving nearly two dozen community partners to create arts-centered afterschool programming for schools across Western New York.

In 2022, YAWNY officially adopted the assumed name “Arts for Learning” to broaden its reach and increase awareness. The new name reflects a more inclusive identity and supports efforts to engage a wider audience.

During the review period, the organization’s primary sources of revenue were grants, contributions, and donations, which accounted for roughly two-thirds of total income. Programming activities made up the second largest source, contributing approximately one-third of total revenue. Due to COVID-19-related restrictions, YAWNY did not conduct significant fundraising events and reported net losses from fundraising activities in each year under review.

The COVID-19 pandemic significantly impacted YAWNY’s operations. The organization was required to shut down in-person programming for a period and subsequently laid off a portion of its staff. However,

administrative functions continued remotely, and YAWNY pivoted to web-based learning through pre-recorded and live-streamed workshops. The organization received pandemic-related financial assistance, which helped offset programming-related losses.

Primary operating expenses included salaries, wages, artist fees, and direct program costs. Secondary expenses included accounting fees, insurance, supplies, and occupancy costs. The Cultural Grant Funding (CGF) received during the review years was allocated primarily to rent, salaries, and program supplies.

Auditor's Conclusion

During the grant monitoring review, YAWNY provided sufficient documentation to substantiate its use of the CGF awards for each year under review. Supporting materials included IRS Form 990s, payroll records, financial statements, and electronic financial data. For all years reviewed, the organization fully utilized its grant funding, with expenses incurred exceeding the CGF award amounts.

However, the Auditor identified a series of food and beverage expenses categorized under office expenses for which no clear business purpose was established. According to §162 of the Internal Revenue Code, deductible business expenses must be "ordinary and necessary" in the course of business. While such expenditures may improve employee morale or support internal meetings, they may not qualify as deductible under IRS standards.

YAWNY's Board of Directors consists of 13 members. Officers are limited to two consecutive three-year terms, after which they must step down for at least one year before being eligible to return. The Board plays a central role in the organization's internal controls, including reviewing and approving IRS Form 990 filings, participating in the hiring of key personnel such as the Executive Director, and determining annual compensation for executive staff. While YAWNY indicated it benchmarks executive compensation against three comparable organizations, the Auditor noted that annual increases exceeded 10%, which is above the national average of 3%–5%. Nonetheless, a review of Board meeting minutes indicated sufficient Board oversight and engagement, supporting the presence of adequate internal controls.

As part of the CGF compliance review, the Auditor also examined the organization's adherence to federal and state filing requirements. While YAWNY reported that all required information return documents (e.g., IRS Forms 1099-NEC and 1099-MISC) were filed, it could not provide copies. The Auditor reviewed the organization's records and identified payments exceeding \$600 to individuals qualifying as independent contractors for whom no corresponding 1099 forms were filed or retained. According to IRC §6041 and §6071, such payments require the issuance of accurate returns filed with the IRS by January 31 of the following year.

At the conclusion of the review, the Auditor confirmed that YAWNY is currently in compliance with the filing of all required federal IRS Form 990s, New York State Form CHAR500s, and payroll tax returns.