

The Western New York Southtowns Scenic Byway

Volume Two: Corridor Management Plan



Section XI. Stewardship, Financial Resources, and Implementation Plan

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A. Introduction

This section outlines the Stewardship Plan, the Financial Plan, and the Implementation Plan. Obtaining the funding and other resources necessary for the byway programs outlined in the previous sections is key to the long-term success of the Southtowns Scenic Byway. Outlined below are methods for establishing the organizational and financial structure to develop, promote, and manage the byways.

B. Stewardship Plan

The Corridor Management Plan identifies measures that can be taken to protect and enhance the byway's resources. This section specifically outlines the responsibilities of the individuals and organizations who will contribute to the long term enhancement, conservation and promotion of the byway.

Organizational and Management Structure

It is important in planning for the development of the Western New York Southtowns Scenic Byway scenic byway to determine what type of institution will be responsible for fulfilling the mission and obligations of the byway. Determining the institutional structure up front is critical because it is a key factor in targeting the funding base for byway development and operation.

Several organizational scenarios were considered, including:

- A new not-for-profit 501(c)(3) organization devoted to the byway mission;
- The byway mission would become one of the programs of an existing regional not-for-profit or public benefit entity;
- The byway mission as a direct and shared responsibility of the byway municipalities through the signing of an Inter-municipal Agreement.

It is important to establish and maintain a clearly outlined management structure that fulfills the organization's responsibilities to its supporters. The structure should sustain the ongoing participation of the byway community in a way that facilitates public involvement and coordination among groups. The individual needs of the proposed Western New York Southtowns Scenic Byway were also evaluated and considered. It should also take into consideration the need for checks and balances, self-evaluation, and updating the organization's mission as new issues and opportunities arise.

Western New York Southtowns Scenic Byway, Inc.

Most New York State Scenic Byways are led by a single-mission, not-for-profit organization with a Board of Directors and a small staff. This is also the organizational structure that Western New York Southtowns Scenic Byway organizers believe best serves the needs of the byway mission.

WNY Southtowns Scenic Byway Nomination Study

Grassroots public support is a cornerstone of a successful byway program. As such, it is recommended that the *Western New York Southtowns Scenic Byway, Inc. (WNYSSB, Inc.)* be established as a 501(c)(3) membership organization. As such, the Board of Directors will be elected annually by constituents of the byway association. The roles and responsibilities of the Board of Directors serve to establish and support the vision of the byway. Selected key responsibilities of the Board in the early years of operation and beyond include:

- Establish the Byway Mission. The goals of the byway will be clearly articulated by a mission statement that is agreed upon by the Board of Directors. It should layout the organization's primary goals and means of serving its constituents.
- Develop a Working Board. At the onset, at a minimum, the group will be a working Board, and as such, will assist in the planning and implementation process.
- Ensure Adequate Resources. The Board will develop adequate financial and human resources for the organization to fulfill its mission.
- Manage Resources Efficiently. The Board will ensure the proper fiscal stewardship and will approve an annual budget for the organization.
- Develop Programs. The Board will establish programs and monitor their effectiveness.
- Build the Organization's Public Image. The Board will serve as the organization's primary link to the byway community by clearly communicating the byway's mission and accomplishments in order to gain public support.
- Establish Working Subcommittees. Much of the work of the group will be accomplished by subcommittees focused on achieving specific goals of the byway. These committees will be headed by members of the Board and composed of staff and volunteers. Recommended committees include:
 - Special Events Committee
 - Fundraising Committee
 - Marketing and Tourism Committee
 - Community Outreach Committee
 - Resource Interpretation Committee
- Hire an Executive Director. Appointed by the Board of Directors and responsible for carrying out the organization's strategic plans and policies, the executive director will be the chief organizer for the implementation of the byway's mission and a strong advocate and fundraiser. It is anticipated that the Executive Director function will be phased in as funds permit.
- Staff as Funds Permit. Additional staffing is highly dependent on the organization's financial state. Therefore, employees of the byway may often be hired on an "as needed" basis, or when funding allows. This makes the use of voluntary strategies extremely important to implementing and maintaining the byway (as described in the public participation plan). Also, appointed Board and Committee Members should have qualities and abilities that are pursuant to the byway mission; therefore alleviating the need for hired staff. Skills that would be sought in the director and staff include tourism development, marketing and promotion, fundraising, urban planning, database management, web site development, and accounting.

Outside Support

The Byway will be greatly improved with financial assistance and personal support from local municipalities, businesses and individuals. This support will be made possible through the two vehicles described below.

Inter-Municipal Agreement

An important strategy for implementing the Western New York Southtowns Scenic Byway, Inc. Corridor Plan is creating an inter-municipal agreement between the affiliated towns and villages. A Memorandum of Understanding (MOU) will set the foundation for coordinating individual actions among municipalities in order to ensure that they correspond with the overall byway vision. Once a MOU is adopted by all parties, they should then establish a coalition composed of one chief representative from each municipality. The coalition will serve as an interface between the Western New York Southtowns Scenic Byway, Inc. not-for-profit organization and town/village officials. They will also work closely with the organization to help administer the planning process and provide the necessary financial resources. In this way, the political boundaries that transect the byway will all share a common mission, thereby working towards a mutually beneficial outcome that contributes greatly to the local economy and enhances the corridor's quality of life.

Friends of the Byway

The "Friends of the Byway" should be developed as an organized group of citizens and related agencies that donate time and resources to the byway's implementation. Their voluntary dedication will be vital to the success of Western New York Southtowns Scenic Byway, Inc. This group will consist mostly of proud residents and beneficiaries of the byway's positive effects on the local economy and quality of life. It may also consist of other regional organizations that are associated with the mission of the byway. The Friends of the Byway will elect officers who will work to organize the group in fundraising, preservation and promotional activities. Building public support for the Byway by promoting the vision and publicizing associated incentives should be at the core of the mission of the Friends of the Byway.

C. Financial Plan

Figure X-1 on the following page outlines the projected growth of the Western New York Southtowns Scenic Byway, Inc. over the first five years of the corporation. The preliminary pro forma outlines expected increases in philanthropic support of the byway as well as both one-time and recurring expenses.

Projected Sources of Income

Potential sources of funding have been grouped into five categories, which are explained in depth on the following pages; government, corporate, foundation, individual and in-kind. The model does not anticipate any sources of direct revenues from services or fees, as the Corridor Management Plan does not call for service delivery of this nature.

WNY Southtowns Scenic Byway Nomination Study

Figure 7: Five Year Pro Forma					
Western New York Southtowns Scenic Byway, Inc.					
	Year 1	Year 2	Year 3	Year 4	Year 5
ANTICIPATED INCOME					
Interest from endowment	\$0	\$0	\$0	\$0	\$0
Government grants and contracts					
Local municipal	16,000	16,000	16,000	16,000	16,000
County	5,000	5,000	5,000	5,000	5,000
State	0	0	0	0	10,000
Federal	0	0	0	0	0
Corporate grants	10,000	12,500	14,581	15,451	23,375
Foundation grants	5,000	5,500	6,050	6,655	7,321
Individual donations	6,900	12,651	15,000	15,000	17,500
Fee for service	0	0	0	0	0
In kind contributions	10,000	7,500	7,000	6,000	6,000
TOTAL INCOME	\$52,900	\$59,151	\$63,631	\$64,106	\$85,196
ANTICIPATED EXPENDITURES					
<i>Salary and benefits</i>					
Executive director	0	0	25,000	25,000	45,000
Development director	0	0	0	0	0
Administrative support(1)	15,600	16,068	9,360	9,641	9,930
<i>Operating</i>					
Facilities rental and utilities	0	9,600	9,600	9,600	9,600
Equipment rental	1,000	1,000	2,000	2,000	2,000
Materials and supplies(2)	20,000	15,000	5,000	5,000	5,000
Telephone, internet, and fax	3,600	3,708	3,819	3,934	4,052
Postage and deliveries	4,000	5,000	5,000	5,000	5,000
Printing and copying	2,500	2,575	2,652	2,732	2,814
Travel	700	700	1,200	1,200	1,800
Consultant labor fees	5,000	5,000	0	0	0
Consultant direct expenses	500	500	0	0	0
TOTAL EXPENDITURES	\$52,900	\$59,151	\$63,631	\$64,106	\$85,196
1 OPERATING INCOME or (LOSS)	\$0	\$0	(\$0)	(\$0)	(\$0)
Notes:					
(1) Executive director as part-time staff for first 2 years.					
(2) Includes signage.					

This Five Year Pro Forma projects considerable growth in support from local businesses and individuals. This model assumes no start-up debt from loans, allowing for the organization to grow naturally with increasing financial support.

XI. Stewardship, Financial Resources, and Implementation

Government grants and contracts will be the staple of the WNY Southtowns Scenic Byway, providing consistent funding for at least the first five years. It is anticipated the Erie County will provide \$5,000 annually to the Byway, and the strong support shown by southtowns Legislator John J. Mills will continue to be critical to the mission of the byway. It is further anticipated that the individual municipal governments within the WNY Southtowns Scenic Byway area will combine their budgetary resources to provide annual funding of \$16,000. The **inter-municipal agreement** mentioned earlier in this section will provide the details of the contributions of each municipality.

Corporate grants represent funding that has been collected from various commercial interests in the Byways corridor. Tourist attractions and related businesses such as restaurants and boutiques will reap the greatest direct benefit from increased travel within the Byway. For this reason, it is expected that funding will grow by nearly 25% annually as the popularity of the byway grows. Corporate contributions are expected to be \$10,000 for the first year, increasing to over \$23,000 by the fifth year of business.

Foundation grants will be sought from such regional sources as the Oishei Foundation, and will likely amount to 5,000 for the first year. Grant requests are projected to show modest (10%) annual growth in line with the programmatic needs of the Byway.

Individual donations will mainly be a product of the **Friends of the Byway**, and growth in these donations is expected to nearly double in the first two years of operation, as the Friends develops appropriate fundraising drives and benefit functions for the Byway.

In-kind support will come from [???

Anticipated Expenses

As was mentioned earlier in this section, there are both one-time and recurring expenses which will accompany the development and stewardship of the Western New York Southtowns Scenic Byway. As the recognition and popularity of the Byway grows, fiscal needs will shift somewhat, from one-time expenses to recurring programmatic expenses.

The **one time expenses**, appearing under year one and two of the pro forma, are certainly the most critical to achieving the mission of the Byway during startup. These expenses include \$35,000 over two years on materials and supplies—the vast majority of which will be spent on design, production, and placement of signage identifying the Byway and selected destinations from the Resource Inventory. Baseline funding for materials and supplies after year two will be used towards maintenance and expansion of signage, as well as basic office supplies related to running the Byway.

Consultant fees and expenses, estimated at \$5,500 per year for the first to years, are expected to be necessary to provide professional assistance and advisement related to the initial development of the byway, its organizational structure, and corridor management.

Recurring expenses will consist of staff salary and benefits, office expenses, and promotional material. The Byway executive director will initially be a part-time position due to the significant startup expenses related to signage. After the first year, the director will move into office space which will preferably also serve as a storefront. Starting in year three, a part-time administrative assistant will be hired, and in year five, the executive director position will become full-time. By the fifth year of business, staff and office rental expenses should level out at a combined \$64,500.

Development, production, and distribution of promotional materials for the byway will account for most of the expenses under the headings 'postage and deliveries' and 'printing and copying'. These expenses may see minor increases related to the cost of materials, but there will be no significant changes to this aspect of the business unless the scope of the byway narrows or widens.

D. Strategies for Implementation

The successful implementation of the Western New York Southtowns Scenic Byway, Inc. relies heavily on adopting strategies that will facilitate the byway mission. These strategies will promote community involvement in maintaining and assessing the byway, as well as promote coordination among regional agencies and municipalities that adhere to the byway mission.

Municipal Resolutions

As of July 2007, the byway municipalities of the Villages of East Aurora and Springville, and the Towns of Aurora, Boston, Colden, and Orchard Park have adopted resolutions in support of the Byway designation. In addition, Southtowns legislator John J. Mills submitted a resolution supporting Byway designation to the Erie County Legislature, which recently passed unanimously.

These municipal resolutions are a critical component of the NYS Scenic Byway Nomination process, and the resolutions must indicate the municipalities' willingness to participate and confirm that they will not issue building permits or permission to erect new off-premises advertising signs along the byway. Resolutions in support of designation are anticipated shortly from the Town of Concord and the Village of Orchard Park. When resolutions have been adopted for the five towns and three villages of within the Byway Corridor, the nomination process can move forward with assurance that the program adheres to the goals and objectives of each community.

Founding the Corporation

As mentioned earlier in this section, it is recommended that Western New York Southtowns Scenic Byways incorporate in the form of a 501(c)(3) not-for-profit. Although attaining non-profit status through the IRS is considered by some to be a daunting task, it is the standard practice of other Byways in New York State. Fortunately, this Nomination Study has covered many of the topics that will arise, and it should be used as a reference during this

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Creating a §501(c)(3) Not-for-Profit Corporation

A not-for-profit corporation refers to any association that is operated solely for the purpose of social welfare, civic improvement, recreation, preservation, environmental protection or any other purpose except for profit. The Western New York Southtowns Scenic Byway, Inc. should be operated in such a way, due to its philanthropic mission. There are a number of steps that need to be taken in order to achieve not-for-profit corporation status. It is highly recommended that legal advisement be considered during this process.

1. The organization must identify and define the purpose of the future corporation according to Section 201 of the NYS not-for-profit law. The Western New York Southtowns Scenic Byway, Inc. would fall under a Type B purpose for its charitable, educational, scientific and cultural attributes.
2. The organization must establish the initial directors who will be responsible for signing the Certificate of Incorporation. NYS requires a minimum of three.
3. A name must be decided upon, pursuant to the guidelines described in Section 301 of NYS not-for-profit law.
4. The Western New York Southtowns Scenic Byway, Inc. organization must receive consent or approval from the NYS Department of Education for its historical and educational theme.
5. The organization must complete and file the Certificate of Incorporation with the NYS Department of State, Division of Corporations, in accordance with Section 402.
6. Upon corporate existence the initial directors must conduct a meeting at which by-laws are adopted and the Board of Directors is appointed, pursuant to Section 405.
7. Pursuant to Section 603, the Board of Directors must hold at least one annual meeting to reaffirm the by-laws and board members.

The shaded box above lists, in order, the seven steps towards securing not-for-profit status. When the case is being made to the Department of Education, as listed in step four, the Byway Corporation should draw from the Historical Inventory compiled in section II.

In choosing a Board of Directors for the Byway, several considerations should be made. It is important that the board consists of a balanced distribution of members that reflects the geography of the Byway. The board should contain directors picked from senior positions within the parks, businesses and cultural agencies which are at the heart of the Southtowns Scenic Byway. Lastly, it is important to select board members who bring unique expertise or passion to the table with respect to some aspect of the byway; these individuals will be critical, especially during the early years, as they will provide much needed assistance to the single part-time staff member that the budget affords.

The chart on the following page recommends both individuals and organizations which should be approached and offered a place on the Board of Directors. Suggestions are divided vertically by municipality and horizontally by expertise or relevance. Given the possibility that some of these individuals and organizations may decline the offer, this list should be considered merely a base from which to expand.

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Figure 8: Potential Board Members

	Historic	Recreational	Environmental and Agricultural
Towns:			
Aurora	Robert Goller, <i>Town Historian</i>	<i>Knox Park State Park</i>	Arden Organic Farm
Boston	Pat LaMonte		
Colden		<i>Kissing Bridge</i>	
Concord			Wendel's Farm, Waterman's Nursery
Orchard Park	Susan Kulp, <i>Town Historian</i>	<i>Buffalo Bills</i>	Richard Leonard
Villages:			
East Aurora	Robert Goller, <i>Town Historian</i>		
Orchard Park		<i>Orchard Park Country Club</i>	
Springville			<i>Gertner's Auction</i>
Regional	<i>Landmark Society of WNY</i>	<i>Erie County Parks</i>	<i>Erie County DEP USDA/NRCS</i>

	Economic Development	Arts and Cultural	Technical
Towns:			
Aurora	Gary Grote, <i>Greater Aurora Chamber of Commerce</i>		Steve Ranalli, Civil Engineer
Boston			
Colden	<i>Restaurateur (Colden Mill, Butterwood, or Dog Bar)</i>	<i>Colden Arts and Crafts Festival</i>	
Concord			
Orchard Park	Ed Starosielic, <i>Orchard Park Econ. Develt. Committee</i>	<i>Southtowns Arts Council</i>	Scott Krolll, Attorney
Villages:			
East Aurora	Gary Grote, <i>Greater Aurora Chamber of Commerce</i>	Christine Peters, <i>Roycroft Campus Corp.</i> Martha Augat, <i>Roycroft Inn</i>	
Orchard Park	Nancy Conley, <i>Orchard Park Chamber of Comm.</i>	<i>Bicycling Museum</i>	
Springville			
Regional	Ed Healy, <i>Buffalo-Niagara CVB Buffalo-Niagara Partnership</i>		

Prospective board members for the WNY Southtowns Scenic Byway, Inc. Board of Directors.