

FIFTH DAY
GENESEE COUNTY LEGISLATURE
Friday, March 14, 2014
Batavia, New York

The Genesee County Legislature met in Regular Session on Friday, March 14, 2014 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia. Prayer was offered by Legislator Torrey, followed by the Pledge to the Flag.

Legislator Lawrence presented a Proclamation to the Genesee Orleans Arts Council for Arts Awareness Month. Mr. Robert Knipe President of the GO-Art Board of Directors was present to accept this Proclamation. Mr. Knipe commented that there is a lot going on in the local arts community right now and that this is good for the county's wealth and good for the county's health. He is very appreciative on behalf of the Board of Directors for GO-Art.

The February 26, 2014 minutes were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey.

Legislator Stein reported that the Cornell Cooperative Extension Board has accepted with regrets the resignation of Eve Hens from their Board. Mr. Tom Dambra of LeRoy will be joining this Board in her place. Mrs. Stein also reported that through the Blue Ribbon Panel on Agriculture through NYSAC, Governor Cuomo has announced the first Inter-Agency Task Force on Agriculture. The purpose of this task force is to remove barriers within state government and promote the growth of New York's Agriculture Industry. Genesee County does not have someone on this Board directly but there is a representative from Orleans County that will keep us updated.

Legislator Bausch attended the CJAC meeting. He reported the issue of handling mentally challenged inmates and how this creates a problem within the system. Unfortunately this is an increasing population. Mr. Bausch also reported that a neighboring county recently had their variance withdrawn for jail cells. Genesee County has a variance for 10 additional cells which will be coming due late spring so if those 10 cells are pulled that will mean that male inmates will then have to be housed out to other facilities which currently this county does not have to do.

Legislator Ferrando reported that he attended the OFA meeting. All the things they do for our Senior Citizens is phenomenal but on top of that the income tax support they provide keeps them very busy and is fantastic. Mr. Ferrando also attended the GCC Board Meeting and one of the Capital Projects they are involved they are in the hunt for that and one of the main reasons is because of the support by the County. Not every community in the state has this kind of support and having that support is really making a difference.

Legislator Clattenburg attended the Planning Board meeting and it was announced at that meeting there will be a Marshall's Department store going next to the new Kohl's store that will be coming soon.

Chair Cianfrini commented that he wanted to thank Undersheriff Sheron, EMS Director Yaeger, Highway Superintendent Hens and County Manager Gsell who coordinated on Wednesday on keeping the Legislature updated on the weather conditions, and he feels it was a very informed decision to let county employees leave early due to the weather conditions.

The Clerk proceeded with the resolutions as follows:

RESOLUTION NO. 78 2014-2015 RULES FOR GENESEE COUNTY -
LEGISLATURE-ADOPTION OF

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Legislature did review the Rules for the Legislature and the Committee on Ways & Means does recommend adoption. Now, therefore, Be it **RESOLVED**, That the Rules for the Legislature be and hereby are approved as the Rules which will govern the Genesee County Legislature for its operation for the term 2014-2015. Legislator Ferrando seconded the resolution which was adopted by 298 votes, Legislator DeJaneiro (28) no.

Prior to roll call on the above resolution Legislator DeJaneiro stated his concerns with changing the time of the Legislature meeting from 7:00 PM to 5:30 PM is for those that are working out of town. He feels they will not be able to make it to a 5:30 meeting to speak. He also feels that maybe in the future the County could televise these meetings so that people can understand what we are doing and why.

**RESOLUTION NO. 79 SALARY SCHEDULE AMENDMENT/ BUDGET
TRANSFER -HISTORY DEPARTMENT – APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, an Inventory Clerk in the History Department did request a classification review of her position, and

WHEREAS, A reclassification review was conducted by the Genesee County Human Resources Director, resulting in a recommendation by the Human Resources Director that an Inventory Clerk position be reclassified to a Records Management Clerk position, and

WHEREAS, The Committees on Human Services and Ways and Means did review this recommendation and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Genesee County Employees’ Salary Schedule by creating one position of Records Management Clerk CSEA Grade 6; and deleting one position of Inventory Clerk CSEA Grade 4 effective March 24, 2014, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfers in the 2014 County Budget:

\$1,179	from A7510. 4700.0000 Specialized Supplies
\$921	to A7510. 1010.0000 Personnel Services
\$57	to A7510. 8010.0000 Social Security Tax
\$14	to A7510. 8011.0000 Medicare Tax
\$187	to A7510. 8020.0000 Retirement

Budget Impact Statement: Funds in the amount of \$1,179 to cover the increase in salary and benefits will be offset by a budget transfer within the History Department’s 2014 budget.

Legislator Lawrence seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 80 CONTRACT AGREEMENT – NURSING HOME /LONG
TERM CARE REIMBURSEMENT CONSULTANT --
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Nursing Home has had a contract in place with Terry Cotton, Long Term Care Specialist, for consulting services regarding reimbursement and financial operations of the Home since 1999, although there is not a Resolution in place documenting this fact, and

WHEREAS, The Administrator of the Nursing Home does wish to have the contract officially documented through the Legislative process via Resolution and legislative approval at this time, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract with Terry Cotton be approved and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislatures Is hereby authorized and directed to execute the necessary documents to approve a contract with Terry Cotton, Long Term Care Specialist, 1235 Hunter's Run, Victor, New York, 14564 at a rate of \$110.00 per hour of service.

Budget Impact Statement: The services have been budgeted for 2014.

Legislator Lawrence seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 81 SALARY SCHEDULE AMENDMENT-
SHERIFF/TEMPORARY JAIL SUPERINTENDENT-
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Jail Superintendent at the Genesee County Jail will be retiring effective March 29, 2014, and

WHEREAS, In order to provide transitional training for his replacement, the Sheriff is requesting the creation of a temporary Jail Superintendent position, and

WHEREAS, The Committee on Ways and Means did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature is authorized and directed to amend the 2014 Employee Salary Schedule by creating a temporary Jail Superintendent position for transitional training purposes for a period not to exceed 10 days at a cost not to exceed \$3,831.94.

Budget Impact: Cost associated with this temporary position will be covered from the vacant, full-time and part-time Correction Officer positions from January through March of 2014.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 82 2014 BUDGET AMENDMENT - MENTAL HEALTH
SERVICES/ MEDICATION INSURANCE
REIMBURSEMENT - APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2014 Genesee County Budget to accommodate the Department's need to purchase injectable medications to meet client needs, the cost of which are reimbursable through the NYS Insurance Buy and Bill Program, and

WHEREAS, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Genesee County Budget by increasing Appropriation A 4310 4700.0420 Mental Health, Medical Supplies in the amount of \$40,000 to be offset by an increase in Revenue A 4310.1620.1300 Medical Reimbursements, in the amount of \$40,000.

Budget Impact Statement: Increasing expenses from \$55,000 to \$95,000 and increasing medical reimbursement revenue from \$55,000 to \$95,000. No net deficit increase to the County.

Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 83 2014 SALARY SCHEDULE AMENDMENT - COMMUNITY
MENTAL HEALTH SERVICES/INTAKE CLERK
-APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment

to the 2014 Employee Salary Schedule to eliminate one (1) Case Manager I, in CSEA-General, Grade 14, and creating one (1) Intake Clerk F.T., in CSEA-General, Grade 7 and **WHEREAS**, The Committees on Human Services and Ways and Means did review this request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2014 Employee Salary Schedule by eliminating one (1) Case Manager I F.T., in CSEA-General, Grade 14, and creating one (1) Intake Clerk F.T., in CSEA-General, Grade 7 in Employee Salary Schedule effective April 11, 2014.

Budget Impact Statement: No budget amendment required. County savings of \$20,000 annually. Legislator Ferrando seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 84 CONTRACTS – HEALTH DEPARTMENT/EARLY INTERVENTION PROGRAM PROVIDER SERVICE – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Public Health Director did present contracts for the provision of Provider Services in the Early Intervention Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute contracts with the following agencies to provide Assistive Technology Devices for the period January 1, 2014 through December 31, 2014. These agencies will be reimbursed according to the rates listed on the most recently published Medicaid Durable Medical Equipment, Prosthetics/Orthotics & Supplies (DMEPOS) fee schedule^a, less the amount of all other methods of payment.

Nelson Prosthetics and Orthotics

Monroe Wheelchair, Inc.

University of Rochester Orthotics and Prosthetics

Budget Impact Statement: Expenses in the amount of \$5,000 are included in the 2014 Dept. A 4059 Early Intervention Program Budget. New York State is liable for 49% of all expenses incurred by the county under these contracts.

Legislator Lawrence seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 85 AFFILIATION AGREEMENT – HEALTH DEPARTMENT/MONROE COMMUNITY COLLEGE - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with Monroe Community College, and

WHEREAS, The Committees on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an affiliation agreement with

Monroe Community College, 1000 East Henrietta Road, Rochester, New York 14623, effective March 1, 2014.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 86 MEMORANDUM OF UNDERSTANDING – HEALTH DEPARTMENT/GENESEE-LIVINGSTON-STEUBEN-WYOMING BOARD OF COOPERATIVE EDUCATIONAL SERVICES - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Public Health Director did present a memorandum of understanding with Genesee-Livingston-Steuben-Wyoming Board of Cooperative Educational Services, and

WHEREAS, The Committee on Human Services did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into a Memorandum of Understanding with Genesee-Livingston-Steuben-Wyoming Board of Cooperative Educational Services, 80 Munson Street, LeRoy, New York 14482, effective March 1, 2014.

Budget Impact: There is no direct cost associated with this agreement.

Legislator Lawrence seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 87 CONTRACT – HEALTH/EARLY INTERVENTION ADMINISTRATION SERVICES PROVIDER – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of Public Health did present a contract with Health Economics Group, Inc. of Rochester, New York for the provision of administration services in the Early Intervention Program, and

WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Health Economics Group, Inc. of 1050 University Avenue, Suite A, Rochester, New York 14607 for the provision of administration services in the Early Intervention Program at the all-inclusive rate of \$300 per month for the period January 1, 2014 through December 31, 2014.

Budget Impact Statement: Anticipated expense for this contract is \$3,600, approximately fifty percent of which is reimbursed with federal funding, in accordance with Section 368-f of the New York State Social Services Law.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 88 GRANT ACCEPTANCE – HEALTH DEPARTMENT/EARLY INTERVENTION ADMINISTRATION PROGRAM -APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Early Intervention Administration grant has been awarded in the amount of \$25,681, and

WHEREAS, The Public Health Director has requested that the County accept this funding

which stipulates that this revenue will be used to support the administration of the Early Intervention Program, and

WHEREAS, The Committee on Human Service did review this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Early Intervention Administration grant funding for the period October 1, 2013 through September 30, 2014 in the amount of \$25,681, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses are included in the 2014 Dept. A 4059 – Early Intervention Program budget.

Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 89 INTERMUNICIPAL AGREEMENT – HEALTH
DEPARTMENT/ SHARED PUBLIC HEALTH
SERVICES – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents, and

WHEREAS, these two counties under Article 5-G of the General Municipal Law have entered into a Municipal Corporation Agreement to provide Public Health Director, and Deputy Public Health Director services, dated October 1, 2012, and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint services, and

WHEREAS, the Genesee County Public Health Director did present an intermunicipal agreement with Orleans County to provide Shared Public Health Services, and

WHEREAS, The Committees on Human Service and Ways and Means did review the request and do recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with the County of Orleans with offices at 3 South Main Street, Suite 2, Courthouse Square, Albion, NY 14411, for the provision of providing Shared Public Health Services for the period March 12, 2014 through December 31, 2014.

Budget Impact Statement: \$15,000 has been allocated for this service in the 2014 A 4010 Public Health Program Budget. All expenses related to this contract are eligible for 100% reimbursement under Article 6 – State Aid Funding for General Public Health Work.

Legislator DeJaneiro seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 90 MEMORANDUM OF AGREEMENT - OFA/DSS/HEALTH
DEPARTMENT-NY CONNECTS GENESEE CARE
OPTIONS –APPROVAL OF**

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present the renewal of a revised Memorandum of Agreement amongst the Office for the Aging, Department of Social Services and Public Health Department for the purpose of working collaboratively in regards to the ongoing development and functioning of NY Connects Genesee Care Options, with the Office

for the Aging serving as Lead Agency in regards to implementation; and the Committee on Human Services does recommend approval at this time. Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the revised Memorandum of Agreement amongst the Genesee County Office for the Aging, Department of Social Services and Public Health Department.

Budget Impact: Neutral. This agreement pertains to the collaborative relationship amongst OFA, DSS and Health Department for the purposes of NY Connects Program which is funded by a \$43,987 NY Connects state grant.

Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 91 LEASE – GENESEE VETERANS SUPPORT NETWORK AGREEMENT – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager did present an agreement with the Genesee Veterans Support Network for the lease of space at County Building #2, 3837 West Main Street, Batavia, for administrative purposes for the period of April 1, 2014 – March 31, 2015, at a rate of \$1.00 annually, and

WHEREAS, The Committee on Ways and Means did review said agreement and recommends approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement between the Genesee Veterans Support Network and the County of Genesee for the lease of space at County Building #2, 3837 West Main Street, effective April 1, 2014 through March 31, 2015; at a cost of \$1.00 per year.

Budget Impact: None

Legislator Bausch seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 92 RESOLUTION OF THE GENESEE COUNTY LEGISLATURE, AS THE ELECTED LEGISLATIVE BODY OF GENESEE COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE GENESEE COUNTY FUNDING CORPORATION OF UP TO \$6,000,000 TAX-EXEMPT REVENUE BONDS (GENESEE COMMUNITY COLLEGE FOUNDATION HOUSING SERVICES, INC. PROJECT), SERIES 2014.

Legislator Bausch offered the following resolution:

WHEREAS, The Genesee County Legislature (the "Legislature"), as the elected legislative body of Genesee County, New York (the "County") has been advised by the Genesee County Funding Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Genesee Community College Foundation Housing Services, Inc. (the "Company"), a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), the Issue proposes to issue, contingent upon the adoption of this Resolution, its Tax-Exempt Revenue Bonds (Genesee Community College Foundation Housing Services, Inc.), Series 2014, in an aggregate principal amount not to exceed \$6,000,000 (the "Bonds"); and

WHEREAS, The project (the "Project") shall consist of: (A)(1) the construction and equipping of two (2) student housing facilities known as Buildings J and K, containing in the aggregate

approximately 15,000 square-feet of space consisting of sixteen (16) living units with up to sixty-four (64) beds, together with related parking, infrastructure and other improvements on an approximately 3.2-acre site located at 8170 Batavia-Stafford Townline Road, Town of Batavia, New York (the "Land"), which is adjacent to the campus of the Genesee Community Institution, located at 1 College Road, Town of Batavia, Genesee County, New York (the "Campus") (collectively the "Improvements"); and (2) the acquisition and installation in and around the Improvements of certain items of machinery, furniture, equipment and other tangible personal property (the "Equipment", and together with the Land, the Improvements, the "Facility"), (B) the refinancing of an existing taxable loan with Five Star Bank in the original principal amount of \$3,040,000 (the "Existing Loan"), the proceeds of such Existing Loan were used by the Institution for the purpose of financing the construction of two (2) student housing facilities known as Buildings H and I, containing in the aggregate approximately 12,000 square feet of space and up to sixty-four (64) beds, and an approximately 5,000 square-foot community center all located on the Campus; (C) the paying of all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds, capitalized interest and any reserve funds as may be necessary to secure the Bonds (the costs associated with items (A) through (C) above being hereinafter collectively referred to as the "Project Costs"); and

WHEREAS, On October 1, 2013, the Town of Batavia Planning Board, in accordance with Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA") issued a negative declaration (the "Negative Declaration") in accordance with to SEQRA with respect to the Project; and

WHEREAS, Pursuant to Section 147(c) of the Code, interest on the Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Bonds is approved by the County Legislature after a public hearing to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice; and

WHEREAS, On March 7, 2014, the Issuer held such a public hearing upon proper notice in compliance with the Code; and

WHEREAS, To aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the Company's application to the Issuer for financial assistance; (b) the Environmental Assessment Form and related documents submitted by the Company to the Issuer; (c) the notice of public hearing published by the Issuer on February 18, 2014, in *The Daily News*, together with the affidavit of publication of such newspaper, (d) the minutes of such public hearing held on March 7, 2014; and (e) the Issuer's Official Intent Resolution, adopted on February 12, 2014, with respect to the proposed issuance of the Bonds; and

WHEREAS, The Legislature, after due consideration of the foregoing, as the "applicable elected representative" of Genesee County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State nor any political subdivision thereof including, without limitation, Genesee County, New York shall be liable thereon. Now, therefore, Be it

RESOLVED, By the Genesee County Legislature as follows:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code and on the recommendation of the Genesee County Ways and Means Committee, the Legislature hereby gives its approval of the issuance by the Issuer of the Bonds; *provided*, that, the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and

shall never be a debt of the State of New York or any political subdivision thereof including, without limitation, Genesee County, New York and neither the State of New York nor any political subdivision thereof including, without limitation, Genesee County, New York shall be liable thereon.

Section 2. The Genesee County Legislature concurs in the findings of the Issuer made in its Official Intent Resolution adopted on February 12, 2014, that the Project will not have a significant effect on the environment within the meaning of SEQRA.

Section 3. This Resolution shall be deemed to be made for the benefit of the holders of the Bonds.

Section 4. This Resolution shall take effect immediately.
Legislator Stein seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 93 SUPPORT OF STATEWIDE INDIGENT DEFENSE
LEGAL SYSTEM AND SETTLEMENT OF
HURRELL-HARRING ET AL. V. STATE OF NEW
YORK**

Legislator Clattenburg offered the following resolution:

WHEREAS, In 1963 the United States Supreme court held in Gideon v. Wainwright that the right to counsel for one charged with crime is fundamental and that states need to supply lawyers for those unable to afford them, and

WHEREAS, In 1965 the State of New York delegated this state responsibility to counties, and

WHEREAS, The decision to entrench responsibility at the county level in the State of New York has resulted in the inefficient and inconsistent patchwork of services provided at the county level, and

WHEREAS, Implementation of the Constitutional right to counsel under Gideon is a state, not county, obligation, and

WHEREAS, Public defense services are inadequately financed by the State of New York, and

WHEREAS, In 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a state-funded, statewide defender system, and

WHEREAS, The State of New York is now a defendant in Hurrell-Harring, et. al.v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system into a statewide defender system, and

WHEREAS, Governor Cuomo is in a position to be a powerful, persuasive, and moving voice for the creation of a statewide defender system, and

WHEREAS, Governor Cuomo can fix the public defense system, incrementally develop a state funded model for the nation, design a cost-effective way to finance that system over time, and relieve counties of a responsibility originally delegated to them in 1965, which is presently costing New York State counties \$350 million/year. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature supports the transformation of the current County provided indigent defense system into a New York statewide defender system and calls upon the State of New York and Governor Cuomo to settle the pending litigation of Hurrell-Harring, et.al. v. State of New York, and, Be it further

RESOLVED, That this resolution be forwarded to Governor Andrew Cuomo, Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties, InterCounty Association of Western New York and the Genesee Association of Municipalities.

Legislator Lawrence seconded the resolution which was adopted by 326 votes.

Prior to roll call on the above resolution Legislator Clattenburg commented that she supports this resolution because if this were to happen then the state would be responsible for all Public Defender costs and the purpose of this is to ensure that all statewide Public Defender costs would be on equal footing with each County.

RESOLUTION NO. 94 COUNTY AUDIT – MARCH 12 APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Ferrando did review the following claims:

2014 General Fund	\$	564,826.01
2014 Highway		76,317.73
2014 Nursing Home		351,560.36
2014 DSS Abstracts		572,577.72
2014 Capital Projects:		
Sheriff 800 MHz Radio System Upgrade		1,282,210.53
Highway Griswold Road Bridge		5,676.50
Payroll – General & Nursing Home		
March 7, 2014		1,238,345.28
Medicaid		
March 4, 2014		186,456.00
March 11, 2014		<u>186,456.00</u>
Total Audit	\$	4,464,426.13

Now, therefore, Be it

RESOLVED, That the Genesee County Legislature has audited and does approve the claims as listed above, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to make payments as listed above.

Legislator Torrey seconded the resolution which was adopted by 326 votes.

The meeting was adjourned at 6:05 upon motion of Legislator Clattenburg seconded by Legislator Bausch.