

Wednesday July 27, 2016

[The Buffalo News.com \(/\)](http://TheBuffaloNews.com/)

City & Region

Genesee County legislators object to state-mandated raise for DAs, change in indigent defense eligibility

By Mike Pettinella

genesee correspondent

Updated: April 13, 2016, 08:26 PM Published: April 13, 2016, 07:47 PM

BATAVIA – Genesee County lawmakers are up in arms over a state-mandated 20 percent raise for county district attorneys and a change in the criteria for determining indigent defense eligibility – measures that they say will cost taxpayers hundreds of thousands of dollars.

“If you think the DA issue has got us angry, add on the new legal-assistance standards that call for 250 percent of the federal poverty limit,” Chairman Raymond F. Cianfrini said at Wednesday’s Legislature meeting. “The assumption is that everyone who applies is eligible. I can’t see how it wouldn’t have an impact on our legal-assistance costs.”

County Manager Jay A. Gsell said the county would have to handle an additional 117 cases per year due to the poverty level stipulation, as well as other new guidelines that make it easier for people to use the services of the public defender. The changes are set to take effect in October.

Gsell has sent a letter to Gov. Andrew M. Cuomo requesting that the state fund the annual salary increases – \$30,500 in 2016 and an additional \$10,000 in 2018 – for county district attorneys that were part of the recently enacted 2016-17 state budget.

“For Genesee County, this represents more than a penny per \$1,000 increase in our local property tax rate,” Gsell said. “Counties are standing together, issuing a statewide call to the governor to cover this \$1.6 million appropriation.”

Gsell said that since the Legislature had not planned for the increase, it has tabled a budget amendment necessary to implement it pending the governor’s response.

In other action, the Legislature:

- Passed a resolution supporting a bill in the Assembly and Senate that would increase the county share of fees collected from the work performed by the county-operated Department of Motor Vehicles from the current 12.7 percent to around 25 percent.

Fifty-one of the state’s 62 counties are mandated to operate a local DMV office. The Legislature’s resolution contends that the county share has not gone up since 1999, yet the amount of work required by the local offices has increased considerably.

- Approved an amendment requested by Community Mental Health Services to eliminate a full-time outpatient clinic specialist, a full-time case manager and a financial clerk and create a full-time case supervisor and senior financial clerk to realize an annual savings in salaries of \$75,000.

- Accepted \$19,000 in reimbursement for Ebola and other infectious disease preparedness and response activities from Health Research Inc., of Menands, Albany County, for the last nine months of 2015. The agreement also indicates that up to \$100,000 will be available for these types of activities through Sept. 30.

- Authorized the Rotary Club of Batavia to hold a fly-in breakfast at Genesee County Airport on June 19. Cianfrini said the event will be part of a dedication and open house at the new terminal.