



## Monroe County Legislature

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Hon. Samra Brouk  
Hon. Jeremy Cooney  
Hon. Harry Bronson  
Hon. Demond Meeks  
Hon. Sarah Clark

December 26, 2024

### **Subject: Request for Transparency and Oversight in Allocation of Anti-Poverty Funds**

Dear State Representatives,

Thank you for securing \$25 million in the 2024-2025 state budget to address poverty in Rochester. While this funding has the potential to make a transformative impact, I am deeply concerned about the lack of public input and local legislative oversight in determining how these funds will be allocated. Without proper transparency, the community risks losing trust in this critical initiative.

During the Monroe County Legislature's Ways and Means Committee meeting on December 5, Chief Financial Officer Robert Franklin stated that Monroe County would receive these funds, intended to be spent in the City of Rochester, and that the Department of Human Services Commissioner would issue agency contracts without requiring County Legislature approval.<sup>1</sup> Meanwhile, the City of Rochester's budget documents describe Monroe County serving as merely a "pass-through" for the funds.<sup>2</sup> These conflicting accounts illustrate confusion over who leads the process.

Both the County and City have referenced collaboration on a plan for these funds, with Mr. Franklin even referring to "the plan" as if it already exists. However, there has been no public discussion or involvement of City Council or County Legislature in this process. This lack of inclusivity is deeply troubling, as the state budget does not require public or local legislative input, mandating only that the Commissioner consult with the mayor before submitting a plan to the Office of Temporary and Disability Assistance (OTDA).<sup>3</sup>

While Requests for Proposals may be issued for agency contracts, the absence of legislative or public review undermines accountability. OTDA's review of the plan and subsequent evaluations are the only safeguards provided in the state budget—an insufficient measure for a program of

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<sup>1</sup> Discussion on the grant begins at 59:00. Link is here: <https://www.youtube.com/watch?v=67WHPRNXml0&t=6478s>

<sup>2</sup> Page 18 of the PDF of the budget book: [https://www.cityofrochester.gov/sites/default/files/2024-10/2024-25%20Approved%20Budget%20for%20web\\_0.pdf?check\\_logged\\_in=1](https://www.cityofrochester.gov/sites/default/files/2024-10/2024-25%20Approved%20Budget%20for%20web_0.pdf?check_logged_in=1)

<sup>3</sup> Pages 696-697 of PDF of enacted budget bill: <https://nyassembly.gov/2024budget/bills2024/enacted/A8803d.pdf>

this magnitude.<sup>4</sup> Additionally, Monroe County requires legislative approval for contracts over \$20,000, yet this provision is inconsistently followed, particularly for human services.<sup>5</sup>

To address these concerns, I urge the State Legislature to take action to ensure transparency and accountability in the use of these funds:

- **Require public and legislative involvement:** Mandate that the public, City Council, and County Legislature be included in the development and approval of the spending plan.
- **Make the plan public:** While the plan and subsequent evaluations are technically subject to open records requests, Monroe County and OTDA have a track record of delaying responses for months, hindering public access to critical information. To ensure transparency and accountability, require the plan and OTDA's evaluations to be made publicly available immediately upon completion. The community deserves timely access to a detailed breakdown of how the \$25 million will be spent and its impact.
- **Clarify state laws:** Revise or seek clarity from OTDA and the state comptroller regarding the powers granted to social service district commissioners, particularly those outlined in 18 CRR-NY 405.3. Monroe County's attorney has interpreted this regulation to mean that commissioners can directly award contracts for public assistance and care without requiring County Legislature approval. This broad interpretation has allowed millions of dollars in contracts—including consulting contracts—to bypass local legislative oversight. Such an interpretation raises critical concerns about accountability, consistency, and intent.<sup>6</sup>

These funds have the potential to make a transformative impact, but only if their allocation reflects the priorities of the community and undergoes proper oversight. I ask for your leadership in ensuring this process is transparent, inclusive, and accountable.

Sincerely,



Rachel Barnhart – Legislator District 17

cc: Monroe County Executive Adam Bello  
Monroe County Legislature President Yversha Roman  
Rochester Mayor Malik Evans  
Rochester City Council President Miguel Melendez

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<sup>4</sup> An October report from the Monroe County Office of Public Integrity showed deep flaws with how the County administered an anti-poverty contract, including allowing self-dealing, a lack of deliverables, and overall lack of oversight. Read report: <https://monroecountyny-opi.gov/wp-content/uploads/2024/10/Audit-Contract-with-CRC-for-NCP.pdf>.

<sup>5</sup> §A5-6 of the Monroe County Administrative Code

<sup>6</sup> See exchange of letters with the County Attorney regarding the awarding of contracts and legislative approval: [https://drive.google.com/drive/folders/1\\_ckKRCH5s0NwCn3THGIZX3s906qdBYQs?usp=sharing](https://drive.google.com/drive/folders/1_ckKRCH5s0NwCn3THGIZX3s906qdBYQs?usp=sharing)