

Solicitor

Mission Statement – Why We Exist

The Solicitor's office is responsible for providing representations and advice to the City and its officials in numerous areas including but not limited to: zoning issues, employment law, civil rights, civil service, contract actions, real estate, workers' compensation, education law, tort actions involving personal injury and property damage claims. Members of the legal department regularly attend and provide advice at meetings of the City Council and sub-committees thereof and to several City boards and commissions. In addition to drafting ordinances and other legal documents, numerous verbal and written opinions are rendered to the City Council and Department Heads.

Significant Budget & Staffing Changes for FY 2011

Level funded budget for 2011 would include an increase of 5 hours per week for in house paralegal resulting in a reduction in outsourcing for legal counsel. A continued reduction of legal judgments is also anticipated due to handling of more issues in-house. A reduction of 10% would result in level funded personnel budget and significant cuts to all non-personnel budgets totaling \$21,586.00.

Recent Accomplishments

- Managed claims against city with minimal damages paid outside of insurance policy
- Defended law suits against the city in Land Court (zoning appeals) and Superior Court
- Prepared Civil Complaints and Motions for Preliminary Injunction concerning zoning violations
- Prepared multiple amendments to the City's Ordinance including:
 - Outdoor café seating
 - Dissemination of public information – Sunshine Ordinance
 - Common use
 - Snow removal
- Advised various boards and commissions re. state and local law and case law
- Negotiated collective bargaining agreements
- Prepared contracts, license agreements and mutual aid agreements
- Prepared Opinions for boards and commissions
- Worked with various departments on solicitations for bids and requests for proposals
- Staffed committee on local liquor licensing and drafting regulations for the licensing board
- Chair safety committee to reduce risk of property damage and personal injury
- Designated liaison to the Ethics Commission and oversee implementation of new ethics law requirements
- Represented the city in its effort to permit and dispose of the city's transfer station

FY 2011 Goals & Objectives

- Reduce use of outside legal counsel
- Defend claims against city and its officers
- Revise existing ordinances to address any inefficiencies
- Establish new ordinances to address local needs and neighborhood concerns
- Address problem properties, health, building and zoning violations, through civil and criminal action
- Manage MIIA rewards program to ensure the city maximizes training opportunities and reduces cost of insurance premiums
- Continue to work with licensing board to improve licensing procedures, particularly as it relates to Haunted Happenings and stimulating economic development in the downtown
- Assist the City in completing the closure of the Swampscott Road Transfer Station
- Address recapture of city-owned parcels, e.g. Franklin Street
- Assist in administrations efforts for regionalization
- Negotiate collective bargaining agreements
- Ensure compliance with new ethics reform law

Outcomes and Performance Measurers	Actual FY 2008	Actual FY 2009	Estimated FY 2010	Estimated FY 2011
Reduce outside counsel	43,490	33,350	33,400	33,000
Increase attendance at MIIA Reward classes	4	7	11	15
Add in-house programs to reduce claims	N/A	0	2	3

How FY 2011 Departmental Goals Relate to City's Overall Long & Short Term Goals

- Prepare inter-governmental agreements such as purchasing agreement with Swampscott, MA to meet city's short and long term goal of regionalization of services
- Negotiate collective bargaining agreements with non-school unions to meet city's short term goal of settling contracts
- Assist in the acquisition and development of the new senior center so that the city may meet its goal of occupying a new center in 2011
- Ensure proper bidding and contracting of infrastructure and park improvements to enable the city to meet its goal of improving these systems

5/20/2010

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CITY OF SALEM - FY 2011 OPERATING BUDGET

			Expenditures	Adopted Budget	Adjusted Budget	Y-T-D Expenses	Department	Mayor	
			FY 2009	FY 2010	FY 2010	FY 2010	FY 2011	FY 2011	
Solicitor-Personnel									
11511	5111	SALARIES-FULL TIME	139,316.97	143,858.00	143,858.00	125,596.04	149,182.00	151,528.00*	
Total Solicitor-Personnel			139,316.97	143,858.00	143,858.00	125,596.04	149,182.00	151,528.00	5.33%
Solicitor-Expenses									
11512	5303	LEGAL SERVICES	33,346.22	48,000.00	49,500.00	43,844.74	47,176.00	47,176.00	
11512	5421	OFFICE SUPPLIES (GEN	1,813.01	2,500.00	1,000.00	191.18	1,000.00	1,000.00	
11512	5730	DUES AND SUB	6,035.00	6,500.00	6,500.00	5,203.70	6,500.00	6,500.00	
11512	5760	JUDGMENTS	50,000.00	15,000.00	15,000.00	884.73	12,000.00	10,000.00*	
Total Solicitor-Expenses			91,194.23	72,000.00	72,000.00	50,124.35	66,676.00	64,676.00	-10.17%
260	151	Department Total	230,511.20	215,858.00	215,858.00	175,720.39	215,858.00	216,204.00	0.16%

FY 2011 MANAGEMENT, BOARD MEMBERS AND PART-TIME SALARIES

Name	Dept Name	Org/Obj	Job Desc	Hire Date	Council FY 2010	Code	F T E	# Hours Wkly = 1	# Board Meetings	Dept Rate FY 2010 2.0%	Dept Rate FY 2011 2.0%	Dept Request FY 2011 52.2	Dept - 10% Reduction FY 2011 52.2	Mayor FY 2011		
RENNARD	ELIZABETH	260	SOLICITOR	11511-5111	ACTING SOLICITOR	4/1/2004		79,036.76	1.0	1	1,514.11	1,544.40	79,036.76	79,036.76	80,617.49	
PARISELLA	JERALD	260	SOLICITOR	11511-5111	ASSISTANT SOLICITOR	6/28/06		38,199.16	0.5	1	731.78	746.42	38,199.16	38,199.16	38,963.14	
FREITAS	JOANNE	260	SOLICITOR	11511-5113	PARALEGAL	6/28/06		26,622.00	0.8	30	20.40	510.00	612.00	31,946.40	26,622.00	31,946.40
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					143,857.92			Total Full Time - 5111				149,182.32	143,857.92	151,527.04		
					143,857.92	2.3	Department Total					149,182.32	143,857.92	151,527.04		

	FY 2009	FY 2010	FY 2011	Variance
Full-Time Equivalent Employees:	2.5	2.2	2.3	0.1

FY 2011 DETAILED BUDGET REPORT
EXPENSES

Solicitor - 260

ORG	OBJECT	DESCRIPTION	Dept Request	Dept Request 10% Cut	Approved by Mayor
11512	5303	Legal Services			
		Kevin Daly - Workers Comp Cases	5,000	3,000	5,000
		Daniel Kulak - Labor Relations	15,000	15,000	15,000
		Other Special Counsel	15,000	12,000	15,000
		Surveying, title Examinations, Etc.	10,000	5,000	10,000
		Filing Fees & Printing	2,176	2,914	2,176
TOTAL			47,176	37,914	47,176
11512	5421	Office Supplies and Equipment			
		Supplies	1,000	1,000	1,000
TOTAL			1,000	1,000	1,000
11512	5730	Dues & Subscriptions			
		Bar membership/ dues	1,000	1,000	1,000
		Subscriptions & publications; Cont. legal ed.	1,450	1,450	1,450
		Westlaw service	4,050	4,050	4,050
TOTAL			6,500	6,500	6,500
11512	5760	Judgments			
		Judgments	12,000	5,000	10,000
TOTAL			12,000	5,000	10,000
TOTAL PROPOSED			66,676	50,414	64,676