

The background of the entire page is a photograph of the Newton City Hall, a large, ornate, light-colored stone building with multiple towers and a prominent clock tower on the right side. The building features Gothic-style architecture with pointed arches and intricate carvings. The sky is a pale, overcast blue.

Law Department

Mission

To provide effective, professional, caring, and ethical legal advice and representation to all elected and appointed officials and to all City departments to enable the City government to operate at maximum potential while minimizing risk.

The Law Department for the City of Newton provides in-house counsel representation and legal support to the City, its departments, boards, and commissions, as well as to the officials and employees of the City in all areas of municipal law. This includes supporting the City in its work with all nine City unions as well as representing Newton before federal and state courts and administrative agencies in matters of civil litigation; personal injury and other torts; civil rights; labor and employment; education law; contracts; land use; zoning; real estate acquisitions, dispositions and development public construction; public records; and open meeting and conflict of interest laws.

The staff in Newton's Law Department continues to work hard and with success to provide sound, independent legal advice on policy matters important to the City and to defend the City in litigation matters. This past year, the Law Department maintained strong, flexible and creative support to departments, the City Council and City employees as we managed a number of challenging issues.

Recent noteworthy accomplishments include:

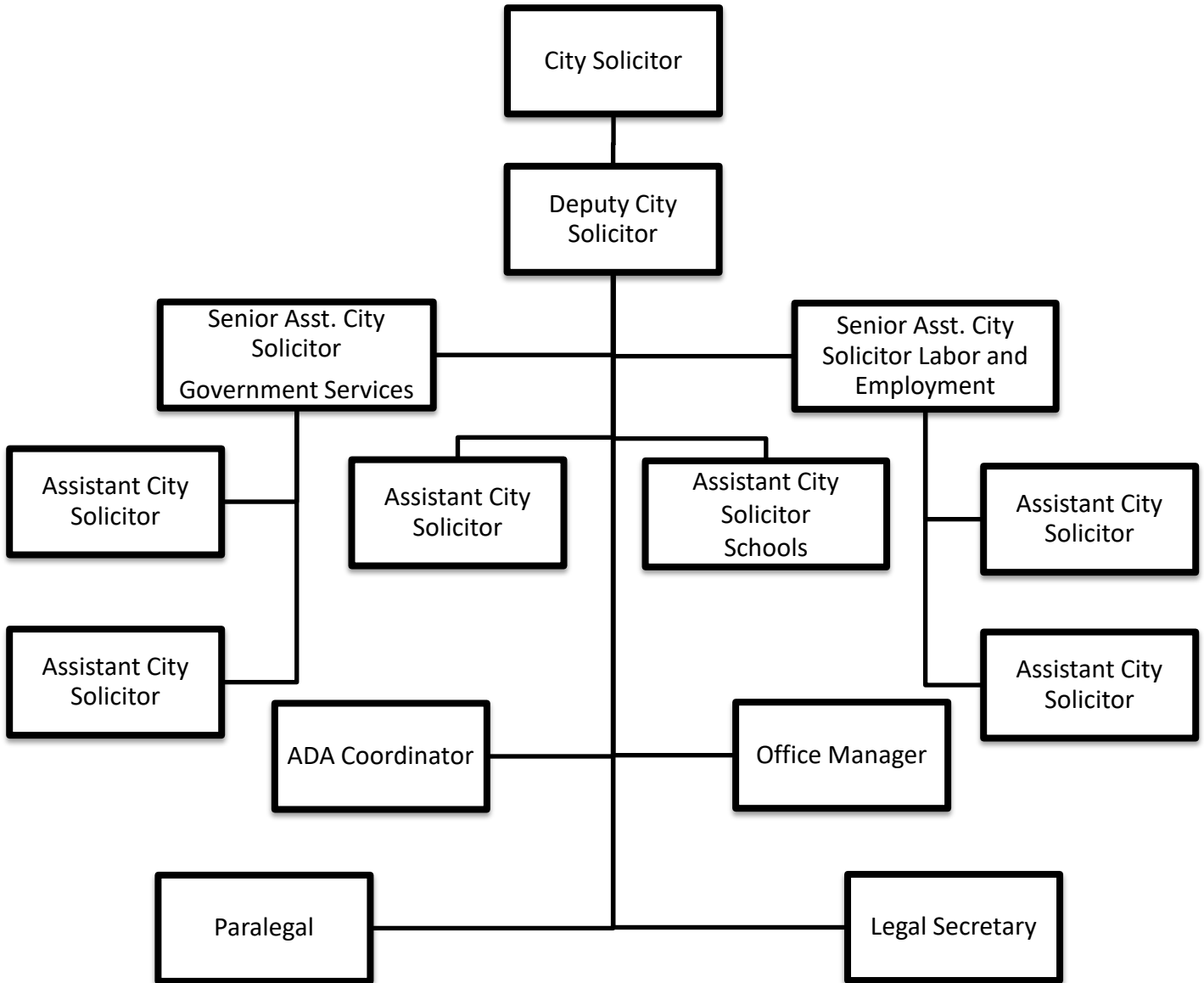
- Support to the City during unprecedented public teachers strike
- Provided legal support in passage of Village Center Zoning
- Successfully defended appeal of NewCAL development
- Provided guidance to the Planning Department and the Zoning Board of Appeals (ZBA) on achievement of 40B safe harbor
- Provided assistance to ZBA on passage of Northland 40B project and ongoing consideration of three additional 40B projects
- Advised on sustainability initiatives, including implementation of the State's Municipal Fossil Fuel Free Building Construction and Renovation Demonstration Project, enactment of the specialized energy code and adoption of the plastics reduction ordinance
- Provided legal support in executing pivotal contracts, including new health insurance provider contract, a new trash hauler contract, and contracts for solar placement on city buildings and facilities
- Assisted Newton Public Schools on student-based disciplinary issues and discrimination investigations, including those governed under Title IX
- Asserted claims to recover thousands of dollars for damaged police and fire vehicles, including \$45K for damaged police cruiser
- Successfully defended multiple license to carry firearms appeals
- Provided legal support in comprehensive amendments to the City's tree ordinance
- Assisted on the drafting and passage of ordinances such as craft beverage zoning and vibration control ordinance
- Supported the Clerk's office for election recount
- Supported Health and Human Services enforcement efforts concerning rodents, tobacco and sanitary code violations
- Supported Inspectional Services Department enforcement, including filing multiple criminal complaints
- Supported the enforcement of leaf blower ordinance, including multiple criminal complaints; recovered thousands of dollars through demand letters
- Assisted the Planning Department and the Newton Community Development Authority with managing affordable housing programs and initiatives
- Led transition of cannabis Host Community Agreements under new legal framework enacted by state legislature and the state Cannabis Control Commission
- Provided support to Mayor and departments regarding the opening and operation of shelters in Newton to address migrant/housing crises
- Supported the Department of Public Works in the change out of all water meters
- Responded to increasing number of public records and subpoenas

In FY2025, the Law Department looks forward to continued success in representing the City in litigation matters and to working with the City Council, Mayor and Executive Office and all departments to support them in continuing and new initiatives.

Alissa O. Giuliani

City Solicitor

LAW DEPARTMENT



Financial and Operating Highlights

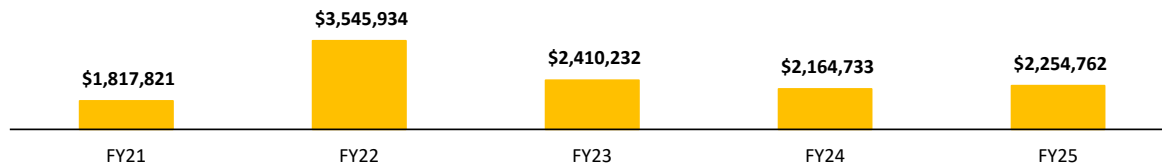
Financial Highlights

	< -----Actual ----->			Original	Proposed
	FY2021	FY2022	FY2023	FY2024	FY2025
Expenditure by Department					
Claims/Settle	\$ 130,594	\$ 1,858,593	\$ 657,591	\$ 100,000	\$ 100,000
Legal	\$ 1,687,227	\$ 1,687,341	\$ 1,752,641	\$ 2,064,733	\$ 2,154,762
Total	\$ 1,817,821	\$ 3,545,934	\$ 2,410,232	\$ 2,164,733	\$ 2,254,762
% Incr		95.07%	-32.03%	-10.19%	4.16%

Personnel

Full-Time	15	15	14	14	14
Part-Time	1	1	1	1	0
Total	16	16	15	15	14

Total Law Department Expenditures



Operating Highlights

Law	FY2021	FY2022	FY2023	FY2024 YTD
Claims Processed	102	150	313	150
Public Records Requests Completed	510	690	580	589
Contracts Drafted and Distributed	160	212	179	132
Litigation Cases	48	50	48	50
Contracts Reviewed	226	295	280	204

Law Department

Fiscal Year 2025 Outcomes and Strategies

Outcome 1

Support Land Use Decision Making

The Law Department provides legal advice regarding all land use matters, including zoning, special permitting, ordinance drafting, construction, conservation restrictions, zoning enforcement and disposition of real estate to the Executive

Office, City Council, Planning Department, Department of Inspectional Services and Engineering Department. We staff and provide legal support to the City Council committees concerned with land use, specifically Land Use, Zoning and Planning and Real Property Reuse, and the Zoning Board of Appeals and historic commissions. In addition, we provide litigation advice and defense of City Council special permits as well as for decisions of the Zoning Board of Appeals and the historic commission.

In FY 2025, we will continue to provide legal support for the implementation of MBTA Communities zoning, assist with the reuse process for the use of the newly acquired Walker Center parcel for affordable housing, and provide guidance to the ZBA on the City's Chapter 40B safe harbor status. We will also continue to work closely with City departments to address abandoned and nuisance properties, and pursue compliance orders and recovery to the City of unpaid fines as a result of code violations.

The Department is an active partner to the City Council, regularly furnishing legal opinions and advice on legislative matters. We continue to provide advice on the law as it relates on proposed docket items and to assist in drafting related orders, ordinances and home rule petitions.

Outcome 2

Provide Advice on Legislative Matters

In FY 2025, the Law Department will work directly with Newton Public Schools on an updated and comprehensive update to the school department's Title IX policy and protocol to ensure compliance with new and upcoming regulations as well as provide support and advice to the City Clerk's office to prepare the ballot question for repeal of the winter parking ban for presentation to voters during the next local election.

The Department also looks forward to working with the Council on their legislative priorities as they emerge and evolve during the coming fiscal year.

Law Department

Fiscal Year 2025 Outcomes and Strategies

Outcome 3

Manage Litigation and Claims

The Law Department defends, prosecutes, and commences all legal actions and other matters on behalf of the City, including the Newton Public Schools, in all state and federal courts and administrative agencies, from the filing of an initial Complaint

through the trial and appellate stages of the case.

The Department also provides defense to the City from claims for damages to personal property or for injuries. We investigate these claims and provide advice to the City in defending the matter or reaching fair resolution. In addition, the Department continues to focus efforts on assessing our own losses in order to pursue opportunities for affirmative recovery of damages sustained by the City.

Continuing in FY2025, the Law Department will work in conjunction with specialized outside legal counsel to defend Boston College's legal challenge of the City's taking of Webster Woods by eminent domain. Other notable litigation that will be a focus for the Law Department includes a pending wrongful death lawsuit against the City and defending actions of the Newton Historical Commission and City officials across four pending litigations concerning the unauthorized demolition of a historic property at 29 Greenwood Street.

The Law Department works closely with the Human Resources Department as well as City department heads to address personnel matters, manage employee grievances and arbitrations, and to negotiate collective bargaining agreements with the City's unions.

Outcome 4

Assist in Labor and Employment Matters and Collective Bargaining

In collaboration with Human Resources, we will complete the City's project to integrate all MOAs, MOUs and CBAs with each union to a comprehensive contractual agreement. The Department, along with outside specialized counsel, is currently in negotiations with those unions whose contracts have expired and, in FY 2025, we will begin negotiations with those bargaining units whose contracts are set to expire during the course of the close of this fiscal year. The Department anticipates representing the City's interests in multiple grievances, arbitrations and other union related disputes. We will also continue to work closely with the Human Resources Department on addressing personnel matters, updating employee policies, and hiring practices.

FUND: 0001 - GENERAL FUND
DEPARTMENT: 108 - LAW

CITY OF NEWTON BUDGET
DEPARTMENT LEGAL LEVEL OF CONTROL

	ACTUAL 2021	ACTUAL 2022	ACTUAL 2023	ORIGINAL 2024	RECOMMENDED 2025	CHANGE 2024 to 2025
LAW SUMMARY						
51 - PERSONNEL SERVICES	1,379,495	1,374,321	1,353,695	1,562,470	1,573,219	10,749
52 - EXPENSES	236,785	1,979,421	822,851	294,925	360,425	65,500
57 - FRINGE BENEFITS	199,934	192,192	233,686	307,338	321,118	13,780
TOTAL DEPARTMENT	1,816,214	3,545,934	2,410,232	2,164,733	2,254,762	90,029
LEGAL CLAIMS/SETTLEMENTS						
52 - EXPENSES	126,534	1,858,054	657,554	100,000	100,000	0
57 - FRINGE BENEFITS	4,060	539	38	0	0	0
TOTAL LEGAL CLAIMS/SETTLEMENTS	130,594	1,858,593	657,591	100,000	100,000	0
LEGAL						
51 - PERSONNEL SERVICES	1,379,495	1,374,321	1,353,695	1,562,470	1,573,219	10,749
52 - EXPENSES	110,251	121,368	165,298	194,925	260,425	65,500
57 - FRINGE BENEFITS	195,874	191,652	233,649	307,338	321,118	13,780
TOTAL LEGAL	1,685,620	1,687,341	1,752,641	2,064,733	2,154,762	90,029

FUND: 0001 - GENERAL FUND
 DEPARTMENT: 108 - LAW

CITY OF NEWTON BUDGET
 DEPARTMENTAL DETAIL

	ACTUAL 2021	ACTUAL 2022	ACTUAL 2023	ORIGINAL 2024	RECOMMENDED 2025	CHANGE 2024 to 2025
108 - LAW						
0110841 - LEGAL CLAIMS/SETTLEMENTS						
EXPENSES						
572500 CLAIMS/SETTLEMENTS	126,534	1,858,054	657,554	100,000	100,000	0
TOTAL EXPENSES	126,534	1,858,054	657,554	100,000	100,000	0
FRINGE BENEFITS						
57MEDA MEDICARE PAYROLL TAX	4,060	539	38	0	0	0
TOTAL FRINGE BENEFITS	4,060	539	38	0	0	0
TOTAL LEGAL CLAIMS/SETTLEMENTS	130,594	1,858,593	657,591	100,000	100,000	0

CITY OF NEWTON BUDGET DEPARTMENTAL DETAIL
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		ACTUAL	ACTUAL	ACTUAL	ORIGINAL	RECOMMENDED	CHANGE
		2021	2022	2023	2024	2025	2024 to 2025
0110851 - LEGAL							
PERSONNEL SERVICES							
511001	FULL TIME SALARIES	1,313,991	1,259,971	1,242,013	1,490,932	1,541,819	50,887
511101	PART TIME < 20 HRS/WK	0	960	14,470	0	0	0
511102	PART TIME > 20 HRS/WK	59,064	61,451	63,308	65,498	0	-65,498
514001	LONGEVITY	6,440	8,240	6,915	6,040	6,400	360
515005	BONUSES	500	0	0	0	0	0
515006	VACATION BUY BACK	0	43,698	26,989	0	0	0
519700	CURRENT YEAR WAGE RE	0	0	0	0	25,000	25,000
TOTAL PERSONNEL SERVICES		1,379,995	1,374,321	1,353,695	1,562,470	1,573,219	10,749
EXPENSES							
524010	OFFICE EQUIPMENT R-M	1,107	0	0	0	0	0
524100	SOFTWARE MAINTENANC	7,718	8,104	8,509	9,000	12,500	3,500
527400	RENTAL - EQUIPMENT	2,547	4,435	4,043	4,000	4,000	0
530100	CONSULTANTS	18,193	0	22,550	25,000	25,000	0
530219	ARBITRATION SERVICES	11,096	17,103	19,550	25,000	25,000	0
530900	LEGAL SERVICES	2,171	9,294	24,162	50,000	100,000	50,000
531400	REGIST/RECORDING FEES	3,227	3,460	6,044	5,000	10,000	5,000
531500	COURT COSTS/WITNESS F	254	175	395	750	750	0
534010	TELEPHONE	411	383	337	500	500	0
534020	CELLULAR TELEPHONES	498	465	490	675	675	0
534100	POSTAGE	1,261	1,114	2,037	3,000	3,000	0
534200	PRINTING	6,390	11,960	9,519	13,000	20,000	7,000
537300	ADA REASONABLE ACCO	1,095	550	1,643	4,000	4,000	0
542000	OFFICE SUPPLIES	3,304	4,847	11,760	5,000	5,000	0
559200	BOOKS/MANUALS/PERIODI	48,600	53,563	46,747	40,000	40,000	0
571000	VEHICLE USE REIMBURSE	0	50	151	1,000	1,000	0
571100	IN-STATE CONFERENCES	319	395	1,315	3,000	3,000	0
573000	DUES & SUBSCRIPTIONS	3,167	5,469	6,046	6,000	6,000	0
TOTAL EXPENSES		111,358	121,368	165,298	194,925	260,425	65,500
FRINGE BENEFITS							
57DENT	DENTAL INSURANCE	4,609	4,070	4,667	5,604	5,036	-568
57HLTH	HEALTH INSURANCE	151,415	148,107	174,732	229,973	243,840	13,867
57LIFE	BASIC LIFE INSURANCE	388	378	369	417	397	-20
57MEDA	MEDICARE PAYROLL TAX	18,946	18,676	18,701	22,919	22,449	-470
57OPEB	OPEB CONTRIBUTION	20,517	20,421	35,180	48,425	49,396	971
TOTAL FRINGE BENEFITS		195,874	191,652	233,649	307,338	321,118	13,780
TOTAL LEGAL		1,687,227	1,687,341	1,752,641	2,064,733	2,154,762	90,029
TOTAL LAW		1,817,821	3,545,934	2,410,232	2,164,733	2,254,762	90,029