



## **LAW DEPARTMENT**

### **DEPARTMENT DESCRIPTION**

The Law Department's mission is to provide effective and efficient legal advice and representation to all elected and appointed officials and to all city departments in order to enable the city government to operate at maximum potential with minimal risk.

The duties and responsibilities of the Law Department are numerous and varied. As chief legal counsel to the Mayor, Board of Aldermen, School Committee, city boards and commissions, city departments and city officers, the City Solicitor is responsible for:

- commencing and prosecuting all actions, legal proceedings and suits brought by the city;
- defending all claims, actions and suits brought against the city, its officers and employees before the courts and/or administrative agencies;
- furnishing city officials with legal opinions and advice relative to any subject affecting city business and operations;
- drafting, negotiating and reviewing deeds, contracts, leases, licenses, conveyances and other legal documents; and

- drafting and reviewing City Charter and Ordinance Amendments and special and general legislation.

### **ACCOMPLISHMENTS**

#### Highlight Projects:

1. Helped to facilitate final phases of construction of Newton South High School
2. Assisted in preparation of contracts with Project Manager and Architect for Newton North High School
3. Closed on purchase of Angino Farm and drafted ordinance establishing Farm Commission
4. Closed on numerous Community Preservation Act projects

#### Highlight Ordinances:

1. Drafted "demolition by neglect" ordinance for landmarked properties
2. Drafted ordinance clarifying respective roles and responsibilities of the Director and the Board of Trustees of the Jackson Homestead
3. Drafted ordinances effectuating reorganization of Health and Human Services and Senior Services Departments.

#### Highlight Settlements:

1. Settled Clear Channel radio tower zoning litigation

2. Settled reverse discrimination case involving Fire Department appointments

Miscellaneous:

1. Foreclosed on privately owned real estate in Sudbury, MA (“Coogan”), yielding \$140,000 to the City.
2. Assisted Inspectional Services Department in revamping zoning enforcement process (including collection of fines)
3. Drafted Licenses for local arts and cultural groups at Carr School

**GOALS AND OBJECTIVES**

Boards and Commissions:

1. Assist Farm Commission in contracting with and overseeing private farm operator
2. Continue to advise Board of Aldermen in connection with major land use filings for special permits
3. Advise Zoning Board of Appeals on upcoming Chapter 40B petitions.
4. Advise zoning task force on comprehensive amendments to zoning ordinance
5. Advise and support new multi-departmental joint code enforcement committee in its efforts to coordinate respective enforcement efforts

Telecommunications:

1. Continue to seek tax payments in numerous Telecommunications Cases at the Massachusetts Appellate Tax Board
2. Seek to complete Cable TV license negotiations with Verizon
3. Begin Cable TV license negotiations with RCN

Projects:

1. Resolve respective contractual and financial obligations of parties involved in the Newton South High School construction project
2. Obtain approval from Inspector General for Construction Manager at Risk procurement process re: Newton North High School construction project
3. Continue work on new Community Preservation Act projects

Miscellaneous:

1. Begin Recodification of City ordinances as required by City Charter
2. Resolve use of beach and repair of wall at Crystal Lake by negotiation or by enforcement

DEPARTMENT:

108 - CITY SOLICITOR

**CITY OF NEWTON BUDGET  
DEPARTMENT SUMMARY**

OBJECT SUMMARY	ACTUAL 2004	ACTUAL 2005	2006			RECOMMENDED 2007	APPROPRIATION CHANGE	
			ORIGINAL	ADJUSTMENTS	TOTAL		2006 To 2007	
51 - PERSONAL SERVICES	807,704	831,492	756,334	36,169	792,503	773,896	-18,607	-2%
52 - EXPENSES	545,062	470,521	279,443	57,914	337,357	279,443	-57,914	-17%
<b>SUB-TOTALS:</b>	<b>1,352,766</b>	<b>1,302,013</b>	<b>1,035,777</b>	<b>94,083</b>	<b>1,129,860</b>	<b>1,053,339</b>	<b>-76,521</b>	<b>-7%</b>
57 - FRINGE BENEFITS	86,187	91,604	91,629	118	91,747	96,565	4,818	5%
<b>SUB-TOTALS:</b>	<b>86,187</b>	<b>91,604</b>	<b>91,629</b>	<b>118</b>	<b>91,747</b>	<b>96,565</b>	<b>4,818</b>	<b>5%</b>
<b>DEPARTMENT TOTALS:</b>	<b>1,438,953</b>	<b>1,393,616</b>	<b>1,127,406</b>	<b>94,201</b>	<b>1,221,607</b>	<b>1,149,904</b>	<b>-71,703</b>	<b>-6%</b>

FUNCTIONAL ELEMENT SUMMARY	ACTUAL 2004	ACTUAL 2005	2006			RECOMMENDED 2007	APPROPRIATION CHANGE	
			ORIGINAL	ADJUSTMENTS	TOTAL		2006 To 2007	
0110801 LEGAL	1,149,227	1,216,011	1,057,406	61,287	1,118,693	1,079,904	-38,789	-3%
0110893 LEGAL SETTLEMENTS	289,727	177,605	70,000	32,914	102,914	70,000	-32,914	-32%
<b>DEPARTMENT TOTALS:</b>	<b>1,438,953</b>	<b>1,393,616</b>	<b>1,127,406</b>	<b>94,201</b>	<b>1,221,607</b>	<b>1,149,904</b>	<b>-71,703</b>	<b>-6%</b>

LEGAL	ACTUAL 2004	ACTUAL 2005	2006			RECOMMENDED 2007	APPROPRIATION CHANGE	
			ORIGINAL	ADJUSTMENTS	TOTAL		2006 To 2007	
51 - PERSONAL SERVICES	807,704	831,492	756,334	36,169	792,503	773,896	-18,607	-2%
52 - EXPENSES	255,335	292,916	209,443	25,000	234,443	209,443	-25,000	-11%
<b>SUB-TOTALS:</b>	<b>1,063,039</b>	<b>1,124,408</b>	<b>965,777</b>	<b>61,169</b>	<b>1,026,946</b>	<b>983,339</b>	<b>-43,607</b>	<b>-4%</b>
57 - FRINGE BENEFITS	86,187	91,604	91,629	118	91,747	96,565	4,818	5%
<b>SUB-TOTALS:</b>	<b>86,187</b>	<b>91,604</b>	<b>91,629</b>	<b>118</b>	<b>91,747</b>	<b>96,565</b>	<b>4,818</b>	<b>5%</b>
<b>Element Totals:</b>	<b>1,149,227</b>	<b>1,216,011</b>	<b>1,057,406</b>	<b>61,287</b>	<b>1,118,693</b>	<b>1,079,904</b>	<b>-38,789</b>	<b>-3%</b>

LEGAL SETTLEMENTS	ACTUAL 2004	ACTUAL 2005	2006			RECOMMENDED 2007	APPROPRIATION CHANGE	
			ORIGINAL	ADJUSTMENTS	TOTAL		2006 To 2007	
52 - EXPENSES	289,727	177,605	70,000	32,914	102,914	70,000	-32,914	-32%
<b>SUB-TOTALS:</b>	<b>289,727</b>	<b>177,605</b>	<b>70,000</b>	<b>32,914</b>	<b>102,914</b>	<b>70,000</b>	<b>-32,914</b>	<b>-32%</b>
<b>Element Totals:</b>	<b>289,727</b>	<b>177,605</b>	<b>70,000</b>	<b>32,914</b>	<b>102,914</b>	<b>70,000</b>	<b>-32,914</b>	<b>-32%</b>

DEPARTMENT:  
108 - CITY SOLICITOR

**CITY OF NEWTON BUDGET  
PERSONAL SERVICES SUMMARY**

ACCOUNT	POSITION TITLE	RANGE	2006 BUDGET		2007 RECOMMENDED	
			FTE	SALARY	FTE	SALARY
511001	City Solicitor	H15	1	118,167	1	118,897
	Assoc. City Solicitor	H12	2	182,929	2	184,058
	Asst. City Solicitor	H11	4	320,407	4	322,385
	Office Manager	H04	1	52,118	1	52,440
	Legal Secretary II	H02	1	39,946	1	40,193
<b>Account Totals:</b>			<b>9</b>	<b>713,568</b>	<b>9</b>	<b>717,973</b>
511101	Asst. City Solicitor	H11	0.4	30,000	0.4	30,000
	PT Minimum - Secretary	QQQ	0.4	21,948	0.4	21,948
<b>Account Totals:</b>			<b>0.8</b>	<b>51,948</b>	<b>0.8</b>	<b>51,948</b>
<b>Report Totals:</b>			<b>9.8</b>	<b>765,516</b>	<b>9.8</b>	<b>769,921</b>