

DEPARTMENT OF LAW

LEGAL ADMINISTRATIVE SERVICES	FUNCTION	1046
APPROPRIATIONS		\$ 2,989,480
FRINGES		\$ 652,140
TOTAL APPROPRIATIONS		<u>\$ 3,641,620</u>
REVENUE		\$ 204,370
NET		<u>\$ (3,437,250)</u>

DEPARTMENT OF LAW
Corporation Counsel 05-1046

GOALS

To provide comprehensive legal services to the Mayor, Common Council, Comptroller, City departments, agencies, the Board of Education and the Buffalo Sewer Authority, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority.

1. To develop management systems and Departmental policies to ensure delivery of high quality legal services.
2. To modernize the Law Department in order to increase the efficiency of the daily operations
3. To increase intra departmental communication within City Hall
4. To help develop all staff and update their skill levels by cross training, mentoring and support systems

ACTIVITIES

1. Acts as counsel to the Mayor, Comptroller, Common Council, Comptroller, City departments, agencies, the Board of Education, the Buffalo Sewer Authority, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority.
2. Prosecutes and/or defends all actions or proceedings brought by or against the City and its agencies.
3. Studies, reviews and submits opinions to City and its agencies.
4. Prepares reports and/or resolutions requested by the Common Council or its committees.
5. Prepares and approves as to form, ordinances and local laws.
6. Keeps informed on the conduct and operations of all franchised public utilities.
7. Reviews and prepares all bargaining contracts or memoranda of agreement with employee representatives.
8. Examines and approves title to all real property acquired by the City, conducts condemnation proceedings on land required for public use, and prepares papers and proceedings of sale of City owned property.
9. Advises on the taxability of property, defends Certiorari proceedings on assessment reductions, collects delinquent taxes through foreclosures, and prosecutes for monies due the City.
10. Prepares foreclosure sale at public auction.
11. Examines accounts receivable, particularly in the areas of back taxes and demolition costs, and makes efforts to collect outstanding monies on behalf of the City. Processes and investigates all claims against the City, past due accounts of all City departments, and various employee claims which are paid from the Judgment and Claims account.

DEPARTMENT OF LAW
Corporation Counsel 05-1046

WORK PROGRAM STATISTICS

	Actual 2008-2009	Estimate 2009-2010
GENERAL		
LITIGATION MATTERS	1,031	1,200
TRANSACTIONAL MATTERS	1,300	1,600
IN REM- COURT CASES FILED	4,831	5,322
HOUSING COURT CASES HEARD	1,601	1,700
TAX AND ASSESSMENT	97	120
BOARD OF EDUCATION	65	75
CLAIMS- NEW FOR FISCAL YEAR	656	750
LAND USE AND DEVELOPMENT	93	120
LABOR	155	175
COMMON COUNCIL MEETINGS/OTHER	241	250
ADM-LEGAL OPINIONS	400	450
CLOSED MATTERS** INCLUDES ALL AREAS OF PRACTICE DIVISIONS	4,290	4,500

CITY OF BUFFALO
CITY OF BUFFALO - GENERAL FUND
2009-2010 ADOPTED BUDGET

1000 GENERAL FUND	2006-2007 ACTUAL AMOUNT	2007-2008 ACTUAL AMOUNT	2008-2009 ADOPTED BUDGET	2008-2009 REVISED BUDGET	2008-2009 YTD 06/02/2009	2009-2010 ADOPTED BUDGET

05 LAW						

1046 LEGAL ADMINISTRATIVE SERVICE						

PERSONAL SERVICES						

411001 ANNUAL SALARY	1,166,058.30	1,325,295.54	1,562,686.00	1,560,686.00	1,000,531.47	1,736,177.00
412002 HOURLY SALARY	14,448.32	9,704.08	15,000.00	15,000.00	9,698.00	15,652.00
413001 OVERTIME	9,407.26	568.44	.00	2,000.00	8,030.10	4,000.00
413003 ACTING TIME	1,018.50	161.39	.00	.00	107.20	.00
414001 LONGEVITY	9,726.37	10,175.00	10,575.00	10,575.00	8,725.00	11,300.00
414007 PERFECT ATTENDANCE INCENTIVE	9,679.96	11,965.09	11,021.00	11,021.00	.00	11,351.00
415001 AUTOMOBILE ALLOWANCE	2,742.00	2,346.00	2,226.00	2,226.00	2,970.00	5,400.00
TOTAL PERSONAL SERVICES	1,213,080.71	1,360,215.54	1,601,508.00	1,601,508.00	1,030,061.77	1,783,880.00

TRAVEL						

458001 TRANSPORTATION	100.04	201.65	370.00	329.98	33.30	100.00
458002 MEALS & LODGING	789.21	294.00	500.00	.00	.00	.00
458003 REGISTRATION & MEMBERSHIP FE	1,364.00	2,210.00	2,250.00	.00	.00	750.00
TOTAL TRAVEL	2,253.25	2,705.65	3,120.00	329.98	33.30	850.00

SUPPLIES						

461001 OFFICE SUPPLIES	5,620.50	4,726.18	4,000.00	2,668.37	2,668.37	3,000.00
461002 CONTRACT VENDOR SUPPLIES	7,467.79	1,263.24	3,750.00	4,320.45	2,553.96	3,000.00
461005 PHOTO & DRAFTING SUPPLIES	438.23	709.75	460.00	183.33	183.33	260.00
461400 POSTAGE	.00	341.45	30.00	416.48	415.98	30.00
464000 PERIODICALS	34,158.02	43,990.46	36,000.00	33,045.15	29,647.16	34,000.00
TOTAL SUPPLIES	47,684.54	51,031.08	44,240.00	40,633.78	35,468.80	40,290.00

SERVICES						

432002 MEDICAL SERVICES	18,037.04	3,622.78	20,000.00	19,864.93	13,307.28	20,000.00
432003 LEGAL SERVICES	1,433,161.41	1,089,395.96	1,000,000.00	823,079.24	632,814.99	700,000.00
432004 ENGINEER & TECHNICAL SERVICE	30,033.31	12,196.33	25,000.00	21,916.66	15,950.00	18,000.00

CITY OF BUFFALO
 CITY OF BUFFALO - GENERAL FUND
 2009-2010 ADOPTED BUDGET

1000 GENERAL FUND	2006-2007 ACTUAL AMOUNT	2007-2008 ACTUAL AMOUNT	2008-2009 ADOPTED BUDGET	2008-2009 REVISED BUDGET	2008-2009 YTD 06/02/2009	2009-2010 ADOPTED BUDGET
443301 MACHINERY & EQUIP REPAIRS	.00	.00	160.00	.00	.00	160.00
454000 ADVERTISING	.00	379.27	100.00	.00	.00	100.00
455000 PRINTING & BINDING	19,103.62	5,268.00	5,500.00	10,146.27	7,660.27	5,500.00
455100 INTERNAL PRINT SHOP	656.96	1,876.44	700.00	738.60	577.20	700.00
480000 OTHER SERVICES	418,411.81	416,758.70	435,000.00	11,405.35	8,701.15	420,000.00
490000 FREEZE FUNDS	.00	.00	.00	642,615.27	.00	.00
TOTAL SERVICES	1,919,404.15	1,529,497.48	1,486,460.00	1,529,766.32	679,010.89	1,164,460.00
CAPITAL OUTLAY						
474100 EQUIPMENT	.00	.00	.00	.00	.00	.00
474200 VEHICLES	.00	.00	.00	.00	.00	.00
TOTAL CAPITAL OUTLAY	.00	.00	.00	.00	.00	.00
TOTAL 1046 LEGAL ADMINISTRATIVE SERVICE	3,182,422.65	2,943,449.75	3,135,328.00	3,172,238.08	1,744,574.76	2,989,480.00

BUDGET PROJECTION 20910 2009-2010 CITY OF BUFFALO BUDGET REQUESTS

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	ADOPTED	PERCENT CHANGE
10546001411001	LAW	PS ANNUAL SAL	1,560,686.00	.00	1,736,177.00	11.24
	1000-05-1046-0000-1-00-0-40-411001-					
		CORPORATION COUNSEL	1.00	96,255.00	96,255.00	
		SR DEPUTY CORPORATION COUNSEL	1.00	82,101.00	82,101.00	
		ASSISTANT CORPORATION COUNSELS	1.00	70,477.00	70,477.00	
		ASSIST CORPORATION COUNSEL II	1.00	74,192.00	74,192.00	
		ASSIST CORPORATION COUNSEL II	5.00	77,910.00	389,550.00	
		ASSIST CORPORATION COUNSEL II	5.00	63,048.00	315,240.00	
		MUNICIPAL ATTORNEYS 3 @ STEP 1	1.00	52,121.00	52,121.00	
		MUNICIPAL ATTORNEY AT STEP 2	3.00	54,404.00	163,212.00	
		LEGAL STENOGRAPHER - @ STEP 5	1.00	39,161.00	39,161.00	
			4.00	36,585.00	141,184.00	
		LEGAL SECRETARY - 4 @ STEP 3				
		2 TYPISTS @ STEP 5	2.00	32,551.00	65,102.00	
		LEGAL INVESTIGATORS - 2 @ STEP	2.00	41,671.00	83,342.00	
		SPECIAL ASSISTANT TO CORP COUN	1.00	35,158.00	35,158.00	
		PARALEGAL ASSISTANT A047 STEP 5	1.00	45,855.00	45,855.00	
		RESIDENCY INVESTIGATOR	1.00	44,742.00	43,438.00	
		Paralegal Assistant @ Step 1	1.00	39,789.00	39,789.00	
		BUDGET CEILING:			.00	
		TOTALS:	1,560,686.00	.00	1,736,177.00	11.24

** END OF REPORT - Generated by bartosik joe **

DEPARTMENT OF LAW

ADMINISTRATIVE ADJUDICATION	FUNCTION	1052
APPROPRIATIONS	\$	217,877
FRINGES	\$	72,218
TOTAL APPROPRIATIONS	\$	<u>290,095</u>
REVENUE	\$	28,250
NET	\$	<u><u>(261,845)</u></u>

GOALS

ADMINISTRATIVE ADJUDICATION

Our department continues to strive toward improving and expanding our job performance through updated technology, streamlined operations and improved tracking and measurement functions. Additionally, we will strive toward improving quality of life issues by working with issuing departments to effect proper issuance of summonses and enforcement capabilities.

Quality of Life initiatives:

1. We are seeking Ordinance Compliance Officer position(s) as part of our initiative to improve quality of life issues in the City.
2. Improve efficiency in resolving Mayor's Call & Resolution Center complaints. With the addition of the Ordinance Compliance Officer position(s) complaint calls regarding quality of life violations can be routed to our office, ultimately reducing response time to within a day or two and freeing up inspectors and sanitation foreman to address other complaints.
3. We will undertake to work closely with Law Department to improve enforcement and handling of Illegal Dumping issues by establishing guidelines for proper issuance of summonses, investigative and witness information, and hearing procedures.
4. We will continue to work with issuing departments as well as the Law Department to identify and update outdated ordinances so that we may improve enforcement of violations, improving quality of life issues.
5. We will undertake to work with Inspections to reinstate the excessive call back charges for property inspections.
6. Conduct training sessions with issuing officers on the proper issuance of summonses. Training will improve the effectiveness of the summonses issued, increasing revenues, improving compliance of violations and hearing outcomes.

Improve and Expand Job Performance:

7. In October 2008 we completed our installation of a digital imaging system to streamline the processing of summonses. The digital imaging system not only affords us the ability to more quickly process summonses, but allows us to answer inquiries more efficiently giving us the capability of viewing summonses, photos and applicable documents from a digital file, without having to leave our desks. Furthermore, when we redesigned our summonses for scanning, we condensed several summons formats into one thereby allowing us to purchase summonses in bulk reducing our expenses.

Our next step toward updating our technology and streamlining our processes is to replace our current access database with Hansen, a web-based system. Although we are in the preliminary stages of researching its capabilities as it relates to our

department, it appears that the Hansen system will allow us to share information electronically with other City departments, improve billing capability and streamline and improve work performance.

- Individuals or properties can be flagged, notifying departments that they have outstanding fines that must be paid prior to approving licenses or permits, disbursing refunds or claim settlements, or allowing individuals to purchase properties at auction.
 - Assist Inspections Department in preparing housing court cases, by including summons information.
 - Currently, notices go out in batches according to a set schedule, creating spikes in phone and walk-in inquiries. This system will allow us to control the late notices by summons, automatically sending out a late notice when each summons because delinquent. This will improve our collection rate and will help space out notices, reducing the spikes in inquiries.
 - Improve efficiency processing summonses, payments and hearing requests, increasing revenues.
 - Improve our billing process and collection effort.
 - Web-based system will allow respondent's to request or reschedule hearings on-line.
8. We are seeking clerical and/or legal aid positions in our department to improve efficiency.
- Allow us to process greater volume of summonses and hearings.
 - Allow us to more efficiently answer phone and walk-in inquiries and correspondence.
 - Allow us to process summonses and conduct hearings more quickly, improving collection rate of revenues.
 - Allow us to research mail returns for bad addresses and research unknown owners, increasing revenues that would otherwise go uncollected.

Initiative to Improve Collection Efforts:

9. In an effort to maximize collection efforts of summonses that have reached maturity, we are in the process of transferring outstanding balances to the Collections Department for internal collection and monitoring of the accounts, as well as continued referral to an outside collection agency.

DESCRIPTION OF ACTIVITIES

1. Purchase, maintain, inventory and distribute Adjudication summonses to various city departments, including Street Sanitation, Police, License, Inspections, Dogs and Fire, including updating summonses as necessary to ensure that changes to fine structures and ordinances are accurate, as well as appropriate changes to improve sufficiency.
2. Enter and mail summonses issued by various city departments in accordance with legal requirements.

3. Compile and maintain complete and accurate records relating to all charges, dispositions and associated activities relating to summonses, avoidable alarms and excessive call back fees.
4. Process late notices and answer within a reasonable period of time, all relevant phone, walk-in or mail inquiries regarding summonses issued by various departments.
5. Process payments of fines, including researching payments sent in with insufficient information; reconcile payment errors from treasury and process appeal payments, appeal refunds and transfers and refunds for overpayment of summonses.
6. Accept pleas and set up and conduct hearings of Adjudication summonses issued for city code and ordinance violations, including coordinating of appearances of witnesses, police officers and ticket writers as necessary to improve disposition of hearings. Set up and conduct hearings before an Appeals Panel.
7. Enter and process notices for failure to appear at scheduled hearings.
8. Research and update ordinances for municipal code violations.
9. Accept testimony and to hear and determine disposition of fee disputes for excessive avoidable alarms and inspection excessive call back fees and answer within a reasonable time all relevant inquiries by an individual or business with respect to dispositions.
10. Research Mayor's Call & Resolution Center complaints and respond to same as appropriate.
11. Research illegal dumping allegations, compile information from witnesses and issuing officers, and coordinate attendance at hearing of witnesses, issuing officers, attorneys and Corporation Counsel.
12. Coordinate enforcement of municipal code violations with Public Works, Fire, License, Inspections, Dogs and Police Departments and other departments as appropriate, meeting with departments to determine methods to improve quality of life in the City of Buffalo.
13. Attend City Hall meetings as appropriate to this department.
14. Meet and discuss issues with various block clubs and organizations concerning ordinance violations.
15. Set up and maintain payment plans.
16. Work with Assessments Department to collect outstanding judgments from In Rem foreclosures.
17. Work with Collections Department to collect outstanding judgments from individuals purchasing City properties.
18. Work with Collections Department and Mercantile Adjustment Bureau with regard to referrals of outstanding summonses.
19. Research mail returns without forwarding addresses.
20. Work with MIS on proper operation of Adjudication system and Avoidable Alarm system, including updating technology to meet needs of department.
21. Compile status reports as necessary, including budget reports and monthly council reports.
22. Perform general office functions, including payroll entry, requisition entries and/or research and tracking of purchase orders and other accounting tasks, including balancing Mercantile billings.

WORK PROGRAM STATISTICS
ADMINISTRATIVE ADJUDICATION

Once a summons has been issued, the issuing department turns the summons over to Administrative Adjudication for handling. Our department maintains the summonses and supporting documents and handles all phone inquiries, correspondence, payments, refunds, hearing requests, hearings, appeals, late notices, complaints, council requests, and collection efforts. The issuing department relinquishes control over a summons once it has been issued. Our department also handles waiver requests for Avoidable Alarm Fees and \$75 Excessive Call Back Inspection Fees. Following are the work program statistics for our department:

Summonses Issued and Revenues Received during FY by Issuing Department:

Issuing Department	2007/2008 Actual		2008/2009 (1 st Half)		2009/2010 Projections	
	Summonses Issued	Revenues Received	Summonses Issued	Revenues Received	Summonses Issued	Revenues Received
Ordinance Compliance Officer	777	\$ 56,742	2	\$ 1,959	0	\$ 0.00
Street Sanitation Department	2,371	129,445	1,062	57,736	1,900	100,000
Police Department	6,538	265,526	12,601	351,731	20,000	700,000
License Department	126	16,148	55	3,814	120	10,000
Inspections Department	1,209	67,639	318	27,919	640	55,000
Dog Summons (Exp. License)	1,241	21,555	1,462	14,508	2,300	25,000
Fire Prevention	9	1,300	1	0	0	0.00
TOTALS:	12,271	\$ 558,355	15,501	\$ 457,667	29,960	\$ 890,000

	Actual 2007/2008	Actual 1 st Half 2008/2009	Projections 2009/2010
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Number of Summonses Adjudicated (Hearings Held):

Administrative Adjudication	283	2	0
Street Sanitation Department	551	212	500
Police Department	1,174	1,272	5,400
License Department	30	9	25
Inspections Department	236	160	320
Dog Summons (Exp License)	60	22	80
Fire Prevention	0	1	0
TOTALS	2,334	1,677	6,325

Notices Generated:

Courtesy	10,255	16,587	31,000
First (Late Notice)	5,300	8,341	10,000
Alertograms	3,901	5,355	7,000
Final Notices	4,297	3,007	6,000
Hearing Notices	2,121	2,460	6,500*
Dismissal Notices	464	4,098	600
FA Notices	469	374	1,000
TOTALS	26,807	40,222	62,100

Number of Appeal Hearings Held	29	13	40
Number of Phone Inquiries (estimates)	9,500	12,000	20,000
Number of Citizen Service Complaints Referred to Dept	877	307	50
Number of Summons Payments Processed	5,848	4,997	9,900
TOTALS	16,254	17,317	29,964

CITY OF BUFFALO
CITY OF BUFFALO - GENERAL FUND
2009-2010 ADOPTED BUDGET

1000 GENERAL FUND	2006-2007 ACTUAL AMOUNT	2007-2008 ACTUAL AMOUNT	2008-2009 ADOPTED BUDGET	2008-2009 REVISED BUDGET	2008-2009 YTD 06/02/2009	2009-2010 ADOPTED BUDGET

1052 ADMIN ADJUD DIV GENERAL OFC						

PERSONAL SERVICES						

411001 ANNUAL SALARY	131,170.30	132,874.26	139,383.00	134,383.00	91,220.29	161,948.00
412002 HOURLY SALARY	4,303.75	4,317.50	10,560.00	10,560.00	3,918.75	13,640.00
413001 OVERTIME	.00	.00	150.00	5,150.00	16,329.98	20,000.00
414001 LONGEVITY	2,046.40	2,825.00	3,150.00	3,150.00	3,150.00	3,475.00
414007 PERFECT ATTENDANCE INCENTIVE	1,181.06	1,400.64	1,220.73	1,220.73	.00	1,257.00
415001 AUTOMOBILE ALLOWANCE	12.00	.00	.00	.00	.00	.00
415002 CLOTHING ALLOWANCE	.00	50.00	150.00	150.00	.00	150.00
TOTAL PERSONAL SERVICES	138,713.51	141,467.40	154,613.73	154,613.73	114,619.02	200,470.00

SUPPLIES						

461002 CONTRACT VENDOR SUPPLIES	444.08	430.36	450.00	338.88	239.26	400.00
461005 PHOTO & DRAFTING SUPPLIES	489.53	.00	.00	.00	.00	.00
461201 CLOTHING & UNIFORMS	.00	331.10	305.70	.00	.00	305.70
461400 POSTAGE	.00	.00	.00	.00	.00	.00
TOTAL SUPPLIES	933.61	761.46	755.70	338.88	239.26	705.70

SERVICES						

432001 AUDITING SERVICES	5,024.64	11,326.07	6,000.00	7,500.00	1,500.00	6,000.00
443303 VEHICLE DRIVETRAIN REPAIRS	.00	.00	300.00	.00	.00	.00
443400 EQUIP MAINTENANCE CONTRACTS	579.00	584.25	1,920.25	3,048.76	275.76	2,228.76
455000 PRINTING & BINDING	4,200.00	855.00	4,355.00	7,567.06	4,318.35	8,222.50
455100 INTERNAL PRINT SHOP	246.46	233.08	250.00	75.00	75.00	250.00
480000 OTHER SERVICES	27.78	.00	.00	.00	.00	.00
490000 FREEZE FUNDS	.00	.00	.00	.00	.00	.00
TOTAL SERVICES	10,077.88	12,998.40	12,825.25	18,190.82	6,169.11	16,701.26
TOTAL 1052 ADMIN ADJUD DIV GENERAL OFC	149,725.00	155,227.26	168,194.68	173,143.43	121,027.39	217,876.96
TOTAL 05 LAW	3,332,147.65	3,098,677.01	3,303,522.68	3,345,381.51	1,865,602.15	3,207,356.96

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CITY OF BUFFALO
ADOPTED BUDGET REQUESTS

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BUDGET PROJECTION 20910 2009-2010 CITY OF BUFFALO BUDGET REQUESTS

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	ADOPTED	PERCENT CHANGE
10552001411001		LAW ADJUD PS ANNUAL SAL	134,383.00	.00	161,948.00	20.51
	1000-05-1052-0000-1-00-0-40-411001-					
		LEGAL AIDE BUREAU ADMIN ADJUD A005 - Step 5	1.00	34,105.00	34,105.00	
		ASSIST DIR ADMIN ADJUDICATION A064 STEP 5	1.00	52,260.00	52,260.00	
		ASSISTANT COLLECTION OFFICER A048 - STEP 5	1.00	43,384.00	43,384.00	
		ORDINANCE COMPLIANCE OFFICER B041 - STEP 2	1.00	32,199.00	32,199.00	
		BUDGET CEILING:			.00	
		TOTALS:	134,383.00	.00	161,948.00	20.51

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