

DEPARTMENT OF LAW
Corporation Counsel
Division #05-1046

DEPARTMENT OF LAW

Corporation Counsel

Division #05-1046

Mission Statement

To zealously represent the City of Buffalo and all of its Departments in fulfillment of our shared goal of making the City of Buffalo the greatest place to live, work, and visit in the world.

Summary

Revenue	\$509,370
Appropriations	3,120,147
Fringes	1,416,153
Total Appropriations	<u>4,536,300</u>
Net	<u>(\$4,026,930)</u>

Goals

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

Activities

1. Acts as counsel to the Mayor, Comptroller, Common Council, City departments, agencies, the Board of Education, 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 requires 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 delinquents taxes through foreclosures, and prosecutes for monies due the City; prepares foreclosure sale at public auction.

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Activities (continued)

10. 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 Judgement and Claims account.
11. Collects reimbursements on 207 A and C distributions. Collects and prosecutes claims for property damage to City owned property.

Work Program Statistics

	Actual 2017-2018	Projection 2018-2019	Estimate 2019-2020
Litigation Matters	2,000	2,300	2,500
Contract Transactional Matters	4,200	6,250	6,500
In REM-Court Cases Heard	3,200	3,500	4,000
Housing Court Cases Heard	1,050	4,200	4,500
Tax and Assessment	425	440	450
Board of Education	195	205	210
Claims-New for Fiscal Year	925	940	1,000
Land Use and Development	305	515	550
Labor	800	955	975
Adm-Legal Options	450	550	575



City of Buffalo
 Adopted Budget 2019-2020
 General Fund

	2017-2018 Actual Amount	2018-2019 Adopted Budget	2018-2019 Revised Budget	2018-2019 Year To Date 6/10/2019	2019-2020 Adopted Budget
1046 LEGAL ADMINISTRATIVE SERVICE TOTAL	2,855,868.13	3,407,127.00	3,740,853.36	2,789,326.66	3,120,147.00
10546001 LEGAL ADMINISTRATIVE SERV PS	2,010,309.29	2,396,416.00	2,396,416.00	1,857,221.62	2,264,209.00
411001 ANNUAL SALARY	1,957,204.05	2,330,841.00	2,330,841.00	1,823,529.89	2,193,484.00
412002 HOURLY SALARY	2,498.64	18,000.00	18,000.00	9,103.28	25,000.00
413001 OVERTIME	3,124.21	1,000.00	1,000.00	19.28	1,000.00
414001 LONGEVITY	15,104.04	18,075.00	18,075.00	14,275.00	15,725.00
414007 PERFECT ATTENDANCE INCENTIVE	18,392.95	18,500.00	18,500.00	0.00	18,500.00
414028 VACATION BUYOUT	6,722.40	6,000.00	6,000.00	4,570.17	6,000.00
415001 AUTOMOBILE ALLOWANCE	7,263.00	4,000.00	4,000.00	5,724.00	4,500.00
10546004 LEGAL ADMINISTRATIVE SERV TR	0.00	200.00	200.00	0.00	200.00
458001 TRANSPORTATION	0.00	100.00	100.00	0.00	100.00
458002 MEALS & LODGING	0.00	100.00	100.00	0.00	100.00
10546005 LEGAL ADMINISTRATIVE SERV SP	18,286.01	22,288.00	24,003.79	20,209.92	20,238.00
461001 OFFICE SUPPLIES	2,813.37	3,000.00	3,141.25	2,744.31	0.00
461400 POSTAGE	2.40	25.00	25.00	3.95	50.00
464000 PERIODICALS	15,470.24	19,263.00	20,837.54	17,461.66	20,188.00
10546006 LEGAL ADMINISTRATIVE SERV SV	827,272.83	988,223.00	1,320,233.57	911,895.12	835,500.00
432002 MEDICAL SERVICES	2,494.37	12,000.00	12,000.00	4,039.74	13,000.00
432003 LEGAL SERVICES	693,235.15	648,000.00	938,230.03	590,467.83	545,000.00
432004 ENGINEER & TECHNICAL SERVICES	55,918.53	25,000.00	64,167.66	61,519.45	50,000.00
455000 PRINTING & BINDING	0.00	800.00	800.00	0.00	1,000.00
455100 INTERNAL PRINT SHOP	2,099.22	1,200.00	1,940.88	1,754.52	1,500.00
456000 OTHER SERVICES	73,525.56	301,223.00	303,095.00	254,113.58	225,000.00



City of Buffalo
 Adopted Budget 2019-2020
 General Fund

**Legal Administrative Services
 Budgeted Salaries**

Org	Object	Description	Quantity	Unit Cost	Total
10546001	411001	Assist Corp Counsel I Mun Att Step 16 A077	3	74,788	224,364
10546001	411001	Assist Corp Counsel I Mun Att Step 16 A077	2	72,833	145,666
10546001	411001	Assist Corp Counsel I Mun Att Step 17 A077	1	74,788	74,788
10546001	411001	Assist Corporation Counsel II Step 17 A088	2	94,944	189,888
10546001	411001	Assist Corporation Counsel II Step 17 A088	1	94,944	94,944
10546001	411001	Assist Corporation Counsel II Step 17 A088	1	94,944	94,944
10546001	411001	Assist Corporation Counsel II Step 5 A088	4	94,944	379,776
10546001	411001	Assist Corporation Counsel II/ Fire Step 5 A088	1	94,944	94,944
10546001	411001	Assistant Corp Counsel II/Police Step 17 A088	1	94,944	94,944
10546001	411001	Corporation Counsel Step 5 I067	1	127,345	127,345
10546001	411001	Deputy Corporation Counsel I061	1	97,403	97,403
10546001	411001	Director Of Employee Relations I109	1	96,449	96,449
10546001	411001	Legal Investigators 2 Step 5 A032	2	50,782	101,564
10546001	411001	Legal Secretary Step 17 A022	1	47,725	47,725
10546001	411001	Legal Secretary 4 Step 5 A022	3	47,725	143,175
10546001	411001	Paralegal Assistant Step 17 A047	1	55,882	55,882
10546001	411001	Secretary to Office of New Americans I010	1	42,845	42,845
10546001	411001	Senior Spec Asst Corp Counsel I133	1	52,377	52,377
10546001	411001	Special Assistant To Corp Counsel I010	1	42,845	42,845
10546001	411001	Sr Deputy Corporation Counsel Step 5 I034	1	101,950	101,950
10546001	411001	Typist Step 5 A002	1	39,666	39,666
10546001	411001	Attrition		(150,000)	(150,000)
Total			31		2,193,484

DEPARTMENT OF LAW
Administrative Adjudication
Division #05-1052

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Administrative Adjudication

Division #05-1052

	<u>Summary</u>	
Revenue		\$12,400
Appropriations		143,163
Fringes		<u>91,365</u>
Total Appropriations		<u>234,528</u>
Net		<u>(\$222,128)</u>

Goals

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.

1. Work with MIS on software program that will allow Police and Inspections to issue summonses from their existing Laptop or Tablet. Additionally, will continue working with MIS in their efforts to have IPADS in the hands of all ticket writers. These changes will allow ticket writers to issue summonses on a real-time basis, automatically uploading summonses and photos into the Adjudication System as they are issued. Once we can get all departments on board, it will alleviate the necessity for pre-printed paper summonses saving the City thousands of dollars annually and will greatly streamline operations improving the efficiency of our office. This project will eliminate manpower hours spent scanning and verifying summonses and photos affording our staff with more time to address constituent calls and process hearings and payments. Furthermore, the fast turnaround will allow our department and the respondent to resolve the violation sooner, improving the quality of life in the neighborhood. As a large majority of summonses are paid on-line, this will speed up payment processing as the respondent will not have to wait for the summonses to be scanned into the system first.
2. Work with MIS to improve and upgrade our operating system to streamline operations within our department.
3. Continue efforts to set up and conduct training sessions with issuing officers on the proper issuance of summonses with a goal toward improving the effectiveness of the summonses, improving compliance of violations and hearing outcomes.
4. We will continue to work with EDIPS to further increase the number of violations cited through our office with the emphasis on removing lesser "one-shot" violations from housing court and allowing the more severe violations to be handled more effectively in housing court.
5. It is our goal to implement the automatic issuance of summonses for nonrenewal of dog licenses.
6. Improve collection activity within our department through skip tracing capability to improve our ability to locate property owners and respondents prior to accounts being referred to Mercantile.

DEPARTMENT OF LAW

Administrative Adjudication

Division #05-1052

Activities

1. Purchase, maintain, inventory and distribute Adjudication summonses to various city departments, including Street Sanitation, Police, License, Inspections, Dogs and Fire.
2. Update summonses as necessary to ensure that changes to fine structures and ordinances are accurate.
3. Research ordinances and work with issuing departments to update ordinances for municipal code violations.
4. Coordinate enforcement of municipal code violations with Public Works, Fire, License, Inspections, Dogs and Police Departments and other departments as appropriate.
5. Process summonses issued by various city departments in accordance with legal requirements, to include data entry and completion of service requirements of summonses.
6. Compile and maintain complete and accurate records relating to all charges, dispositions and associated activities relating to summonses.
7. Process late notices and answer all relevant phone, walk-in or mail inquiries regarding summonses.
8. Process and research payments of fines; reconcile payment errors from treasury and process appeal payments, appeal refunds and transfers and refunds for overpayment of summonses.
9. Accept pleas, set up and conduct hearings of Adjudication summonses issued for city code violations, including coordinating of appearances of witnesses, police officers and ticket writers as necessary to improve disposition of hearings.
10. Research illegal dumping allegations, compile information from witnesses and issuing officers, and coordinate attendance at hearing of witnesses, issuing officers, attorneys and Corporation Counsel.
11. Process appeal applications and conduct hearings before an Appeals Panel.
12. Enter and process notices for failure to appear at scheduled hearings.
13. Research Mayor's Call & Resolution Center complaints and respond to same as appropriate.
14. Maintain Tote Waiver system, including processing tote waiver applications and supporting documents and coordinating issuance of tote waiver stickers with Public Works.
15. Work with various departments to collect outstanding judgments from In Rem foreclosure, to include collecting outstanding judgments from individuals purchasing properties at auction.
16. Work with Mercantile Adjustment Bureau with regard to referrals of outstanding summonses.
17. Research mail returns without forwarding addresses.
18. Work with MIS on proper operation of various operating systems within department, including updating technology to meet needs of department.
19. Compile status and budgetary reports as necessary.
20. 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.

DEPARTMENT OF LAW

Administrative Adjudication

Division #05-1052

Work Program Statistics

Once a summons has been issued, the issuing department turns the summons over to Administrative Adjudication for handling. The Adjudication department processes and maintains the summonses and supporting documents, handles all phone inquiries, correspondence, payments, refunds, hearing requests, hearings, appeals, late notices, complaints, council requests, and collection efforts. Following are the work program statistics for our department:

Summonses Issued and Revenues Received during FY by Issuing Department:

Issuing Department	Actual 2017-2018		Projection 2018-2019		Estimate 2019-2020	
	Summonses Issued	Revenues Received*	Summonses Issued	Revenues Received*	Summonses Issued	Revenues Received*
Ordinance Officer	0	\$ 0	0	\$ 0	0	\$ 0
Street Sanitation	1,968	144,453	952	72,815	1,950	144,000
Police Department	5,435	368,142	2,398	142,536	5,100	330,000
License Department	58	29,147	20	2,835	40	6,000
Inspections Department	2,248	142,956	1,809	108,091	3,600	210,000
Dog Summons	20	550	8	250	400**	11,000
Fire Prevention	14	1,150	10	1,050	15	1,600
TOTALS:	9,748	\$ 686,398	5,191	\$ 327,577	11,105	\$ 703,600

*Revenues Received are actual revenues collected during fiscal year.

**Increase reflects anticipated summonses that will be issued for Failure to Renew Dog Licenses.

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Administrative Adjudication

Division #05-1052

Number of Summonses Adjudicated (Hearings Held):

	Actual 2017-2018	Projection 2018-2019	Projection 2019-2020
Street Sanitation Department	641	300	600
Police Department	2,327	547	1,500
License Department	109	9	15
Inspections Department	583	451	800
Dog Summons (Nuisance)	5	2	60*
Fire Prevention	<u>3</u>	<u>1</u>	<u>2</u>
TOTALS	3,668	1,310	2,977

Notices Generated:

Summons Notice	9,963	4,805
First (Late Notice)	6,847	3,067
Alertograms	5,312	2,516
Final Notices	8,004	2,013
Hearing Notices	3,496	1,368
FA Notices	<u>954</u>	<u>368</u>
TOTALS	34,576	14,137

DEPARTMENT OF LAW

Administrative Adjudication

Division #05-1052

Miscellaneous

Number of Appeals Heard	74	38
Tote Waiver Applications Processed	59	42
Collection Referrals	10,384	2,451
Number of Summons Payments Processed	5,946	2,892
TOTALS	10,484	4,424

Administrative Adjudication (Civil Service) Manpower:

1 Assistant Director; 1 Typist

Administrative Law Judges (Non Civil Service)

4 ALJ's (3 ALJs work Appeal Hearings only)



City of Buffalo
 Adopted Budget 2019-2020
 General Fund

	2017-2018 Actual Amount	2018-2019 Adopted Budget	2018-2019 Revised Budget	2018-2019 Year To Date 6/10/2019	2019-2020 Adopted Budget
1052 ADMIN ADJUD DIV GENERAL OFC TOTAL	135,437.63	144,646.50	145,098.73	110,865.71	143,163.00
10552001 LAW ADJUD PS	112,693.56	122,984.50	122,984.50	98,159.98	121,241.00
411001 ANNUAL SALARY	97,070.69	100,972.00	100,972.00	89,064.60	101,561.00
412002 HOURLY SALARY	9,220.00	8,800.00	8,800.00	7,650.00	11,800.00
413001 OVERTIME	5,013.83	10,000.00	10,000.00	70.38	6,000.00
414001 LONGEVITY	1,375.00	1,375.00	1,375.00	1,375.00	1,700.00
414007 PERFECT ATTENDANCE INCENTIVE	14.04	612.50	612.50	0.00	180.00
414028 VACATION BUYOUT	0.00	1,225.00	1,225.00	0.00	0.00
10552005 LAW ADJUD SP	0.00	250.00	282.50	260.85	0.00
461001 OFFICE SUPPLIES	0.00	250.00	282.50	260.85	0.00
10552006 LAW ADJUD SV	22,744.07	21,412.00	21,831.73	12,444.88	21,922.00
434003 COLLECTION AGENCY FEES	15,610.07	15,000.00	15,452.23	6,398.88	11,000.00
443400 EQUIP MAINTENANCE CONTRACTS	2,459.00	1,297.00	489.50	156.00	149.00
455000 PRINTING & BINDING	4,675.00	4,990.00	5,765.00	5,765.00	10,648.00
455100 INTERNAL PRINT SHOP	0.00	125.00	125.00	125.00	125.00



City of Buffalo
Adopted Budget 2019-2020
General Fund

**Administrative Adjudication
Budgeted Salaries**

Org	Object	Description	Quantity	Unit Cost	Total
10552001	411001	Assist Dir Admin Adjudication Step 5 A064	1	63,688	63,688
10552001	411001	Typist Step 14 A002	1	37,873	37,873
Total			2		101,561