

TOWN ATTORNEY

2020 ORGANIZATIONAL CHART

TOWN ATTORNEY James Burke

The mission of the office and the primary responsibility of the Town Attorney is to advise all the boards, agencies and departments of the Town, including, but not limited to, the Town Board, the Office of the Supervisor, the Office of the Comptroller, the Board of Zoning appeals, the Planning Board, the Trustees of the Freeholders and Commonalty of the Town of Southampton, the Conservation Board, the Road Review Committee, the Agricultural Advisory Committee, and the Architectural Review Board on all legal issues pertaining to the matters they handle. In addition, the Office of the Town Attorney will bring legal actions on behalf of the Town, as well as the responsibility for the defense of any action brought against the Town.

DEPUTY TOWN ATTORNEY Kathleen Murray Proposed - Vacant

Drafts local legislation, facilitates the creation and expansion of special improvement districts within the Town, researches and reviews various issues as directed and requested by Department Heads and the Town Board, and handles various litigations matters including, but not limited to, Article 78 proceedings and issues affecting quality of life, public safety and code enforcement.

SENIOR TOWN ATTORNEY Richard Harris

ASSISTANT TOWN ATTORNEY Kara Bak Kathryn Garvin

Serve as legal counsel at meetings, public hearings and court appearances to all Town departments, elected and appointed boards and committees; research and draft legislative initiatives, local laws, legal opinions, board decisions and determinations; review, negotiate, litigate and settle civil claims against the Town, defend Article 78, other legal actions and special proceedings brought against the Town, prosecute violations in Justice Court and State Supreme Court; preparation of contracts and represent Town on affordable housing matters; prosecute violations in Justice Court; prepare contracts; represent Town on affordable housing matters; prepare Town Board resolutions.

PLANNING, ZONING, LICENSING, LITIGATION, JUSTICE COURT & LEGISLATIVE LEGAL REVIEW

CLERICAL

PARALEGAL Nicole Gentzel

- Manages administration of all office materials and files, including all accounting processes;
- Organizes and manages contact information/email lists for the individuals and organizations noted above;
- Prepares Town Board resolutions; coordinates administrative needs with other departments; conducts occasional site visits;
- Directs outside vendors, as needed; facilitates communication with Town/regional committee members; attends meetings and prepares minutes;
- Acts as FOIL officer; acts as Archives officer;
- Assists in the preparation and the on-going tracking of the annual budget for the division.
- Drafting of legal documents.
- Litigation support.

PARALEGAL Claire Watts

Handles all property damage claims for Town; notices departments on bankruptcy filings and file claims; provides legal research for Town; calendar litigation; maintains litigation status spread sheet; prepares and files legal submissions; schedules and prepares demand for municipal hearings, subpoenas, default judgments, adjournments; manages Justice Court files and prepares memos for dispositions, contact for Westlaw; maintains mail log; updates code and law books; prepares Town Board Resolutions, archives files and researches foils.

SENIOR ACCOUNT CLERK TYPIST Diane Carpenter

- Provides customer service for the public;
- Assists the Town Attorney's office in daily operations of the Department;
- Prepares correspondence to vendors and various correspondence on behalf of the Department;
- Assists the attorneys with clerical needs such as resolution submission, general filing, maintenance of justice court files;
- Prepares FOIL responses in conjunction with the assigned attorney;
- Assists in managing Justice Court files
- Time Card Supervisor

Department Summary

Department: Town Attorney

Budget Year: 2020
Division: Town Attorney
Tax District: Full Town

Cost Center #: 1420
Manager: James Burke

NOTES:

Departmental Mission & Responsibilities:

The Office of the Town Attorney provides legal advice, assistance and representation to the Town Board, as well as to all the other boards, committees, agencies, and departments of the Town. Other Boards include the Planning Board, Zoning Board of Appeals, Conservation Board, Architectural Review Board, Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, Licensing Review Board, Historic Landmarks Board and Assessment Review Board. Legal support is also provided to, among others, the Audit Advisory Committee, Safety and Loss Committee, Road Review Committee and other entities designated by the Town Board. The Town Attorney's Office also provides legal resources and advice with respect to several specialized areas of the law and matters that span departments and taxing districts, such as: Freedom of Information Law (FOIL) requests; formation and administration of special districts such as fire, ambulance, water, etc.; formation of planned development districts (PDDs); moratoria; State Environmental Quality Review Act (SEQRA) matters, including preparation of environmental impact statements; special events; labor and employment matters; and drafting support for local laws, ordinances and resolutions.

This Department is also instrumental in ensuring Requests for Proposals, bids and contracts and ensuring compliance with applicable laws.

The Office of the Town Attorney is also responsible for all Town litigation, which typically averages over 200 active claims, cases and appeals at any given time, the defense of which is either handled directly by in-house staff or through outside counsel. The Town Attorney's Office also handles the prosecution of all Town Code violations in the Justice Court, parking violations, and all enforcement actions in State Supreme Court.

The Town Attorney's Office includes the Division of Code Services, consolidating the Investigation and Enforcement Unit, the Fire Prevention and Fire Marshal function, and Animal Control into one unit, whose overriding purpose is the enforcement of all applicable NY State and local Town codes and ordinances.

Workload:

The Town Attorney's Office workload includes the following:

1. Legal representation of all Town Boards, agencies and departments.
2. Coordination and review of all outside counsel services to the Town, including labor relations legal counsel.
3. Enforcement of matters in Justice Court and Supreme Court.

Goals & Objectives:

To provide legal representation to all Town Boards, agencies and departments.

To further limit the need to use the services of outside counsel, thereby cutting costs to the Town.

Legal Authority:

Office of the Town Attorney was established by the Town Board pursuant to Section 20(2) of Town Law.

Employee Compensation & Benefits Schedule

Position	Class/Grade/Step	Base Salary	Longevity	Other Comp	Total Comp	Medical Benefits	Employer FICA	Retirement	Other Benefits	Total Benefits	Total Comp. & Benefits	Yrs Srv 1/1/20	Alloc. %
Town Attorney													
Town Attorney													
Town Attorney - 1420													
Town Attorney	ADMINISTRATIVE	143,586	5,000	6,023	154,609	1,380	8,879	19,507	1,624	31,390	185,999	3.8	100.0
Assistant Town Attorney	ADMINSUPPORT	101,355	3,041	0	104,396	29,340	8,044	13,176	1,135	51,696	156,091	11.0	100.0
Assistant Town Attorney	ADMINSUPPORT	101,355	4,055	0	105,410	29,340	8,122	13,303	1,139	51,904	157,313	15.4	100.0
Deputy Town Attorney	ADMINSUPPORT	125,000	5,000	0	130,000	29,340	8,520	16,406	1,400	55,667	185,667	17.0	100.0
Deputy Town Attorney - Requested	ADMINSUPPORT	125,000	0	0	125,000	28,488	8,466	15,938	2,650	55,542	180,542		100.0
Paralegal	ADMINSUPPORT	64,503	2,581	0	67,084	13,440	5,132	8,406	245	27,223	94,308	16.8	100.0
Senior Assistant Town Attorney	ADMINSUPPORT	101,355	3,041	0	104,396	28,488	8,044	13,176	1,135	50,844	155,240	5.3	100.0
Paralegal	CSEA40HOUR - 7-1-2010 / CSEA40HOUR - 7-1-2010 - F / Step 3	58,857	0	6,023	64,880	1,380	5,043	8,259	1,277	15,959	80,839	2.1	100.0
Senior Office Assistant	CSEA40HOUR-OLD / 13A / Step 5	92,975	9,297	0	102,272	31,500	7,949	13,020	2,007	54,476	156,748	30.9	100.0
Total Town Attorney - 1420		913,985	32,015	12,046	958,046	192,696	68,200	121,192	12,612	394,700	1,352,746		

NOTES:

Town of Southampton

2020 Tentative Budget

Town Attorney - 1420

Account Code	Description	2018 Adopted Budget	2018 Actual	2019 Adopted Budget	2019 Amended Budget	2019 Dec YTD Actual	2020 Requested Budget	2020 Tentative Budget	2020 Tentative/2019 Amended Difference	2020 Tentative/2019 Amended % of Change	2021 Requested Budget	2021 Tentative Budget	2021 Tentative/2020 Tentative Difference	2021 Tentative/2020 Tentative % of Change
Real Property Taxes:														
1001	Property Taxes	1,972,730	1,972,730	1,964,045	1,964,045	1,964,045	2,193,572	2,055,291	91,246	4.65%	2,215,434	2,074,981	19,690	0.96%
	Total Real Property Taxes	1,972,730	1,972,730	1,964,045	1,964,045	1,964,045	2,193,572	2,055,291	91,246	4.65%	2,215,434	2,074,981	19,690	0.96%
Other Revenue:														
2701	Miscellaneous Tax Receipts	0	56	0	0	0	0	0	0	0.00%	0	0	0	0.00%
2770	Miscellaneous	0	0	0	0	15	0	0	0	0.00%	0	0	0	0.00%
	Total Other Revenue	0	56	0	0	15	0	0	0	0.00%	0	0	0	0.00%
	Total Revenue	1,972,730	1,972,786	1,964,045	1,964,045	1,964,060	2,193,572	2,055,291	91,246	4.65%	2,215,434	2,074,981	19,690	0.96%
Salaries:														
6100	Salaries	850,343	833,667	854,669	854,669	564,512	998,656	913,985	(59,316)	(6.94%)	1,020,918	932,634	(18,650)	(2.04%)
6105	Part Time Salaries	0	1,628	0	5,000	3,873	5,000	5,000	0	0.00%	0	0	5,000	100.00%
6110	Longevity	27,029	26,701	30,153	30,153	0	32,015	32,015	(1,863)	(6.18%)	32,346	32,346	(330)	(1.03%)
6127	Cash in Lieu of Health Benefits	5,637	14,089	18,006	18,006	5,791	12,046	12,046	5,960	33.10%	12,046	12,046	0	0.00%
	Total Salaries	883,010	876,084	902,828	907,828	574,176	1,047,718	963,046	(55,218)	(6.08%)	1,065,310	977,026	(13,980)	(1.45%)
Employee Benefits - Current:														
6810	Employee Retirement - Active	122,305	113,833	117,049	117,049	77,355	132,133	121,192	(4,143)	(3.54%)	135,001	123,594	(2,402)	(1.98%)
6830	FICA Tax Expenditure	64,431	62,798	65,666	65,666	41,680	75,059	68,200	(2,534)	(3.86%)	76,090	69,107	(908)	(1.33%)
6835	MTA Tax	3,024	2,844	3,099	3,099	1,852	3,585	3,289	(189)	(6.10%)	3,663	3,354	(65)	(1.98%)
6840	Worker's Compensation	6,482	5,807	8,766	8,766	5,519	11,818	9,167	(401)	(4.57%)	12,111	9,357	(190)	(2.07%)
6860	Medical Insurance - Active Employees	179,460	149,335	152,592	152,592	115,336	207,384	180,276	(27,684)	(18.14%)	207,384	180,276	0	0.00%
6865	Dental & Optical	11,858	10,425	11,988	11,988	7,198	13,800	12,420	(432)	(3.60%)	13,800	12,420	0	0.00%

Town of Southampton
2020 Tentative Budget
Town Attorney - 1420

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6875	Disability	259	101	157	157	0	174	157	0	0.00%	174	157	0	0.00%
	Total Employee Benefits - Current	387,820	345,143	359,317	359,317	248,940	443,954	394,700	(35,383)	(9.85%)	448,223	398,264	(3,565)	(0.90%)
	Total Employee Costs	1,270,830	1,221,226	1,262,145	1,267,145	823,116	1,491,672	1,357,746	(90,601)	(7.15%)	1,513,534	1,375,291	(17,545)	(1.29%)
	Contractual:													
6401	Contracts	6,000	12,500	6,000	41,000	6,350	6,000	6,000	35,000	85.37%	6,000	6,000	0	0.00%
6411	Printing and Stationery	400	424	400	400	0	400	400	0	0.00%	400	400	0	(0.06%)
6412	Publications	55,000	47,972	55,000	55,000	28,423	55,000	55,000	0	0.00%	55,000	55,000	0	0.00%
6416	Travel, Dues and Related	3,000	3,072	3,000	3,000	1,978	3,000	3,000	0	0.00%	3,000	3,000	0	0.00%
6420	Other	6,200	737	6,200	6,200	3,221	6,200	6,200	0	0.00%	6,200	6,200	0	0.00%
6425	Office Supplies	1,800	1,184	1,800	1,800	679	1,800	1,800	0	0.00%	1,800	1,800	0	0.00%
6430	Legal Fees	625,000	368,608	625,000	585,000	274,623	625,000	620,645	(35,645)	(6.09%)	625,000	622,790	(2,145)	(0.35%)
6450	Schools & Training	3,000	1,040	3,000	3,000	1,425	3,000	3,000	0	0.00%	3,000	3,000	0	0.00%
6477	Copier Leases	1,500	162	1,500	1,500	42	1,500	1,500	0	0.00%	1,500	1,500	0	0.00%
6498	Insurance-Unallocated	0	0	0	0	0	0	0	0	0.00%	0	0	0	0.00%
	Total Contractual	701,900	435,699	701,900	696,900	316,740	701,900	697,545	(645)	(0.09%)	701,901	699,691	(2,146)	(0.31%)
	Total Expenditures	1,972,730	1,656,925	1,964,045	1,964,045	1,139,856	2,193,572	2,055,291	(91,246)	(4.65%)	2,215,434	2,074,981	(19,691)	(0.96%)
	Net Surplus (Deficit)	0	315,861	0	0	824,204	0	0			0	0		
	Net Surplus (Deficit)	0	315,861	0	0	824,204	0	0			0	0		