

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
Assistant Town Attorney - Vacant	ADMINSUPPORT	85,000	0	0	85,000	28,488	6,617	10,838	1,807	47,750	132,750		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		998,985	32,015	12,046	1,043,046	221,184	74,817	132,030	14,420	442,450	1,485,496		

NOTES:

Town of Southampton

2020 Adopted 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 Preliminary Budget	2020 Adopted Budget	2020 Adopted / 2019 Amended Difference	2020 Adopted / 2019 % of Change	2021 Requested Budget	2021 Tentative Budget	2021 Preliminary Budget	2021 Adopted Budget
Real Property Taxes:																
1001	Property Taxes	1,972,730	1,972,730	1,964,045	1,954,918	1,954,918	2,193,572	2,055,291	2,188,041	2,188,041	233,123	11.92%	2,215,434	2,074,981	2,209,817	2,209,817
	Total Real Property Taxes	1,972,730	1,972,730	1,964,045	1,954,918	1,954,918	2,193,572	2,055,291	2,188,041	2,188,041	233,123	11.92%	2,215,434	2,074,981	2,209,817	2,209,817
Other Revenue:																
2701	Miscellaneous Tax Receipts	0	56	0	0	0	0	0	0	0	0	0.00%	0	0	0	0
2770	Miscellaneous	0	0	0	0	15	0	0	0	0	0	0.00%	0	0	0	0
	Total Other Revenue	0	56	0	0	15	0	0	0	0	0	0.00%	0	0	0	0
	Total Revenue	1,972,730	1,972,786	1,964,045	1,954,918	1,954,933	2,193,572	2,055,291	2,188,041	2,188,041	233,123	11.92%	2,215,434	2,074,981	2,209,817	2,209,817
Salaries:																
6100	Salaries	850,343	833,667	854,669	846,218	724,859	998,656	913,985	998,985	998,985	(152,767)	(18.05%)	1,020,918	932,634	1,019,334	1,019,334
6105	Part Time Salaries	0	1,628	0	5,000	4,389	5,000	5,000	5,000	5,000	0	0.00%	0	0	0	0
6110	Longevity	27,029	26,701	30,153	30,153	30,150	32,015	32,015	32,015	32,015	(1,863)	(6.18%)	32,346	32,346	32,346	32,346
6127	Cash in Lieu of Health Benefits	5,637	14,089	18,006	18,006	5,791	12,046	12,046	12,046	12,046	5,960	33.10%	12,046	12,046	12,046	12,046
	Total Salaries	883,010	876,084	902,828	899,377	765,188	1,047,718	963,046	1,048,046	1,048,046	(148,669)	(16.53%)	1,065,310	977,026	1,063,726	1,063,726
Employee Benefits - Current:																
6810	Employee Retirement - Active	122,305	113,833	117,049	117,049	96,863	132,133	121,192	132,030	132,030	(14,981)	(12.80%)	135,001	123,594	134,649	134,649
6830	FICA Tax Expenditure	64,431	62,798	65,666	65,019	55,739	75,059	68,200	74,817	74,817	(9,798)	(15.07%)	76,090	69,107	75,857	75,857
6835	MTA Tax	3,024	2,844	3,099	3,070	2,477	3,585	3,289	3,583	3,583	(512)	(16.68%)	3,663	3,354	3,654	3,654
6840	Worker's Compensation	6,482	5,807	8,766	8,766	6,760	11,818	9,167	10,663	10,663	(1,897)	(21.64%)	12,111	9,357	10,883	10,883
6860	Medical Insurance - Active Employees	179,460	149,335	152,592	152,592	145,949	207,384	180,276	207,384	207,384	(54,792)	(35.91%)	207,384	180,276	207,384	207,384
6865	Dental & Optical	11,858	10,425	11,988	11,988	9,151	13,800	12,420	13,800	13,800	(1,812)	(15.12%)	13,800	12,420	13,800	13,800
6875	Disability	259	101	157	157	15	174	157	174	174	(17)	(11.11%)	174	157	174	174
	Total Employee Benefits - Current	387,820	345,143	359,317	358,641	316,956	443,954	394,700	442,450	442,450	(83,809)	(23.37%)	448,223	398,264	446,400	446,400
	Total Employee Costs	1,270,830	1,221,226	1,262,145	1,258,018	1,082,144	1,491,672	1,357,746	1,490,496	1,490,496	(232,478)	(18.48%)	1,513,534	1,375,291	1,510,126	1,510,126
Contractual:																
6401	Contracts	6,000	12,500	6,000	41,000	18,763	6,000	6,000	6,000	6,000	35,000	85.37%	6,000	6,000	6,000	6,000
6411	Printing and Stationery	400	424	400	400	0	400	400	400	400	0	0.00%	400	400	400	400
6412	Publications	55,000	47,972	55,000	55,000	32,901	55,000	55,000	55,000	55,000	0	0.00%	55,000	55,000	55,000	55,000
6416	Travel, Dues and Related	3,000	3,072	3,000	3,000	1,978	3,000	3,000	3,000	3,000	0	0.00%	3,000	3,000	3,000	3,000
6420	Other	6,200	737	6,200	6,200	3,315	6,200	6,200	6,200	6,200	0	0.00%	6,200	6,200	6,200	6,200
6425	Office Supplies	1,800	1,184	1,800	1,800	806	1,800	1,800	1,800	1,800	0	0.00%	1,800	1,800	1,800	1,800
6430	Legal Fees	625,000	368,608	625,000	585,000	314,408	625,000	620,645	620,645	620,645	(35,645)	(6.09%)	625,000	622,790	622,790	622,790
6450	Schools & Training	3,000	1,040	3,000	3,000	1,555	3,000	3,000	3,000	3,000	0	0.00%	3,000	3,000	3,000	3,000
6477	Copier Leases	1,500	162	1,500	1,500	126	1,500	1,500	1,500	1,500	0	0.00%	1,500	1,500	1,500	1,500
	Total Contractual	701,900	435,699	701,900	696,900	373,851	701,900	697,545	697,545	697,545	(645)	(0.09%)	701,901	699,691	699,691	699,691
	Total Expenditures	1,972,730	1,656,925	1,964,045	1,954,918	1,455,995	2,193,572	2,055,291	2,188,041	2,188,041	(233,123)	(11.92%)	2,215,434	2,074,981	2,209,817	2,209,817
	Net Surplus (Deficit)	0	315,861	0	0	498,938	0	0	0	0			0	0	0	0