

Solicitor & Licensing Board

Mission Statement – Why We Exist

The Solicitor's office is responsible for providing representations and advice to the City and its officials in numerous areas including but not limited to: zoning issues, employment law, civil rights, civil service, contract actions, real estate, workers' compensation, education law, tort actions involving personal injury and property damage claims. Members of the legal department regularly attend and provide advice at meetings of the City Council and sub-committees thereof and to several City boards and commissions. In addition to drafting ordinances and other legal documents, numerous verbal and written opinions are rendered to the City Council and Department Heads.

The Licensing Board issues and oversees licenses for the following activities: auto dealerships, fortunetelling, liquor, vending, common victualler, lodging houses, street performers and entertainment.

Significant Budget & Staffing Changes for FY 2014

The Solicitor is proposing that the department increase its staff of attorneys from less than 1.5 to 2 full time attorneys to handle the volume of work of the department.

Recent Accomplishments

- Managed claims against city with minimal damages paid outside of insurance policy
- Defended law suits against the city and its Boards in Land Court (zoning appeals) and Superior Court
- Prepared multiple amendments to the City's Ordinance including:
 - Public Guides
 - Shopping Carts
 - Fortunetelling
 - Medical Marijuana
 - Parking
 - Panhandling
 - Community Preservation Act
- Advised various boards and commissions re. state and local law and case law
- Participated in labor arbitration cases
- Prepared contracts, license agreements and mutual aid agreements
- Prepared Opinions for boards and commissions, e.g. Bertram Field
- Worked with various departments on solicitations for bids and requests for proposals

- Part of team overseeing redevelopment of Dominion site
- Designated liaison to the Ethics Commission and oversee implementation of new ethics law requirements
- Negotiated all non-school union contracts
- Settled disputes with contractors on payment
- Worked as part of a team on securing new contracts for recycling, solid waste collection and disposal
- Negotiated various leases including city hall annex
- Advised HR on various personnel matters
- Investigated and advised departments on personnel infractions and prepared disciplinary documents
- Drafted various easements and rights of entry agreements

FY 2014 Goals & Objectives

- Goal: Successfully defend claims against city and its officers
- Goal: Revise existing ordinances to address any inefficiencies
- Goal: Address local needs/neighborhood concerns
- Goal: Address problem properties, health, bldg. violations
- Goal: Maximize MIIA rewards programs
- Goal: Redevelop Dominion site
- Goal: Assist in administration efforts for regionalization
- Goal: Assist Licensing Board in regulating licenses
- Goal: Improve vendor management and offerings
- Goal: Ensure all liquor licenses are fully utilized
- Goal: Negotiate new contract with Comcast

- Objective: Maximize resources, including insurance coverage to defend claims
- Objective: Conduct periodic review of Ordinance with Department Heads
- Objective: Create or amend Ordinances to provide tools to address needs/concerns
- Objective: Amend Ordinances to provide power to enforce regulations
- Objective: Assign staff to attend programs
- Objective: Work with team to oversee consultants
- Objective: Draft agreements as needed, e.g. boards of health
- Objective: Create specific regulations for the board to adopt, e.g. rooming houses
- Objective: Work as part of a team to improve quality of vendors
- Objective: Work with Board to address any pocket licenses
- Objective: Hold public meetings and address public need in new contract

Outcomes and Performance Measurers	Actual FY 2011	Actual FY 2012	Estimated FY 2013	Estimated FY 2014
SOLICITOR				
Reduce payments from judgments acct.	8578	4216	4000	3000
Reduce outside counsel	46509	71422	40000	60000
Increase attendance at MIIA Reward classes	15	16	80	50

Outcomes and Performance Measurers	Actual FY 2011	Actual FY 2012	Estimated FY 2013	Estimated FY 2014
LICENSING				
Restaurant All Alcohol and B&W	\$ 68,250	\$68,250	\$ 68,250	\$68,250
Club Liquor Licenses	\$ 18,750	\$18,750	\$ 18,750	\$18,750
Inn holder Liquor License	\$ 3,262	\$3,800	\$ 2,175	\$3,800
Package Goods	\$ 34,000	\$34,000	\$ 34,475	\$34,000
Seasonal Licenses	\$ 15,600	\$16,650	\$ 7,900	\$16,000
Other Liquor Licenses	\$ 6,525	\$6,525	\$ 7,500	\$6,525
Weekday Entertainment	\$ 6,000	\$6,000	\$ 6,000	\$6,000
Common Victuallers Licenses	\$ 4,700	\$4,500	\$ 4,500	\$4,500
Auto Dealers	\$ 3,100	\$3,100	\$ 3,200	\$3,200
Lodging House & Inn Licenses	\$ 5,875	\$5,875	\$ 600	\$5,875
Street Performers	\$ 300	\$600	\$ 200	\$500
Haunted Happenings	\$ 36,025	\$21,550	\$ 35,000	\$25,000
Automatic Amusements	\$ 5,000	\$5,000	\$5,000	\$5,000

How FY 2014 Departmental Goals Relate to City's Overall Long & Short Term Goals

- Continue to assist in expanding inter-governmental agreements with North Shore communities similar to the purchasing and building inspection agreements with Swampscott, MA to meet city's short and long term goal of regionalization of services
- Ensure proper bidding and contracting of infrastructure and park improvements to enable the city to meet its goal of improving these systems
- Work with department heads and safety committee to ensure City is getting full credit from MIIA rewards program so that City is able to meet its goal of having a balanced budget
- Work with collective bargaining units to prepare consolidated collective bargaining agreements
- Assist the city by working with consulting attorney and engineer to redevelop Dominion site

CITY OF SALEM - FY 2014 OPERATING BUDGET

			Expenditures FY 2012	Adopted Budget FY 2013	Adjusted Budget FY 2013	Y-T-D Expenses FY 2013	Department FY 2014	Mayor FY 2014	Council FY 2014
Solicitor-Licensing-Personnel									
11511	5111	SALARIES-FULL TIME	208,206.76	214,357.00	216,211.00	199,297.65	230,622.00	234,170.00	234,170.00
11511	5131	OVERTIME (GENERAL)	596.44	2,500.00	2,551.00	1,516.94	2,000.00	2,000.00	2,000.00
11511	5150	FRINGE/STIPENDS	1,150.00	1,150.00	1,150.00	1,150.00	0.00	0.00	0.00
Total Solicitor-Licensing-Personnel			209,953.20	218,007.00	219,912.00	201,964.59	232,622.00	236,170.00	236,170.00
Solicitor-Licensing-Expenses									
11512	5303	LEGAL SERVICES	71,421.90	60,000.00	67,750.00	60,347.13	50,000.00	50,000.00	50,000.00
11512	5306	ADVERTISING	175.00	400.00	150.00	113.31	400.00	400.00	400.00
11512	5381	PRINTING AND BINDING	394.45	500.00	500.00	495.39	500.00	500.00	500.00
11512	5421	OFFICE SUPPLIES (GEN	997.98	1,000.00	1,000.00	787.72	1,000.00	1,000.00	1,000.00
11512	5730	DUES AND SUB	6,500.00	6,500.00	6,500.00	5,210.85	6,500.00	5,500.00	5,500.00
11512	5760	JUDGMENTS	4,215.83	10,000.00	2,500.00	1,360.54	10,000.00	7,000.00	7,000.00
Total Solicitor-Licensing-Expenses			83,705.16	78,400.00	78,400.00	68,314.94	68,400.00	64,400.00	64,400.00
260	151	Department Total	293,658.36	296,407.00	298,312.00	270,279.53	301,022.00	300,570.00	300,570.00

FY 2014 MANAGEMENT, BOARD MEMBERS AND PART-TIME SALARIES

Name		Dept Name	Org/Obj	Job Desc	Hire Date	Voted By Council FY 2013 52	Code	F T E	# Hours Wkly = 1	# Board Meetings	Current Rate FY 2013 2.0%	Prop Rate FY 2014 0.0%	Dept Request FY 2014 52.2	Mayor Rate FY 2014 2.0%	Mayor Proposed FY 2014 52.2	Council Voted FY 2014
RENNARD	ELIZABETH	260	SOLICITOR -LICENSING	11511-5111	SOLICITOR	4/1/2004		1.0	1	100%	1,771.44	1,771.44	92,469.39	1,806.87	94,318.77	94,318.77
FREITAS	JOANNE	260	SOLICITOR -LICENSING	11511-5113	PARALEGAL	6/28/06		1.0	1	100%	640.03	800.10	41,765.22	816.10	42,600.52	42,600.52
STEIN	ROBIN	260	SOLICITOR -LICENSING	11511-5111	ASSISTANT SOLICITOR			0.54	1	100%	761.35	826.69	43,153.22	843.22	44,016.28	44,016.28
CASEY	J	260	SOLICITOR -LICENSING	11511-5111	BOARD MEMBER					4	325.00	325.00	1,300.00	325.00	1,300.00	1,300.00
LEE	RICHARD	260	SOLICITOR -LICENSING	11511-5111	BOARD MEMBER					4	325.00	325.00	1,300.00	325.00	1,300.00	1,300.00
PAGLIARO	MELISSA	260	SOLICITOR -LICENSING	11511-5111	CLERK OF BOARD					4	750.00	750.00	3,000.00	750.00	3,000.00	3,000.00
ST PIERRE	ROBERT	260	SOLICITOR -LICENSING	11511-5111	BOARD CHAIRMAN					4	425.00	425.00	1,700.00	425.00	1,700.00	1,700.00
						42,069.53		1.0	Total AFSCME 1818			45,934.13		45,934.13	45,934.13	
						214,356.31		3.5	Total Full Time - 5111			230,621.96		234,169.71	234,169.71	
260 SOLICITOR -LICENSING 11551-5150 Overtime						2,500.00			0.0	2,500.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	
						2,500.00			Total Overtime - 5131			2,000.00		2,000.00	2,000.00	
260 SOLICITOR -LICENSING 11551-5150 AFSCME Stipend						1,150.00			1.0	1,150.00						
						1,150.00			Total Fringe - 5150			-		-	-	
						218,006.31		3.5	Department Total			232,621.96		236,169.71	236,169.71	

	FY 2012	FY 2013	FY 2014	Variance
Full-Time Equivalent Employees:	3.2	3.2	3.5	0.3

FY 2014 AFSCME 1818 Union Employee Rates

EMPLOYEE NAME	Department	Org/Object	Job Title	Hire Date	Voted By	F	Rate	Rate	STEP INCREASES				Dept Request	Mayor	Council
					Council		FY 2013	FY 2014	Date	Rate	# Wks				
					52	E	0.0%	2.0%			Old	New	52.2	52.2	52.2
PAGLIARO	MELISSA	260	SOLICITOR-LICENSING	11511-5111	PRINCIPAL CLERK		42,069.53	1.0	862.71	879.96		100%	45,934.13	45,934.13	45,934.13
					42,069.53	1.0							45,934.13	45,934.13	45,934.13

**FY 2014 DETAILED BUDGET REPORT
EXPENSES**

Solicitor - 260

ORG	OBJECT	DESCRIPTION	Dept Request	Approved by Mayor	Approved by Council
11512	5303	Legal Services			
		Outside legal services - labor, workers comp, environmental	30,000	30,000	30,000
		Surveying, title Examinations, Etc.	5,000	5,000	5,000
		arbitration fees - filing and arbitrator fees	15,000	15,000	15,000
TOTAL			50,000	50,000	50,000
11512	5306	ADVERTISING			
		Advertisement for Alcohol Licensing	400	400	400
		Memberships and Publications			
		Expenses incurred for travel and meetings			
TOTAL			400	400	400
11512	5381	PRINTING AND BINDING			
		Licenses and Forms as needed (alcohol, auto dealers, etc.)	150	150	150
		Envelopes, Business Cards, Letterhead Stationary	350	350	350
TOTAL			500	500	500
11512	5421	Office Supplies and Equipment			
		Supplies	500	500	500
		Office Supplies - Licensing Board	100	100	100
		Office Equipment - Licensing Board	400	400	400
TOTAL			1,000	1,000	1,000
11512	5730	Dues & Subscriptions			
		Bar membership/ dues	1,000	1,000	1,000
		Subscriptions & publications; Cont. legal ed.	1,450	1,450	1,450
		Westlaw service	4,050	3,050	3,050
TOTAL			6,500	5,500	5,500
11512	5760	Judgments			
		Judgments	10,000	7,000	7,000
TOTAL			10,000	7,000	7,000
TOTAL PROPOSED			68,400	64,400	64,400