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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

GA

April 16, 2012

Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Personnel Adjustment - Assistant County Attorney

Dear Honorable Members:

The Erie County Department of Law is requesting authorization to create a position of Assistant County Attorney, job group 14. In 2010, the former administration deleted several assistant county attorney titles from the 2011 Budget and outsourced hundreds of thousands of dollars of legal work to outside law firms. The Department of Law wishes to recreate one of these deleted positions to handle legal work.

The Department of Mental Health's 2012 Budget includes \$58,500 for professional services for the retention of outside counsel for legal matters. After consultation with the Commissioner of Mental Health, the Department of Law is requesting approval of the new Assistant County Attorney title to perform that work half-time, as well as performing other important legal work. In so doing, the County will significantly reduce its spending and dependence on costly outside legal counsel. The remainder of the expense for the new position will be covered by funds in the professional services account in the Department of Law.

If your Honorable Body requires further information or has any questions, please contact County Attorney Michael Siragusa. Thank you for your consideration.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tc
Enclosure

cc: Michael Siragusa, County Attorney

8E-13

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Law
Re: Personnel Adjustment – Assistant County Attorney
Date: April 2, 2012

SUMMARY

Authorization is requested to create a position of Assistant County Attorney, job group 14, step 5 in the Department of Law to provide critical assistance to the County's Department of Mental Health and to reduce the County's dependence on outside legal counsel.

FISCAL IMPLICATIONS

The position will be funded via the available balance in the professional services account of the Department of Mental Health and the professional services account of the Department of Law. On an annualized basis, the position is \$67,758 at job group 14, step 5. Total 2012 projected personal services expense for the position (8.5 months) is less than \$48,000.

REASONS FOR RECOMMENDATION

In the 2011 Budget, the former administration deleted several assistant county attorney titles from the Department of Law and outsourced hundreds of thousands of dollars of legal work to outside law firms, costing the County more money in the long run.

The Department of Mental Health's 2012 Budget includes \$58,500 for professional services for the retention of outside counsel for legal matters. After consultation with the Commissioner of Mental Health, the Department of Law is requesting approval of the new Assistant County Attorney title to perform that work half-time, as well as performing other important legal work. In so doing, the County will significantly reduce its spending and dependence on costly outside legal counsel. The remainder of the expense for the new position will be covered by funding shifted from the available balance in the professional services account in the Department of Law.

CONSEQUENCES OF NEGATIVE ACTION

The Department of Law will pay more to outside law firms.

STEPS FOLLOWING APPROVAL

The Department of Law will work with the Budget Office and Department of Personnel to implement this request to create the position.

**A RESOLUTION SUBMITTED BY
DEPARTMENT OF LAW**

RE: Personnel Adjustment – Assistant County Attorney

WHEREAS, the Erie County Department of Law serves as general counsel and litigation counsel for Erie County government, and

WHEREAS, in 2010, the prior administration deleted several filled assistant county attorney positions from the County’s 2011 Budget and subsequently outsourced legal work to outside law firms, and

WHEREAS, the Department of Law has a critical need to have the services of another assistant county attorney to perform important legal work and to reduce the County’s dependence on expensive outside counsel, and

WHEREAS, the Department of Mental Health also has the need of an assistant county attorney assigned half-time to work on its myriad of legal tasks, and

WHEREAS, available 2012 funding is available in the professional service accounts of both departments for this position,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Assistant County Attorney, job group 14, step 5 (\$67,758 annualized salary), in the Department of Law B-100 # 6881; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following Budget adjustments in order to implement this request.

Fund 110 - 2012 Budget	
Department of Law - Fund Center 160	
Expense	Increase/(Decrease)
500000 - Full time Salaries	47,996
502000 - Fringe Benefits	26,390
516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	(37,193)
Total	0
Department of Forensic Mental Health – Fund Center 12420	
516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	37,193
Total	0

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budgets of the Department of Law and Department of Mental Health for this position, with the position covered by available balances in Account 516020, Professional Services Contracts and Fees; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Mental Health and the Department of Law.