

**RESOLUTION RATIFYING AND APPROVING THE LIST OF BILLS FOR
MARCH, 2013**

Resolution No. 04-2013-19

Approved as to form and
Legality on basis of Facts



Phil G. George, Esq.
Office of General Counsel

Factual Contents Certified

by _____
Budget Authorization Certified

WHEREAS, the Executive Director has received and reviewed the attached List of Bills for the Month of March 2013; and

WHEREAS, the Board of Commissioners approved the list of Bills for March, 2013; and

WHEREAS, the Executive Director is recommending that the List of Bills be approved; and

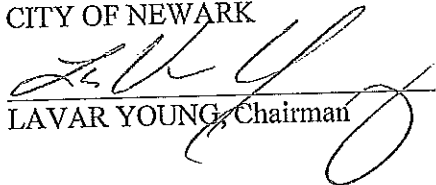
NOW, THEREFORE, be it resolved by the Board of Commissioners of the Parking Authority of the City of Newark, that the List of Bills for March, 2013 approved for payment.

Commissioner _____ Seconded the Motion
X - Indicates Vote AB - Absent NV - Not Voting
Board of Commissioners Vote of Final Passage

Commissioners	AYE	NAY	NV	AB	Commissioners	AYE	NAY	NV	AB
LaVar Young	✓				DeAndre Rudolph	✓			
Raquel Cagley	✓								
A Dean Rawls	✓				Hubert Graham	✓			

I hereby certify that the above Resolution No.04-2013-19 was accepted at a Commissioners meeting of the Parking Authority of the City of Newark on April 25, 2013.

PARKING AUTHORITY OF THE
CITY OF NEWARK



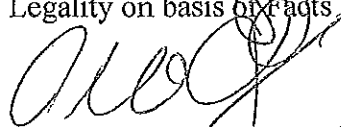
LAVAR YOUNG, Chairman

[SEAL]

RESOLUTION APPROVING THE LIST OF BILLS FOR APRIL, 2013

Resolution No. 04-2013-20

Approved as to form and
Legality on basis of Facts



Phil G. George, Esq.
Office of General Counsel

Factual Contents Certified

by _____
Budget Authorization Certified

WHEREAS, the Executive Director has received and reviewed the attached List of Bills for the Month of April, 2013; and

WHEREAS, the Board of Commissioners approved the list of Bills for April, 2013; and

WHEREAS, the Executive Director is recommending that the List of Bills be approved; and

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Parking Authority of the City of Newark, that the List of Bills for April, 2013 approved for payment.

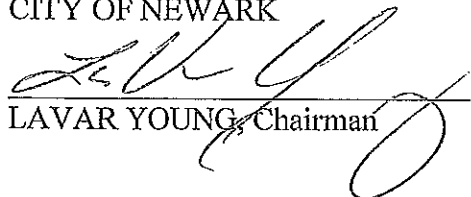
Commissioner _____ Seconded the Motion
X - Indicates Vote AB -- Absent NV -- Not Voting
Board of Commissioners Vote of Final Passage

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

LaVar Young	<input checked="" type="checkbox"/>				DeAndre Rudolph	<input checked="" type="checkbox"/>			
Raquel Cagley	<input checked="" type="checkbox"/>								
A Dean Rawls	<input checked="" type="checkbox"/>				Hubert Graham	<input checked="" type="checkbox"/>			

I hereby certify that the above Resolution No.04-2013-20 was accepted at a Commissioners meeting of the Parking Authority of the City of Newark on April 25, 2013.

PARKING AUTHORITY OF THE
CITY OF NEWARK



LAVAR YOUNG, Chairman

[SEAL]

RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF NEWARK
AMENDING TOWING AND STORAGE RATES FOR THE PARKING AUTHORITY
OF THE CITY OF NEWARK IN ACCORDANCE WITH THE NEW JERSEY
PREDATORY TOWING PREVENTION ACT AND THE INTERLOCAL
AGREEMENT WITH THE CITY OF NEWARK

Approved as to form and
Legality on basis of Facts

Factual Contents Certified
to by

Philip George, Esq.
Office of General Counsel

Director of Administration

RESOLUTION NO.: 04-2013-21

WHEREAS, the Parking Authority of the City of Newark has as a stated public purpose the provision of off-street parking facilities in order to benefit the public and aid traffic flow in and about the City of Newark pursuant to *N.J.S.A. 40:11A-6, et seq.*; and,

WHEREAS, in 2008 the Parking Authority of the City of Newark entered into an Interlocal Agreement with the City of Newark concerning the assumption of operation of the Parking System of the City of Newark on behalf of the City of Newark; and,

WHEREAS, as part of the Interlocal Agreement, the Parking Authority of the Newark assumed responsibility to take over towing and storage operations for the nonconsensual towing of vehicles which are illegally parked or have been involved in accidents or criminal or traffic violations; and,

WHEREAS, the Superior Court of New Jersey, Law Division, Essex County in the matter of *Dente Brothers Towing, Inc., v. City of Newark, et al*, Docket No. ESX-L-5800-12, directed enforcement of the terms of the Interlocal Agreement with regard to the bidding and selection of towing operators for nonconsensual towing; and,

WHEREAS, the City of Newark has not yet enacted an amended Ordinance governing nonconsensual towing; and,

WHEREAS, the Parking Authority of the City of Newark has located space in which to conduct towing storage for which would aid the City of Newark and the Parking Authority in fulfilling their statutory mission to provide safe and adequate parking and thereby control and limit traffic in and about the City; and,

WHEREAS, the location of space for towing storage is a condition precedent and triggering event to the commencement of such nonconsensual towing; and,

WHEREAS, pursuant to statute and the Interlocal Agreement the Parking Authority of the City of Newark has the authority to set rates for nonconsensual towing and storage; and,

WHEREAS, pursuant to the Interlocal Agreement and statutory authority, nonconsensual towing will continue to require the assistance and cooperation of the City of Newark's Police Department and Dispatch facilities, which the Board of Commissioners consider as a financial component which must be considered for the benefit of the residents and taxpayers of the City of Newark; and,

WHEREAS, pursuant to the Predatory Towing Prevention Act the Executive Director has caused to be determined the average rates prevailing for towing in the County of Essex for such services and has prepared a summary of such rates set forth in Schedule A and Schedule B and which rates do not exceed the average rates prevailing in the County of Essex for such services; and,

WHEREAS, by Resolution of the Board of Commissioners duly enacted at the Commissioners' regular public meeting in February, 2013 the Board of Commissioners adopted a schedule of rates for nonconsensual towing and related services in contemplation of issuing a Request for Qualifications for nonconsensual towing; and,

WHEREAS, after such resolution was adopted, the Police Department of the City of Newark met with the administration of the Parking Authority of the City of Newark and the office of Corporation Counsel of the City of Newark and provided additional comments on such rates as were adopted and advised that certain rates should be revised to reflect adequate compensation for services; and,

WHEREAS, the Commissioners of the Parking Authority of the City of Newark now wish to revise certain of such rates previously enacted in accordance with the recommendations of the Newark Police Department in order to permit the Executive Director to implement the said Order of the court and the written directive of the City of Newark to commence the bidding process for nonconsensual towing in order to benefit the public and aid traffic flow in and about the City of Newark:

NOW, THEREFORE, BE IT RESOLVED by the Parking Authority of the City of Newark that the Chairman of the Board of Commissioners of the Parking Authority of the City of Newark that the following rates are hereby adopted as a rule and regulation of the Parking Authority of the City of Newark, provided that the charges for services rendered by an Official Tower wholly within the City of Newark shall not exceed the following rates:

1. Towing:

- a. Automobiles under 5,000 lbs. gross average weight \$75.00.
- b. Commercial Vehicles and Automobiles or Sport Utility Vehicles over 5,001 lbs. gross average weight \$150.00.
- c. Each tow shall also be assessed a fee of \$30.00 to be collected by the Parking Authority and paid to the City of Newark on a monthly basis within five (5) days of the end of each calendar month.

2. Storage:

- a. Automobiles under 5,000 lbs. Gross average weight \$30.00 per day for the first thirty (30) days; thereafter \$35.00 per day.
- b. Commercial Vehicles and Automobiles or Sport Utility Vehicles over 5,001 lbs. gross average weight \$40.00 per day for the first thirty (30) days; thereafter \$45.00 per day.
- c. Second tow from Essex County Forensic impound to NPA towing facility: \$65.00.
- d. Second tow from NPA towing facility to NPA storage lot or other site: \$45.00.

3. Mileage. No mileage fee may be imposed on any tow which is regulated by this regulation.

4. Winching.

- a. Light Wreckers \$20.00 per 15 minutes, to a maximum of \$80.00.
- b. Heavy Wreckers \$225.00 per hour per vehicle.

Additional Workman Labor \$ 75.00 per hour

- 5. Transmission Service \$50.00
- 6. Any other service not enumerated above \$50.00

c. In cases where a licensee must hire laborers or rent other equipment, all reasonable charges therefor, shall be passed along to the owner of the vehicle.

d. For services to or from a point outside the City of Newark, the charges shall be governed by the fee schedule for towing as set forth above as and for an hourly dollar rate multiplied on a per hour basis until the destination has been reached.

e. The driver or operator of a wrecker shall give the customer a receipt for the amount paid and itemize each charge thereon.

f. The operator of a motor vehicle which is in the process of being towed for a parking violation of any municipal parking ordinances, shall have the option of cancelling the tow, whether or not the vehicle is engaged with the wrecker, by paying a fifty (\$50.00) dollar cancellation fee to the wrecker operator. The cancellation offer must be made by the motor vehicle operator prior to the wrecker departing the scene. The motor vehicle operator must show proof of driver's license, registration and insurance when paying the fifty (\$50.00) dollar cancellation fee which information shall be recorded and a receipt given by the wrecker operator. The wrecker operator shall provide the motor vehicle operator with a receipt detailing the amount paid, the time, date, location, license plate number, which receipt shall be signed off by a Police Officer or

Parking Enforcement Officer at the scene of the tow. After the motor vehicle operator displays the proper documentation and pays the cancellation fee, the wrecker operator shall cancel the tow regardless of whether or not the motor vehicle was engaged with the wrecker. Nothing in this section shall provide for or authorize the cancellation of any traffic summonses, fines, penalties, suspensions of driving or registration privileges, contempt charges or other process which may have been issued as a result of the motor vehicle operator violating any traffic and parking ordinances.

g. Motorcycles and all other on/off-road vehicles shall be considered automobiles for purposes of determining fees which are allowed under this section.

h. The fees set forth in this section do not apply to vehicles owned and/or operated by the City of Newark or the Parking Authority of the City of Newark.

i. There shall be no additional charges other than those provided herein including, but not limited to, flatbedding, waiting time, winching, clean-up cost, and additional labor when only basic towing services are provided as defined herein. The Official Tower, however, shall be allowed to charge the sum of Twenty-Five (\$25.00) Dollars per hour for additional winching services which may be required over and above basic towing services when removing a vehicle from a position beyond the right of way or berm or from being impaled upon any other object within the right of way or berm; and,

IT IS FURTHER RESOLVED by the Parking Authority of the City of Newark that the above rates shall not go into effect until Official Towers are selected and approval of the City of Newark is obtained, if the same is determined to be required by further action of the City of Newark.

Commissioner

Seconded the Motion

X - Indicates Vote AB - Absent NV - Not Voting

Board of Commissioners Vote of Final Passage

RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AMENDING TOWING AND STORAGE RATES FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK IN ACCORDANCE WITH THE NEW JERSEY PREDATORY TOWING PREVENTION ACT AND THE INTERLOCAL AGREEMENT WITH THE CITY OF NEWARK

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

Lavar Young, Chairman	✓				DeAndre Rudolph	✓			
Raquel Cagley	✓								
A. Dean Rawls	✓								
Hubert Graham	✓								

CERTIFICATION

I, LAVAR YOUNG, Chairman of the Parking Authority of the City of Newark (the "Authority"), a public body corporate and politic and a political subdivision of the State of New Jersey, DO HEREBY CERTIFY as follows:

Attached hereto is a copy of a resolution entitled, "RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AMENDING TOWING AND STORAGE RATES FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK IN ACCORDANCE WITH THE NEW JERSEY PREDATORY TOWING PREVENTION ACT AND THE INTERLOCAL AGREEMENT WITH THE CITY OF NEWARK" (the "Resolution"), which Resolution was adopted at a regular meeting of the Authority duly called, advertised and held on April 25, 2013 in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended and supplemented, at which meeting a quorum was present and acting throughout, which copy of said Resolution has been compared by me with the original thereof as officially recorded in the Minute Book of the Authority and that said copy is a true, complete and correct copy of said Resolution and that said Resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Authority hereto this 25th day of April, 2013.

**SCHEDULE OF NONCONSENTUAL TOWING
FEES IN ESSEX COUNTY, NEW JERSEY
BY MUNICIPALITY**

Schedule A – Rates in Essex County

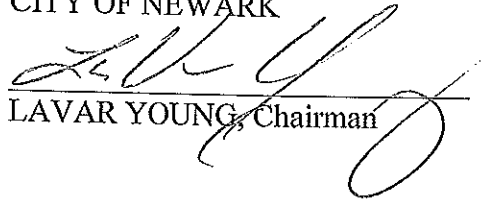
Municipality	Towing Rate	Storage Rate
Bloomfield	Not available – set by tower	Not available – set by tower
Irvington	\$50.00 auto \$100.00 truck	\$15.00 /day \$15.00 /day
Caldwell	\$80.00 under 8,000 lb \$175.00 over 8,000 lb	\$25.00 / under 10,000 lb outside \$35.00 / under 10,000 lb inside
Cedar Grove	\$95.00 autos	\$30.00 per day
Livingston	Set by tower	Set by tower
South Orange	\$75.00 light tow \$125.00 medium tow \$250.00 heavy tow	\$35.00 / day inside \$25.00 / day outside
Maplewood	\$75.00 plus one-time \$25.00 administrative fee	\$35.00 / day inside \$25.00 / day outside
Montclair	\$85.00 daytime \$95.00 nighttime	\$35.00 / day inside \$30.00 / day outside
Verona	\$85.00 regular \$100.00 flatbed	\$25.00 / day Impound: \$125.00 first 3 days, then \$25.00 per day
Essex Fells	Not found	
Nutley	Tower sets fees	\$10.00 per day for police impounds \$20.00 per day for overtime parking towing
Millburn	\$65.00 under 6,000 lb \$97.50 over 6,000 lb	\$30.00 / day

Schedule B – Averages and Percentages at 25% and 50% in Essex County

Activity	Average	Permitted +25% Predatory Towing Act for Consensual Towing (NJSA 56:13-14(b))	Permitted +50% Predatory Towing Act for Nonconsensual Towing (NJSA 56:13-14(b))
Towing Light	\$76.25	\$95.31	\$114.37
Towing Heavy	\$155.62	\$194.52	\$233.43
Inside Storage	\$30.66 per day	\$38.32	\$57.48
Outside Storage	\$26.77 per day	\$33.46	\$50.19

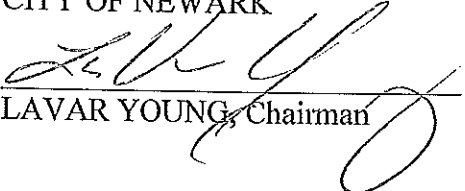
PARKING AUTHORITY OF THE
CITY OF NEWARK

[SEAL]


LAVAR YOUNG, Chairman

PARKING AUTHORITY OF THE
CITY OF NEWARK

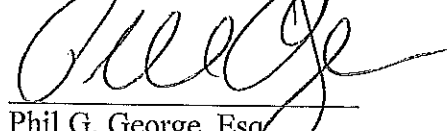
[SEAL]


LAVAR YOUNG, Chairman

**RESOLUTION AUTHORIZING THE PURCHASE
OF WORK STATIONS**

Resolution No. 04-2013-~~23~~²³

**Approved as to form and
Legality on basis of Facts**



Phil G. George, Esq.
Office of General Counsel

Factual Contents Certified

to by _____

Budget Authorization Certified

WHEREAS, the Executive Director and Director of Administration have evaluated the current spacing situation for the Operations Department of the Authority and deem it necessary and appropriate to expand and move some of the existing operations staff into already acquired larger space, for purposes of operating efficiently; and

WHEREAS, the Executive Director and Director of Administration have done their due diligence and located certain work-stations appropriate for the needs of staff and can make the purchase of same at a fair and equitable price; and

WHEREAS, the Atlas Desk has provided a quote to sell and install to the Authority the work-stations, and the Director desires to accept the offer and purchase same for the amount of \$2325.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Parking Authority of the City of Newark, that Executive Director, is hereby authorized and directed to purchase items listed on Schedule "A," for the amount of \$2,325.00, said equipment being necessary to efficiently operate the business of the Authority.

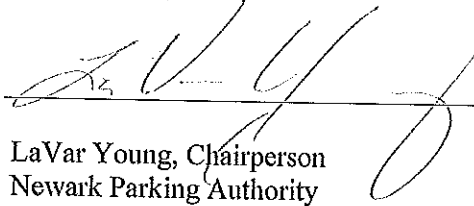
Commissioner Seconded the Motion
X - Indicates Vote AB – Absent NV – Not Voting
Board of Commissioners Vote of Final Passage

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

LaVar Young					DeAndre Rudolph				
Raquel Cagley									
A Dean Rawls					Hubert Graham				

I hereby certify that the above Resolution No. _____ was accepted at a Commissioners meeting of the
Parking Authority of the City of Newark on _____

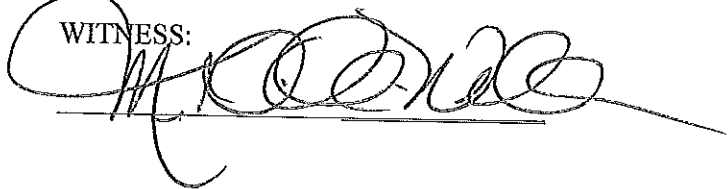
By:



LaVar Young, Chairperson
Newark Parking Authority

(SEAL)
ATTEST:

WITNESS:



SCHEDULE "A"

~~(Attached to and made a part of Resolution #2008/40)~~

