

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF COMMISSIONERS OF THE
PARKING AUTHORITY OF THE CITY OF NEWARK
MAY 30, 2013**

The meeting was convened at 50 Park Place, Newark, New Jersey, at 4:00 P.M.

Pursuant to (Ch 231 PL 1975) "Open Public Meeting" Act, Chapter 113, adequate notice was given to the Star Ledger and transmitted to the City of Newark's information office and posted on the Authority's WebSite.

The pledge of allegiance was recited.
Roll Call as follows:

Present:

Chairman LeVar Young
Vice-Chair Hubert Graham
Commissioner DeAndre Rudolph
Commissioner Raquel Cagley
Commissioner A. Dean Rawls

Others Present:

Executive Director, Ernest R. Booker
Phil George, Esq., General Counsel Office
Sr. Executive Asst., Merian Williams

Chair noted that there was a quorum present and the Board was in accord with State Statute and the meeting could now commence.

Chair Young requested a Motion to adopt the Agenda for today's meeting. Motion by Commissioner Rudolph and seconded by Commissioner Rawls and approved by unanimous consent.

Chair Young requested a Motion to approve the minutes of the Meeting of April 25, 2013. Motion to approve by Commissioner Rudolph, seconded by Vice-Chair Graham and approved by unanimous consent,

Financial Report:

Treasurer Rudolph presented the Financial Report for the month of After discussion, Chair Young requested a motion to approved the financial report for the month of May, 2013. Motion by Commissioner Rawls, seconded by Commissioner Cagley and approved by unanimous consent.

Chair Young presented the following Resolutions:

1. **Resolution #05-2013- APPROVING THE LIST OF BILLS AND FINANCIAL REPORT FOR May, 2013.** Motion to approve by Commissioner Cagley, seconded by Commissioner Rawls and approved by unanimous consent.
2. **RESOLUTION #05-2013-RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY IOF NEWARK AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE DUE DATE FOR RETURN OF RFQ FOR TOWING.**

Roll Call:

Chairman Young	Yes
Vice-Chair Graham	Yes
Commissioner Rudolph	Yes
Commissioner Cagley	Yes
Commissioner Rawls	Yes

On motion of Commissioner Rudolph and seconded by Commissioner Cagley, and approved by unanimous consent, the Board went into Executive Session.

Upon completion of Executive Session, Legal Counsel noted for the record that all members of the Board were present and that the Board entered into executive session for discussion of personnel policies and matters, real estate development

and litigation. Minutes of the Executive Session will be released when appropriate under the Open Public Meetings and the Open Public Records Act. There were no Member of the public present at commencement of the Execupublic presen were no members of The Board resumed it's regular olph.

Roll call to resume the Regular Meeting of the the executive Session and no members of the public presen

Chair Young	Yes
Commissioner Rudolph	Yes
Vice-Chair Graham	Yes
Commissioner Cagley	Yes
Commissioner Rawls	Yes

Chair Young requested a motion to adjourn the meeting. Motion to adjourn by Commissioner Rudolph, second by Commissioner Rawls and approved by unanimous consent.

There being no further business, the meeting was adjourned at approximately 5:05 P.M. on motion of Commissioner Cagley and seconded by Commissioner Rawls.

RESOLUTION APPROVING THE LIST OF BILLS FOR MAY 30, 2013

Resolution No. 05-2013-24

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

Factual Contents Certified

by _____
Budget Authorization Certified

Phil G. George, Esq.
Office of General Counsel

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

WHEREAS, the Board of Commissioners approved the list of Bills for May, 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 May, 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.05-2013- 23 was accepted at a Commissioners meeting of the Parking Authority of the City of Newark on May 30, 2013.

By: _____
LaVAR YOUNG
Chairperson
Newark Parking Authority

(SEAL)
ATTEST:

WITNESS:

RESOLUTION #05-2013-25 PULLED FROM THE AGENDA DUE TO COURT ORDER



Gabriel H. Halpern
ghalpern@PinilisHalpern.com
Certified by the Supreme Court of New Jersey as a Civil Trial Attorney

May 31, 2013

VIA FACSIMILE 973-623-2854

City of Newark Parking Authority
Attn: Ernest Booker, Executive Director
50 Park Place, Suite 919
Newark, New Jersey 07102

Re: B&C Towing, Inc. v. The Parking Authority of the City of Newark
Docket No. L-4120-13
File No. 11627

Dear Mr. Booker:

We represent Plaintiff in the above matter. Enclosed please find copy of Order to Show Cause entered by Judge Farrington in the above matter.

The Parking Authority is enjoined from accepting bids on Tuesday, June 4, 2013. A copy of the attached has been served on Mr. George.

Very truly yours,

GABRIEL H. HALPERN

GHH:dew
Enclosure

cc: Philip G. George (via facsimile 732-805-3346)
B&C Towing, Inc.

9736936450

09:38:52 p.m. 06-01-2013

1 / 4

PINILIS HALPERN, LLP
160 Morris Street
Morristown, New Jersey 07960
Tel. (973) 401-1111
Fax (973) 401-1114
Attorney for Plaintiff B&C Towing, Inc.
File No. 11627

FILED

MAY 30 2013

CHRISTOPHER ... J.S.G.

B&C TOWING, INC.,
Plaintiff,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY
DOCKET NO. ESX-L 4120-13

vs.

Civil Action

PARKING AUTHORITY OF THE
CITY OF NEWARK,
Defendant,

ORDER TO SHOW CAUSE WITH
TEMPORARY RESTRAINTS

This matter being brought before the Court by PinilisHalpern, LLP (Gabriel H. Halpern), attorneys for Plaintiff, and it appearing that the Defendant Parking Authority of the City of Newark ("Parking Authority") has notice of this application, and the Court having considered the documents submitted; and for good cause shown;

IT IS on this 30 day of May, 2013:

ORDERED that Defendant City of Newark appear and show cause before this Court on the 1st day of June, 2013 at 9:00 a.m. p.m., or as soon thereafter as counsel may be heard, why an order should not be issued preliminarily enjoining and restraining defendant from soliciting new bids or accepting or opening bids/requests for proposals for rotational towing services;

And it is further ORDERED that pending the return date herein, the defendant Parking Authority is temporarily enjoined and restrained from:

- a. from accepting or opening bids for rotational towing services presently scheduled to be accepted and opened on June 4, 2013;

And it is further ORDERED that:

1. The defendant may move to dissolve or modify the temporary restraints herein contained on two (2) days notice to the plaintiff's attorney.

2. Plaintiff shall serve this order to show cause, the verified complaint and other supporting documentation upon Defendant by sending it by both regular mail and Lawyers' Service, within 3 days from the date of Plaintiff's receipt of the signed order to show cause and shall file a certification of service with the court prior to the return date hereof.

3. Defendant shall file any answering papers to this order to show cause, with a copy to Plaintiff's counsel, no later than June 10, 2013. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to the Honorable Christine Tarantino, whose address is BCR, Room 410 Newark, N.J. You must also send a copy of your opposition papers to the Plaintiff's attorney whose name and address appear above, or to the Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ 135 and serve your opposition on your adversary, if you want to the court to hear your opposition to relief the Plaintiff is seeking.

4. Plaintiff must file and serve any written reply to the Defendant's order to show cause opposition by June 13, 2013. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of the Honorable Christine Tarantino

5. If the Defendant does not file and serve opposition to this order to show cause, the application may be decided on the papers on the return date and relief may be granted by default,

provided that the Plaintiff file a proof of service and a proposed form of order at least three days prior to the return date.

6. If the Plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

7. Defendant take notice that plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer to the complaint and proof of service within 35 days from the date of service of this order to show cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf. Include a \$135 filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands.

8. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ.

LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

9. This Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than 5 days before the return date.

Christina L. Assington
 Honorable J.S.C.