



# AGENDA

**BOARD OF COMMISSIONERS - SPECIAL MEETING**  
**AUGUST 6, 2014**  
**5:00 p.m.**

**Public Statement: The meeting is being called pursuant to the Open Public Meetings Act, Chapter 113; Adequate notice has been given to the public by advertisement in the Star Ledger.**

**Pledge of Allegiance**  
**Attendance – Roll Call**  
**Action Items:**

- Agenda Adoption**
- Minutes of August 1, 2014**
- Executive Minutes of August 1, 2014**

**RESOLUTIONS:**

1. RESOLUTION #08-2014-<sup>54</sup> OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A REVISED TABLE OF ORGANIZATION FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK.
2. RESOLUTION #08-2014-<sup>57</sup> OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK APPOINTING JOAQUIN AYERBE AS DIRECTOR OF ENFORCEMENT OF THE PARKING AUTHORITY OF THE CITY OF NEWARK.
3. RESOLUTION #08-2014-<sup>58</sup> OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK REQUESTING THE RESIGNATION OF PHILIP G. GEORGE, ESQUIRE, AS DIRECTOR OF COMPLIANCE & DEVELOPMENT
4. RESOLUTION #08-2014-<sup>59</sup> OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES TO PHILIP G. GEORGE, ESQUIRE, FOR LEGAL SERVICES RELATED TO ARENA ISSUES AND TAX APPEALS
5. RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AUTHORIZING THE EXECUTIVE DIRECTOR TO CONDUCT LOCATION SEARCH AND NEGOTIATIONS FOR OPERATIONS AND ADMINISTRATION SPACE FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK.

*NOT  
PASSED*

*60*

Executive Session  
Executive Director Report  
Legal Report  
New Business:  
Adjournment:

Ethelyn S. Bowers  
Phil G. George, Esq.

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF COMMISSIONERS OF THE  
PARKING AUTHORITY OF THE CITY OF NEWARK  
August 1, 2014**

The meeting was convened at 50 Park Place, Newark, New Jersey, at 5:00 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 Web Site.

The pledge of allegiance was recited. No Members of the public are present.  
Roll Call as follows:

Present:

Chairman LaVar Young  
Vice-Chairman Hubert Graham  
Commissioner DeAndre Rudolph  
Commissioner Raquel Cagley

Absent

Commissioner A. Dean Rawls

Others Present:

Acting Executive Director, Ethelyn S. Bowers  
Phil George, Esq., Dir. Of Development  
and Compliance/Legal Counsel  
Sr. Executive Asst., Merian Williams

Chair Young 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. Motion to accept the Agenda by Commissioner Cagley and Seconded by Commissioner Rudolph and approved by unanimous consent.

Chair requested a Motion to Approve the Minutes from July 12, 2014. Motion to accept by Commissioner Rudolph and seconded by Commissioner Cagley, and approved by unanimous consent.

Financial Report:

Chair Young presented the following Resolutions:

1. RESOLUTION #08-2014- 42 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, RATIFYING THE LIST OF BILLS FOR JUNE, 2014. AFTER DISCUSSION MOTION TO RATIFY AND APPROVE THE LIST OF BILLS FOR JUNE, 2014 AS AMENDED BY COMMISSIONER CAGLEY, SECONDED BY

COMMISSIONER GRAHAM AND APPROVED BY UNANIMOUS CONSENT.

2. RESOLUTION #08-2014-43 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, RATIFYING THE LIST OF BILLS FOR JULY, 2014. AFTER DISCUSSION MOTION TO RATIFY AND APPROVE THE LIST OF BILLS FOR JUNE, 2014 BY COMMISSIONER GRAHAM, SECONDED BY COMMISSIONER RUDOLPH, AND APPROVED BY UNANIMOUS CONSENT.

3. RESOLUTION #08-2014-44 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, APPOINTING ETHELYN S. BOWERS AS THE EXECUTIVE DIRECTOR OF THE PARKING AUTHORITY OF THE CITY OF NEWARK. MOTION TO APPROVE BY COMMISSIONER RUDOLPH AND SECONDED BY COMMISSIONER CAGLEY.

ROLL CALL:

CHAIRMAN YOUNG	YES
VICE-CHAIR GRAHAM	YES
COMMISSIONER RUDOLPH	YES
COMMISSIONER CAGLEY	YES

THE BOARD ENTERED INTO A SHORT RECESS. AT THE CONCLUSION OF THE RECESS, MOTION TO GO INTO EXECUTIVE SESSION. BY COMMISSIONER GRAHAM, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT. Chair Young requested a motion to enter into Executive Session

RESOLUTION #08-2014-45 to enter into Executive Session. Motion to go into Executive Session by Commissioner Cagley, seconded by Commissioner Graham. Approved by unanimous consent.

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 litigation and personnel matters. Minutes of the Executive Session will be released when appropriate under the Open Public Meetings and the Open Public Records Act. Board resumed it's regular meeting on motion to by Commissioner Graham and seconded by Commissioner Rudolph.

Roll call to resume the Regular Meeting of the Board of Commissioners:

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

4. RESOLUTION #08-2014-46 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, RATIFYING THE YOLANDA BELL SETTLEMENT. MOTION TO APPROVE BY COMMISSIONER GRAHAM, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT,
5. RESOLUTION #08-2014-47 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A FISCAL POLICY MANUAL. AFTER DISCUSSION, MOTION TO APPROVE BY COMMISSIONER RUDOLPH, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT,
6. RESOLUTION #08-2014-48 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL. AFTER DISCUSSION, MOTION TO APPROVE BY COMMISSIONER RUDOLPH, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT.
7. RESOLUTION #08-2014-49 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, AUTHORIZING THE EXECUTIVE DIRECTOR TO PURCHASE 11 X 8.5 REPRODUCTIONS OF MILITARY PARK HISTORICAL PLAQUE. MOTION TO APPROVE BY COMMISSIONER RUDOLPH, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT.
8. RESOLUTION #08-2014-50 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, RESERVING FUNDS FROM JACKSON STREET LOT OPERATIONS PENDING RESOLUTION OF ALL CLAIMS. AFTER FULL DISCUSSION, MOTION TO APPROVE BY COMMISSIONER GRAHAM, SECONDED BY COMMISSIONER RUDOLPH AND APPROVED BY UNANIMOUS CONSENT.
9. RESOLUTION #08-2014-51 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, APPOINTING JOAQUIN AYERBE AS DIRECTOR OF ENFORCEMENT OF THE PARKING AUTHORITY OF THE CITY OF NEWARK. AFTER FULL DISCUSSION THE BOARD TABLED THIS RESOLUTION UNTIL THE NEXT MEETING OF THE BOARD OF COMMISSIONERS. [TABLED]
10. RESOLUTION #08-2014-52 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A REVISED TABLE OF ORGANIZATION FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK. AFTER FULL DISCUSSION. THIS RESOLUTION WAS TABLED UNTIL THE NEXT MEETING OF THE BOARD OF COMMISSIONERS. [TABLED]

11. RESOLUTION #08-2014-53 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK DECLARING CERTAIN ELECTRONICS AND COMMUNICATION EQUIPMENT AS SURPLUS AMEND AUTHORIZING THE EXECUTIVE DIRECTOR TO SELL OR OTHERWISE DISPOSE OF SURPLUS. MOTION TO APPROVE BY COMMISSIONER RUDOLPH AND SECONDED BY COMMISSIONER CAGLEY. APPROVED BY UNANIMOUS CONSENT.
  
12. RESOLUTION #08-2014-54 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK EXTENDING THE EXTENDED ENFORCEMENT HOURS PILOT PROGRAM TO THE NORTH WARD. AFTER DISCUSSION, MOTION TO APPROVE BY COMMISSIONER RUDOLPH, SECONDED BY COMMISSIONER CAGLEY AND APPROVED BY UNANIMOUS CONSENT.

After full discussion, the Board determined that there is a need for a Special Meeting of the Board of Commissioners. Said meeting is to be held on Wednesday, August 6, 2014 at 5:00 P.M. Said meeting is to be advertised in the Star Ledger on Monday August 4, 2014.

Chair Young stated there being no further business, and seeing and hearing no members of the public present, request for motion to adjourn. Motion to adjourn By Commissioner Rudolph and seconded by Commissioner Cagley. The meeting was adjourned at approximately 9:45 A.M.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A  
REVISED TABLE OF ORGANIZATION FOR THE  
PARKING AUTHORITY OF THE CITY OF NEWARK.**

Approved as to form and  
Legality on basis of Facts

Factual Contents Certified  
to by

\_\_\_\_\_  
Philip George, Esquire

\_\_\_\_\_  
Gabriela Santos

**RESOLUTION NO.:**

**8-2014-56**

**WHEREAS**, the Parking Authority of the City of Newark is organized under a Table of Organization; and,

**WHEREAS**, the Parking Authority of the City of Newark has significantly increased in personnel, city wide initiatives and parking related on-street enforcement, and has initiated quality of life enforcement and patrols, while the City of Newark continues to increase development and civic activities which require parking related services; and,

**WHEREAS**, the Board of Commissioners have reviewed the Table of Organization of the Parking Authority of the City of Newark and determined that it requires revision in light of such changes; and,

**WHEREAS**, the Administration of the Parking Authority of the City of Newark has proposed revisions to the Table of Organization in the form attached in order to provide operational expansion and supervision and provide increased services to the residents and businesses of the City of Newark under the authority of the Parking Authority Law; and,

**WHEREAS**, the Board of Commissioners now wish to adopt the proposed revised Table of Organization:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Parking Authority of the City of Newark the attached revised Table of Organization is hereby adopted, and such positions shall be planned and staffed within the salary

range for such position in the current budget of the Parking Authority of the City of Newark.

Seconded the Motion

Commissioner

X - Indicates Vote AB - Absent NV - Not Voting

Board of Commissioners Vote of Final Passage

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A REVISED TABLE OF ORGANIZATION FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK.

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

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 BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ADOPTING A REVISED TABLE OF ORGANIZATION FOR THE PARKING AUTHORITY OF THE CITY OF NEWARK," (the "Resolution"), which Resolution was adopted at a regular meeting of the Authority duly called, advertised and held on August 1, 2014 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 1st day of August, 2014.

PARKING AUTHORITY OF THE CITY OF NEWARK

Handwritten signature of LaVar Young, Chairman

[SEAL]



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
THE PARKING AUTHORITY OF THE CITY OF NEWARK APPOINTING  
JOAQUIN AYERBE AS DIRECTOR OF ENFORCEMENT OF THE  
PARKING AUTHORITY OF THE CITY OF NEWARK.**

Approved as to form and  
Legality on basis of Facts

Factual Contents Certified  
to by

\_\_\_\_\_  
Phillip George, Esquire

\_\_\_\_\_  
Gabriela Santos

**RESOLUTION NO.:** 08-2014-57

**WHEREAS**, the Board of Commissioners have considered and adopted the proposal of the Administration of the Parking Authority of the City of Newark to reorganize the Table of Organization of the Parking Authority of the City of Newark in order to accomplish its mission to provide increased parking and enforcement of Newark's parking ordinances and expand the evening quality of life enforcement program on a permanent basis; and,

**WHEREAS**, as part of that reorganization of the Table of Organization, the Board of Commissioners have re-instituted the position of Director of Enforcement to head the on-street enforcement and maintenance operations of the Parking Authority; and,

**WHEREAS**, Joaquin Ayerbe currently serves as Manager of On-Street Enforcement for the Parking Authority of the City of Newark; and,

**WHEREAS**, the Board of Commissioners of the Parking Authority of the City of Newark consider that the knowledge and experience of Joaquin Ayerbe as Manager of On-Street Enforcement have prepared him to supervise and direct all operations of the Parking Authority of the City of Newark; and,

**WHEREAS**, the Board of Commissioners believe that the Parking Authority of the City of Newark will be well served by appointing Joaquin Ayerbe as Director of Enforcement :

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Parking Authority of the City of Newark that Joaquin Ayerbe is appointed as Director of Enforcement of the Parking Authority of the City of Newark; and,

**IT IS FURTHER RESOLVED,** that such appointment shall commence on August 1, 2014 at a salary of \$75,000 in accordance with the salary range for such position and such benefits as accrue to such position.

Commissioner

Seconded the Motion

X - Indicates Vote AB - Absent NV - Not Voting

Board of Commissioners Vote of Final Passage

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK APPOINTING JOAQUIN AYERBE AS DIRECTOR OF OPERATIONS OF THE PARKING AUTHORITY OF 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 BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK APPOINTING JOAQUIN AYERBE AS DIRECTOR OF ENFORCEMENT OF THE PARKING AUTHORITY OF THE CITY OF NEWARK," (the "Resolution"), which Resolution was adopted at a regular meeting of the Authority duly called, advertised and held on August 1, 2014 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 1st day of August, 2014.

PARKING AUTHORITY OF THE CITY OF NEWARK

LaVAR YOUNG, Chairman

[SEAL]

08-2014-60

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY  
OF THE CITY OF NEWARK REQUESTING THE RESIGNATION OF PHILIP G. GEORGE,  
ESQUIRE, AS DIRECTOR OF COMPLIANCE & DEVELOPMENT**

**WHEREAS**, Philip G. George, Esquire, served as General Counsel to the Parking Authority of the City of Newark through an outside law firm for over 5 years; and,

**WHEREAS**, Philip G. George, Esquire, has served as in-house counsel and Director of Compliance and Development for the Parking Authority of the City of Newark since August 1, 2014 under the terms of an Employment Agreement Contract dated July 8, 2013; and,

**WHEREAS**, during such time, Philip G. George, Esquire, has contributed to the continued success and development of the Parking Authority in such positions; and,

**WHEREAS**, because of reorganizational requirements and on-going negotiations with the City of Newark following change of administration, the Board of Directors of the Parking Authority of the City of Newark have determined that Philip G. George, Esquire, should submit his resignation as an employee of the Parking Authority of the City of Newark effective August 15, 2014; and,

**WHEREAS**, Philip G. George, Esquire, and the Administration of the Parking Authority of the City of Newark have reached agreement regarding continuation of such projects as may require his consulting expertise from time to time:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Parking Authority of the City of Newark that the resignation of Philip G. George, Esquire is requested, effective August 15, 2014; and, it is

**Further Resolved**, that the Board of Commissioners of the Parking Authority of the City of Newark thank Philip G. George for his service on behalf of the Parking Authority 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 BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK REQUESTING THE RESIGNATION OF PHILIP G. GEORGE, ESQUIRE, AS DIRECTOR OF COMPLIANCE & DEVELOPMENT

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

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 BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK REQUESTING THE RESIGNATION OF PHILIP G. GEORGE, ESQUIRE, AS DIRECTOR OF COMPLIANCE & DEVELOPMENT," (the "Resolution"), which Resolution was adopted at a regular meeting of the Authority duly called, advertised and held on August 6, 2014 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 6th day of August, 2014.

PARKING AUTHORITY OF THE CITY OF NEWARK

[SEAL]

LaVAR YOUNG, Chairman

Handwritten signature of LaVar Young over a horizontal line.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY  
OF THE CITY OF NEWARK AUTHORIZING THE AWARD OF A CONTRACT  
FOR PROFESSIONAL SERVICES TO PHILIP G. GEORGE, ESQUIRE, FOR  
LEGAL SERVICES RELATED TO ARENA ISSUES AND TAX APPEALS**

**WHEREAS**, Philip G. George, Esquire, served as General Counsel to the Parking Authority of the City of Newark through an outside law firm for over 5 years; and,

**WHEREAS**, Philip G. George, Esquire, has served as in-house counsel and Director of Compliance and Development for the Parking Authority of the City of Newark since August 1, 2014 under the terms of an Employment Agreement Contract dated July 8, 2013; and,

**WHEREAS**, during such time, Philip G. George, Esquire, has been significantly involved in a number of development and legal issues which continue to the present time and are anticipated to continue in the near future and until complete, including negotiations regarding a Final Agreement with the City of Newark, the Newark Housing Authority and Devils Arena Entertainment, LLC, as required by a Settlement Agreement between them, audit issues for the Devils Arena under state statutes and a possible appeal of tax exemption issues regarding the McCarter Highway Special Events Parking Lot; and,

**WHEREAS**, because of reorganizational requirements and on-going negotiations with the City of Newark following change of administration, the Board of Directors of the Parking Authority of the City of Newark have requested that Philip G. George, Esquire, submit his resignation as an employee of the Parking Authority of the City of Newark effective August 15, 2014; and,

**WHEREAS**, the Board of Commissioners of the Parking Authority of the City of Newark has a need to retain the experience and involvement of Philip G. George, Esquire, regarding the aforesaid matters due to the time limitations involved with the audit issues and requirements of the Settlement Agreement and tax court scheduling; and,

**WHEREAS**, Philip G. George, Esquire, and the Administration of the Parking Authority of the City of Newark have reached agreement regarding a consultancy contract to provide such advice and representation as may be required during the next four (4) months and

limited to negotiations regarding a Final Agreement with the City of Newark, the Newark Housing Authority and Devils Arena Entertainment, LLC, as required by a Settlement Agreement between them, audit issues for the Devils Arena under state statutes and a possible appeal of tax exemption issues regarding the McCarter Highway Special Events Parking Lot for a set sum of \$4,000.00 per month, which contract may be renewed for an additional term to be decided as needed and determined by the Board of Commissioners of the City of Newark; and,

**WHEREAS**, the maximum amount of the contract is \$16,000.00 and funds are available in the current account number entitled as evidenced by the Financial Manager's Certification; and,

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Parking Authority of the City of Newark that a contract is awarded to Philip G. George, Esquire without competitive bidding as a Professional Service contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession of the practice of law that is regulated by law; and,

**Further Resolved**, that such contract shall be for a term of four (4) months at a monthly fee of \$4,000.00 per month, payable on the fifteenth of each month, with an option upon agreement of the parties to extend the contract for up to an additional six (6) months as may be determined by the Board of Commissioners; and, it is

**Further Resolved**, that during the duration of the contract, Philip G. George, Esquire, shall retain access to the Authority Outlook, Internet, and Westlaw services using his present identification and password, and shall retain his Authority issued smartphone and Notebook,

provided however that he follow all current Authority Policies regarding use of such equipment and use the same for Authority business; and, it is

**Further Resolved,** that a notice of this action shall be printed once in the official newspaper of the Parking Authority of the City of Newark, and posted on the Authority website along with a copy of this Resolution and Contract; and, it is

**Further Resolved,** that the Chairman of the Board of Commissioners of the Parking Authority of the City of Newark and the Executive Director are authorized to execute such contract on behalf of the Parking Authority of the City of Newark.

**CERTIFICATION OF AVAILABLE FUNDS**

I hereby certify that funds are available for this professional services contract in the operating portion of the 2014 budget filed with the Division of Local Governmental Services.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Gabriela Santos  
Financial Manager



Commissioner

Seconded the Motion

X - Indicates Vote AB - Absent NV - Not Voting

Board of Commissioners Vote of Final Passage

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES TO PHILIP G. GEORGE, ESQUIRE, FOR LEGAL SERVICES RELATED TO ARENA ISSUES AND TAX APPEALS

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 BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES TO PHILIP G. GEORGE, ESQUIRE, FOR LEGAL SERVICES RELATED TO ARENA ISSUES AND TAX APPEALS," (the "Resolution"), which Resolution was adopted at a regular meeting of the Authority duly called, advertised and held on August 6, 2014 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 6th day of August, 2014.

PARKING AUTHORITY OF THE CITY OF NEWARK

[SEAL]

LaVAR YOUNG, Chairman

Handwritten signature of LaVar Young over a horizontal line.