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MEMORANDUM

TO: Common Council President Michael Murphy & Aldermen Joe Dudzik & Tony Zielinski

FROM: Attorney Michael S. Maistelman

RE: Umbrella License

DATE: April 19, 2015

Thank you again for meeting with my clients and me yesterday regarding our concerns regarding the towing portion of the Umbrella License.

As we discussed

1. Drop Fee – Leave as optional, not a requirement, we do not want to accept cash on the scene of the tow because of security issues; do not want the tow truck to be point of sale: proper processing and documentation will be lost. We do not want a mandatory drop of a vehicle that was parked illegally. We would direct you to state law on this issue;
2. License signage dimensions should follow federal and state law i.e.: 2”;
3. Reporting Requirements per state law to local law enforcement not DPW;
4. Tow Lot confirmation number - need better system (Electronic) to obtain tow lot confirmation number and/or the ability to obtain the tow lot confirmation number within a reasonable time frame from the tow and NOT as a prerequisite before towing;
5. Prevent DPW from competing with private tow companies or if not, take DPW out of having any authority/responsibility over their competitors;
As of 7/01/14, DPW has engaged in the Private Property Impounding business in direct competition with private towing companies, while we are required to divulge “work product” information to log the vehicle and obtain a tow reference number.
6. Payment Type – only allow cash, credit or debit cards prohibit allowing money orders/travelers checks;
7. Copies of Contracts – only require towing companies to provide MPD, upon reasonable notice, an opportunity to inspect electronic or written copy of contracts. Tow drivers will not need to have on their possession copies of these contracts.