



Legislation Details (With Text)

**File #:** 13-1723      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Filed

**File created:** 9/4/2013      **In control:** Law

**On agenda:** 10/23/2013      **Final action:** 10/29/2013

**Title:** Dept/ Agency: Law  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Purpose: Settlement of Civil Litigation  
 Docket No.: CSV 06708-2012N  
 Claimant: Edite Martins  
 Claimant's Attorney:  
 Attorney's Address:  
 Settlement Amount: \$21,079.35  
 Funding Source: City of Newark Judgment Fund  
 Additional Comments:  
 Invitation: Corporation Counsel, October 22, 2013  
 No Action Taken 7R7-c 102313

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/29/2013	1	Municipal Council	Adopt	Pass
10/23/2013	1	Municipal Council	no action taken	

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**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Purpose:** Settlement of Civil Litigation  
**Docket No.:** **CSV 06708-2012N**  
**Claimant:** **Edite Martins**  
**Claimant's Attorney:**  
**Attorney's Address:**  
**Settlement Amount:** \$21,079.35  
**Funding Source:** City of Newark Judgment Fund  
**Additional Comments:**  
**Invitation:** Corporation Counsel, October 22, 2013  
**No Action Taken 7R7-c 102313**

**WHEREAS**, Edite Martins was terminated from her employment with the City of Newark on March 5, 2013; and

**WHEREAS**, Edite Martins appealed her termination to the Office of Administrative Law; and

**WHEREAS**, a proposal has been made whereby the Ms. Martins shall be reinstated and will

be paid the amount of Twenty-One Thousand, Seventy-Nine Dollars and Thirty-Five Cents (\$21,079.35); and

**WHEREAS**, the Corporation Counsel based upon all facts and circumstances deems it in the best interest of the City of Newark to resolve this matter by making such payment.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. Upon receipt by the Corporation Counsel of all supporting documentation, the Director of Finance is hereby authorized to issue a check in the amount of Twenty-One Thousand, Seventy-Nine Dollars and Thirty-Five Cents (\$21,079.35), **less normal withholdings and deductions as required by law (there will be no deductions for health coverage as the Appellant did not receive medical coverage during this time)**, made payable to Edite Martins, 103 Union Street, Newark, New Jersey 07105.
2. Attached hereto is the certification of the Comptroller of the City of Newark which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Comptroller's certification shall be filed in the office of the City Clerk along with the Settlement Order by the office of the Corporation Counsel.
3. A fully executed copy of the Settlement Agreement, the Final Administrative Action of the Civil Service Commission, the Comptroller's Certifications and the Resolution shall be filed in the Office of the City Clerk by the Corporation Counsel.

### STATEMENT

This Resolution authorizes the Corporation Counsel, on behalf of the City of Newark, to effectuate a settlement of an appeal to the Office of Administrative Law. The amount of back pay awarded to Edite Martins is \$21,079.35.