



## Legislation Details (With Text)

**File #:** 18-1613      **Version:** 1      **Name:** Resolution: Rescinding the Constable Appointment of Rafael A. Brito (LM)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/10/2018      **In control:** Municipal Council and City Clerk  
**On agenda:** 10/30/2018      **Final action:** 10/30/2018  
**Title:** Dept/ Agency: Offices of Municipal Council/City Clerk  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Rescinding Constable Appointment  
Purpose: To rescind Resolution 7R8-b adopted on May 23, 2018 a Constable Appointment of Rafael A. Brito  
Sponsored By: Former Council Member, Gayle Chaneyfield Jenkins  
Additional Information:  
Original Resolution 7R8-b adopted on May 23, 2018  
**Sponsors:** LaMonica R. McIver, Mildred C. Crump

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
10/30/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Municipal Council previously adopted Resolution 7R8-b during the May 23, 2018, Regular Municipal Council Meeting, appointing Rafael A. Brito, of 10 Hill Street, Apt. #18L, Newark, New Jersey 07102, as a Constable for a period of three (3) years, pursuant to N.J.S.A. 40A:9-120; and

**WHEREAS**, pursuant to N.J.S.A. 40A: 9-125 every person appointed as a constable, before entering upon the execution of the office, must provide a bond to be approved by the governing body; and

**WHEREAS**, as a result of two votes of the Municipal Council during the regular public meetings of September 19, 2018 and October 11, 2018, the Municipal Council failed to approve the bond provided by Mr. Brito, and

**WHEREAS**, the failure of the Municipal Council to approve the bond provided by Mr. Brito, requires that he be prohibited from executing the duties of a Newark constable; and

**WHEREAS**, the Municipal Council wishes to rescind the appointment of Mr. Rafael A. Brito as a Newark constable.

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

1. The Constable Appointment of Rafael A. Brito is hereby immediately rescinded in its entirety.
2. The Constable shall return his official identification card to the City Clerk and cease and desist from serving subpoenas, warrants and lockouts and all other activities, duties and responsibilities of a Constable.
3. A copy of this resolution rescinding the appointment shall be forwarded by the Office of the City Clerk to the Director of the Department of Public Safety.

### **STATEMENT**

This resolution immediately rescinds, the appointment of Rafael A. Brito, as a Constable for the City of Newark.