

The report fails to delineate with precision the factual findings upon which it relies for its conclusions. Accordingly, it is difficult to synopsize what has been covered in a rambling excursion into the field of speculation, assumption, inference and innuendo for the major portion of 11 pages. Nevertheless, the report, as we read it, presents the following claims:

1. The municipality is precluded from providing UCC matching funds under the Economic Opportunity Act because of alleged legal barriers to wit:

- (a) constitutional prohibitions
- (b) Derivative contractual imponderables.

2. The alleged singular and exclusive control over hiring and programs by Cyril D. Tyson, Executive Director, constitutes an autocracy which is detrimental to the best interests of the City of Newark.

3. UCC has systematically excluded Newark residents from employment on its staff.

4. There is a lack of relationship between salaries paid, background of employees and services to be performed; and excessively high salaries are paid employees of UCC.

5. UCC programs lack essential fiscal controls to prevent them from becoming a source of political patronage.

6. UCC functions as a political pressure group.

7. UCC espouses a philosophy of maximum involvement of the poor which is rejected by the Committee as in conflict with its philosophy that substantial administrative and financial control of CAP agencies should repose in elected officials of the City.

8. Contribution of matching funds by the City to UCC will increase the budget and tax rate of the City.

We regret the extent to which the report resorted to invective and vituperation, failed to support its conclusions by facts, and disclosed the bias and prejudice of the Committee.

Perhaps the original purpose of the Committee became blurred because of the philosophical conflict over "control".

The alleged legal complexities

The Council Committee Report asserts two basic legal barriers to the municipality providing UCC with matching funds. Firstly, it is contended that under provisions of Article VIII, of the New Jersey Constitution, the City of Newark is prohibited from participating in such financing. Secondly, it poses a series of contractual and derivative questions arising out of such participation.

The questions raised have no legal sufficiency; are asserted merely as "legal ramifications that should be considered"; are unsupported by careful legal research; and reject the premise upon which funds were provided to the UCC by City Council action on two prior occasions. This is a smoke screen designed to obfuscate the real issue and a weak attempt to provide some colorable stature to the unwillingness of the authors of the report to participate with UCC in the War on Poverty in the City of Newark.

It is contended that by reason of Article VIII, Section III, paragraphs 2 and 3 of the New Jersey Constitution any contribution of matching funds to UCC would be unconstitutional. The constitutional provisions are as follows:

"Section III, Par. 2 No county, city, borough, town township or village shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association or corporation, or become security for, or be directly or indirectly the owner of, any stock or bonds of any association or corporation.

"Par. 3 No donation of land or appropriation of money shall be made by the state or any county or municipal corporation to or for the use of any society, association or corporation whatever."

In adopting the Economic Opportunity Act of 1964, Congress stated its findings and declared the purpose of the law as follows:

"Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United