

7R6-c 080719
Resolution of the City of Newark, N.J.

NO. 7R6-C

AUG 07 2019

Date of Adoption _____

Title Page

Dept/ Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2015-10751

Claimant: Luis Lanno

Claimant's Attorney: Rinaldo Law Offices

Attorney's Address: 1317 Morris Avenue, Suite 2B, Union, New Jersey 07083

Settlement Amount: \$51,190.48

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

Corporation Counsel

Title _____

Council Member _____ presents the following Resolution:

Resolution of the City of Newark, N.J.

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Approved as to Form and Legality on Basis of Facts Set Forth

K. S. Cole

Corporation Counsel

Jeff. Lewis
Factual contents certified by
Angela P. Jutu
FACC Title

Council Member council of the whole

presents the following Resolution:

WHEREAS, the Petitioner, Louis Lanno, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2015-10751 against the City of Newark seeking workers' compensation benefits as a result of injury of the chest wall, sprain of the ribs, right shoulder contusion and contusion of the lumbar region after slipping and falling on ice while attempting to close a gate, during the course of duty, on February 7, 2014 while employed by the City of Newark as a Laborer, Department of Neighborhood and Recreational Services; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Rinaldo Law Offices and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Forty-Nine Thousand Five Hundred Fifty-Four Dollars and Zero Cents (\$49,554.00), minus a voluntary tender of Five Thousand Dollars and Zero Cents (\$5,000.00) which, will be Forty-Four Thousand Five Hundred Fifty-Four Dollars and Zero Cents (\$44,554.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorneys fee of Five Thousand Nine Hundred Forty-Six Dollars and Forty-Eight Cents (\$5,946.48), a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00) for Dr. Theodora Maio, and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Fifty-One Thousand One Hundred Ninety Dollars and Forty-Eight Cents (\$51,190.48); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution; and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Fifty-One Thousand One Hundred Ninety Dollars and Forty-Eight Cents (\$51,190.48);

No. 7R6-cDate AUG 07 2019

-2-

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

1. The settlement of the Workers' Compensation matter bearing C.P. No. 2015-10751 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - (a) \$39,989.68 (Thirty-Nine Thousand Nine Hundred Eighty-Nine Dollars and Sixty-Eight Cents) made payable and mailed to Louis Lanno, 2777 Morris Avenue, 2nd Floor, Union, New Jersey 07083 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,964.32 (Three Thousand Nine Hundred Sixty-Four Dollars and Thirty-Two Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$600.00 (Six Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluation fees. (The Finance Department will approve the full amount of \$44,554.00.)
 - (b) \$5,946.48 (Five Thousand Nine Hundred Forty-Six Dollars and Forty-Eight Cents) made payable to Rinaldo Law Offices, 1317 Morris Avenue, Suite 2B, Union, New Jersey 07083.
 - (c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable Theodora Maio, 100 Hamilton Avenue Plaza, Paterson, New Jersey 07509-2947.
 - (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to Jersey Shore Reporting, P.O. Box R, Manasquan, New Jersey 08736.
3. Attached hereto are the certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is Business Unit NW024, Dept. ID 24T, Div./Proj 5T24, Account Code 96310. A copy of the Comptroller's certifications shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of this Resolution.
4. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk by the Corporation Counsel.

AUG 07 2019

STATEMENT

This resolution authorizes the Corporation Counsel or his designee, The Woolridge Law Firm LLC, on behalf of the City of Newark, to effectuate settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$51,190.48 brought by Louis Lanno, who suffered injuries to his lumbar region, right shoulder, chest wall contusion, and sprain of the ribs on February 7, 2014, while employed by the City of Newark as a Laborer for Department of Neighborhood and Recreational Services.

CERTIFIED TO BY ME THIS

SEP 13 2019

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE

Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
Amador				✓	McCallum, Jr.	✓				Quintana, Vice Pres.	✓			
Gonzalez	✓				McIver	✓				Ramos, Jr.	✓			
James	✓				Osborne	✓				Crump, President	✓			

✓ Indicates Vote

AB - Absent

NV - Not Voting

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

Howard C. Crump

President of the Council

AUG 07 2019

Kenneth L. Lewis

016

City Clerk