



Legislation Details (With Text)

File #: 16-0778 **Version:** 1 **Name:** Workers' Compensation Settlement (Stanley Watts)
Type: Resolution **Status:** Adopted
File created: 5/4/2016 **In control:** Law
On agenda: 6/15/2016 **Final action:** 6/15/2016

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2003-28258
Claimant: Stanley Watts
Claimant's Attorney: Freeman & Bass, P.C.
Attorney's Address: 24 Commerce Street, Newark, New Jersey 07102
Settlement Amount: \$90,538.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, June 14, 2016.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/15/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Stanley Watts, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2003-28258 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on October 28, 2002, while working for the Department of Sanitation, Department of Neighborhood and Recreational Services; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Freeman & Bass, P.C., Corporation Counsel and/or his designee, Chasan Leyner & Lamparello, P.C. ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of Eighty Thousand Four Hundred Dollars and Zero Cents (\$80,400.00). 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 attorney fee of Nine Thousand Six Hundred Forty Eight Dollars and Zero Cents (\$9,648.00), a medical evaluation fee of Four Hundred Dollars and Zero Cents (\$400.00) and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Ninety Thousand, Five Hundred, Thirty Eight Dollars and Zero Cents (\$90,538.00); 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 Ninety Thousand Five Hundred Thirty Eight Dollars and Zero Cents (\$90,538.00).

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. 2003-28258 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) \$73,568.00 (Seventy Three Thousand Five Hundred Sixty Eight Dollars and Zero Cents) made payable and mailed to Stanley Watts, 36 Leo Place-3rd floor Newark, New Jersey 07108. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$6,432.00 (Six Thousand Four Hundred Thirty Two Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$400.00 (Four Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$16,080.00 (Sixteen Thousand Eighty Dollars and Zero Cents) made payable to Freeman & Bass 24 Commerce Street Newark, New Jersey 07102
 - (c) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Dr. I. Ahmad 45 Academy Street Newark, New Jersey 07102.

(d) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Dr. Robert Latimer, 24 Portland Place Montclair, New Jersey 07042

(e) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand P.O. Box 227 Allenhurst, New Jersey 07711

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.

STATEMENT

This resolution authorizes Corporation Counsel or his designee, Chasan Leyner & Lamparello, P.C., 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 Eighty Thousand Four Hundred Dollars and Zero Cents (\$80,400.00) brought by Stanley Watts, 36 Leo Place 3rd floor, Newark, New Jersey 07108, who suffered injuries arising out of an accident that occurred on October 28, 2002, while he was employed by the Department of Sanitation.