



City of Newark

City Hall
920 Mayor Kenneth A.
Gibson Boulevard
Newark, New Jersey 07102

Legislation Details (With Text)

File #: 13-0527 **Version:** 1 **Name:** Settlement of Workers' Comp - John Dolak
Type: Resolution **Status:** Filed
File created: 3/13/2013 **In control:** Law
On agenda: 3/20/2013 **Final action:** 3/20/2013
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2003-10500
Claimant: John Dolak
Claimant's Attorney: Koerner & Crane, LLC
Attorney's Address: 308 Route 206, Hillsborough, New Jersey 08844
Settlement Amount: \$250,840.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel, March 19, 2013

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 3/20/2013 | 1 | Municipal Council | Adopt | Pass |

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WHEREAS, the Petitioner, John Dolak, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2003-10500 against the City of Newark seeking workers' compensation benefits as a result of an occupational claim that he suffered from 1966 through 1994 while working for the Newark Fire Department; and

WHEREAS, said John Dolak, through his attorney, has agreed to amicably resolve and settle this matter under Section 20 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00). Pursuant to the terms of the settlement order to be executed by the Judge of Compensation, the City of Newark will also pay transcription fees of Eight Hundred Forty Dollars (\$840.00); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to Two Hundred Fifty Thousand, Eight Hundred Forty Dollars (\$250,840.00); and

WHEREAS, based upon all the facts and circumstances surrounding the matter it is deemed in the best interest of the City of Newark to accept said settlement in the total amount of Two Hundred Fifty Thousand, Eight Hundred Forty Dollars (\$250,840.00).

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. 2003-10500 is hereby approved.
2. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Two Hundred Four Thousand, Four Hundred Ninety Eight Dollars (\$204,498.00) made payable and mailed to: John Dolak c/o Koerner & Crane, LLC: Trust Account, 308 Route 206, Hillsborough, New Jersey 08844. (It is understood that pursuant to the terms of the order to be entered by the Judge of the Division of Workers Compensation, Forty Three Thousand Dollars (\$43,000.00) is being subtracted from the Petitioner's award to pay attorney's fees, Two Thousand One Hundred Two Dollars (\$2,102.00) is being subtracted from the Petitioner's award to pay attorney's costs, and Four Hundred (\$400.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
3. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of \$43,000.00 (Forty Three Thousand Dollars) made payable to Koerner & Crane, LLC, 308 Route 206, Hillsborough, New Jersey 08844.
4. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of \$2,102.00 (Two Thousand One Hundred Two Dollars) made payable to Koerner & Crane, LLC, 308 Route 206, Hillsborough, New Jersey 08844.
5. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of \$400.00 (Four Hundred Dollars) made payable to Dr. Malcolm Hermele, 2333 Morris Avenue, Suite A-117, Union, New Jersey 07083-5737.
6. Upon receipt by the Corporation Counsel of all supporting documents the Director of Finance is hereby authorized to issue a check in the amount of \$840.00 (Eight Hundred Forty Dollars), made payable to William C. O'Brien Associates, Post Office Box 428, Kenilworth, New Jersey 07033.
7. 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 Fund 024, Agency 24T, Orgn 5T24, Object 96310.

8. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk by the Corporation Counsel.

STATEMENT

This resolution authorizes Chasan Leyner & Lamparello, PC, 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 \$250,840.00 brought by John Dolak, who suffered injuries arising out of an occupational claim that he suffered while employed with the City of Newark Fire Department from 1966 through 1994.