



Legislation Text

File #: 19-0214, **Version:** 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2017-8215

Claimant: John Casalinho

Claimant's Attorney: Gill & Chamas, L.L.C.

Attorney's Address: 655 Florida Grove Road, P.O. Box 760, Woodbridge, New Jersey 07095

Settlement Amount: \$25,310.00

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel

WHEREAS, the Petitioner, John Casalinho, instituted suit in the Division of Workers' Compensation of New Jersey, Ocean County, bearing C.P. Number 2017-8215, against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on December 7, 2015, while working as a Police Officer for the City of Newark, Department of Public Safety, Police Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Gill & Chamas, L.L.C., Corporation Counsel and/ or his designee, Martin M. Glazer, Esq. ("Outside Counsel"), the parties have agreed to amicably resolve this matter under Section 22 of the Workers' Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of Twenty Thousand Five Hundred Twenty Dollars and Zero Cents (\$20,520.00). 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 Four Thousand One Hundred Dollars and Zero Cents, (\$4,100.00), a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00) and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty-Five Thousand Three Hundred Ten Dollars and Zero Cents (\$25,310.00); 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 the 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 correct 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 this resolution; and

WHEREAS, based on 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 Twenty-Five Thousand Three Hundred Ten Dollars and Zero Cents (\$25,310.00).

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

1. The settlement of the Workers' Compensation claim matter bearing C.P. Number 2017-8215 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or the Outside Counsel of all supporting Documents, the Director of Finance is hereby authorized and directed to issue checks in the following amounts:
 - a. \$20,520.00 (Twenty Thousand Five Hundred Twenty Dollars and Zero Cents) made payable and mailed to John Casalinho, 319 Parkway, Point Pleasant Beach, New Jersey 08742.
 - b. \$4,100.00 (Four Thousand One Hundred Dollars and Zero Cents) made payable to Gill and Chamas, L.L.C., 655 Florida Grove Road P.O, Box 760 Woodbridge, New Jersey 07095.
 - c. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Cary Skolnick, 25 Kilmer Drive Building 3, Suite 213, Morganville, New Jersey 07751.
 - d. \$90.00 (Ninety Dollars and Zero Cents) made payable to J.H. Buehrer and Associates, 884 Breezy Oaks Drive, Toms River, New Jersey 08753.
3. Attached hereto is the Certification 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. IDy 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 the Resolution.
4. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk of the Corporation Counsel.

STATEMENT

This resolution authorizes the Corporation Counsel or his designee, Martin M. Glazer Esq., 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 \$25,310.00, brought by John Casalinho, who suffered injuries arising out of an accident that occurred on December 7, 2015, while he was employed as a Police Officer by the City of Newark, Department of Public Safety, Police Division.