



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 16-1621, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2007-25126

Claimant: David Harris

Claimant's Attorney: Law Offices of Feeley and LaRocca, John D. Feeley, Esq.

Attorney's Address: 76 South Orange, Suite 211, South Orange, New Jersey 07079

Settlement Amount: \$21,090.00

Funding Source: Insurance Fund Trust

Additional Comments:

Invitation: Corporation Counsel, December 20, 2016

WHEREAS, the Petitioner, Davis Harris, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2007-25126 against the City of Newark seeking workers' compensation benefits as a result of an occupational accident that he sustained while employed for the City of Newark Department of Public Safety - Fire Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, John D. Feeley, Esq. 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 Thirty-Two Thousand Two Hundred Twenty Six Dollars and Zero Cents (\$32,226.00). 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 a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty One Thousand Ninety Dollars and Zero Cents (\$21,090.00); 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 Twenty One Thousand Ninety Dollars and Zero Cents (\$21,090.00).

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. 2007-25126 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) \$21,000.00 (Twenty One Thousand Dollars and Zero Cents) made payable and mailed to David Harris, 56 Tower Drive, Cedar Grove, New Jersey 07009. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$4,200.00 (Four Thousand Two Hundred Dollars) 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) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand Reporting Service, Post Office 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. 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.

STATEMENT

This resolution authorizes 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 \$21,090.00 (Twenty One Thousand Ninety Dollars and Zero Cents) brought by David Harris, 56 Tower Drive, Cedar Grove, New Jersey 07009 and represented by John Feeley, Esq. who suffered injuries arising out of an occupational injury while he was employed by the City of Newark Department of Public Safety - Fire Division.

