



Legislation Details (With Text)

File #: 14-0296 **Version:** 1 **Name:** Workers' Compensation Settlement (Vittorio Sarno)
Type: Resolution **Status:** Filed
File created: 3/3/2014 **In control:** Law
On agenda: 4/16/2014 **Final action:** 4/16/2014
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2008-8819
Claimant: Vittorio Sarno
Claimant's Attorney: Spevack Law Offices
Attorney's Address: 525 Green Street, Iselin, New Jersey 08830
Settlement Amount: \$25,350.00
Funding Source: Insurance Fund Trust Account
Additional Comments:
Invitation: Corporation Counsel ,April 15, 2014

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
4/16/2014	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law

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WHEREAS, the Petitioner, Vittorio Sarno, instituted suit in the Division of Workers' Compensation of New Jersey, Essex County, bearing C.P. Number 2008-8819 against the City of Newark seeking workers' compensation benefits as a result of a motor vehicle accident that he sustained on February 5, 2008, while working for the Newark Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Spevack Law Offices, the Corporation Counsel and/or their designee, Chasan Leyner & Lamparello, P.C. ("Outside Counsel") has 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 Twenty-One Thousand Nine Hundred Sixty Dollars (\$21,960.00). 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 Three Thousand One Hundred Dollars (\$3,100.00), a medical evaluation fee of Two Hundred Dollars (\$200.00) and a transcription fee of Ninety Dollars (\$90.00) for a total settlement of Twenty Five Thousand Three Hundred Fifty Dollars (\$25,350.00); 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 the 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 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, the 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 \$25,350.00 (Twenty Five Thousand Three Hundred Fifty Dollars).

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. 2008-8819 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Acting Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - (a) \$20,470.00 (Twenty Thousand Four Hundred Seventy Dollars) made payable and mailed to Vittorio Sarno, 112 Park Avenue, Nutley, New Jersey 07110. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$1,290.00 (One Thousand Two Hundred Ninety Dollars) is being subtracted from the Petitioner's award to pay attorney's fees, and \$200.00 (Two Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$4,390.00 (Four Thousand Three Hundred Ninety Dollars) made payable to Spevack Law Offices, 525 Green Street, Iselin, New Jersey 08830.
 - (c) \$400.00 (Four Hundred Dollars) made payable to Vijaykumar Kulkarni, M.D., Sall/Myers Medical Associates, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.
 - (d) \$90.00 (Ninety Dollars), made payable to William C. O'Brien, Inc., Post Office Box 428, Kenilworth, New Jersey 07033.

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 Fund 024, Agency 24T, Orgn 5T24, Object 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.

STATEMENT

This resolution authorizes the Corporation Counsel or their designee, 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 \$25,350.00 brought by Vittorio Sarno, 112 Park Avenue, Nutley, New Jersey 07110 and represented by Spevack Law Offices, 525 Green Street, Iselin, New Jersey 08830, who suffered injuries arising out of a motor vehicle accident that occurred on February 5, 2008 while he was working as a Police Officer for the Newark Police Department.