



Legislation Details (With Text)

File #: 22-1841 **Version:** 1 **Name:** Resolution: Settlement of Workers' Compensation - John Romanchak CP #2020-26211

Type: Resolution **Status:** Adopted

File created: 12/15/2022 **In control:** Law

On agenda: 1/18/2023 **Final action:** 1/18/2023

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2020-26211
Claimant: John Romanchak
Claimant's Attorney: Henry P. Apryasz, Esq., 1 Howe Avenue, 2nd Floor, Passaic, New Jersey 07055
Settlement Amount: \$48,677.36
Funding Source: Business Unit NW024, Dept. 24T, Div./Proj. 5T24, Account #96310, Budget Ref. B2022
Additional Comments:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/18/2023	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2020-26211
Claimant: John Romanchak
Claimant's Attorney: Henry P. Apryasz, Esq., 1 Howe Avenue, 2nd Floor, Passaic, New Jersey 07055
Settlement Amount: \$48,677.36
Funding Source: Business Unit NW024, Dept. 24T, Div./Proj. 5T24, Account #96310, Budget Ref. B2022
Additional Comments:

WHEREAS, the Petitioner, John Romanchak instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing #C.P.2020-26211 against the City of Newark (the "City") seeking workers' compensation benefits, as a result of an alleged injury he sustained to his left shoulder while he was attempting to place a tire overhead when he slipped, the tire fell off hitting his left arm and left shoulder while in the course of employment with the City of Newark, Department of Public Works; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, Henry P. Apryasz, Esq., of Goldstein, Ballen, O'Rourke and Wildstein 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. 34:15-22) by

payment in the amount of Forty-Three Thousand One Hundred Twenty-Eight Dollars and Zero Cents (\$43,128.00.). 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's fee of (\$5,175.36) Five Thousand One Hundred Seventy-Five Dollars and Thirty-Six Cents made payable to: Henry P. Apryas, Esq., of Goldstein, Ballen, O'Rourke and Wildstein, located at 1 Howe Avenue, 2nd Floor, Passaic, New Jersey 07055, a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00), payable to: Dr. Jay Zaretsky, M.D., located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509; and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to: Guy Renzi and Associates, Inc., located at 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690, for a total settlement of Forty-Eight Thousand Six Hundred Seventy-Seven Dollars and Zero Cents (\$48,677.36.); 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, 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 Five Hundred and Zero Cents (\$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 Forty-Eight Thousand Six Hundred Seventy-Seven Dollars and Zero Cents (\$48,677.36.).

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. #2020-26211 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of the Department of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - a. \$39,378.00 (Thirty-Nine Thousand Three Hundred Seventy-Eight Dollars and Zero Cents) made payable and mailed to: John Romanchak, of Newark, New Jersey 07480 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,450.00 (Three Thousand Four Hundred Fifty Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.
 - b. \$8,625.36 (Eight Thousand Six Hundred Twenty-Five Dollars and Thirty-Six Cents) made payable to: Henry P. Apryas, Esq., of Goldstein, Ballen, O'Rourke and Wildstein, located at 1 Howe Avenue, 2nd Floor Passaic, New Jersey 07055.
 - c. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Jay Zaretsky, M.D., of Sall Myers, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.

- d. \$74.00 (Seventy-Four Dollars and Zero Cents) made payable to: Guy Renzi and Associates, Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690
3. 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 Corporation Counsel and/or his designee, The Woolridge Law Firm, LLC (Outside Counsel), on behalf of the City of Newark, to effectuate a settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$48,677.36 brought by John Romanchak, whose address is Newark, New Jersey and represented by Henry P. Apryasz, Esq., of Goldstein, Ballen, O'Rourke and Wildstein, located at 1 Howe Avenue, 2nd Floor Passaic, New Jersey 07055, who sustained injury to his left shoulder while employed by the City of Newark's Department of Public Works.