

Minutes of the special meeting of the Jerusalem Town Board held on January 25, 2011 at 1:30 P.M. PRESENT were: Supervisor Jones, Councilpersons Parson, Simmons, Stewart, Town Attorney Bailey, Town Clerk McMichael.

Guest: Code Enforcement Officer John Phillips.

Absent: Councilperson Folts

Supervisor Jones called the meeting to order at 1:35 P.M.

Code Enforcement Officer John Phillips submitted a voucher for unpaid overtime compensation for hours worked in 2008, 2009 and 2010. Supervisor Jones and Councilperson Parson met with Mr. Phillips yesterday, along with Attorney Bailey and Labor Attorney David Lippitt on this matter. A settlement was reached to modify his claim to \$5,000.

RESOLUTION #45-11

APPROVE OVERTIME COMPENSATION FOR CODE ENFORCEMENT OFFICER

On a motion of Supervisor Jones, seconded by Councilperson Parson, the following was

ADOPTED Ayes 4 Jones, Parson, Simmons, Stewart  
Nays 0

WHEREAS, John Phillips, the Town of Jerusalem's Code Enforcement Officer, claims he is entitled to unpaid overtime compensation for performing his duties as Code Enforcement Officer for the Town.

WHEREAS, the Town wishes to voluntarily resolve this claim with the express understanding that resolution of this claim does not constitute an admission by the Town that it violated any applicable laws relating to wage payments, and that the Town is settling this claim based on economic factors, particularly its desire to avoid the potential costs of litigation.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Jerusalem hereby authorizes the Town to pay John Phillips the amount of five thousand dollars (\$5,000), less standard deductions, in full satisfaction of his claim for overtime compensation; and further authorizes Town Supervisor Daryl Jones to sign all necessary documents on behalf of the Town to effectuate this payment, including an Acknowledgment, Release and Waiver of Claims which will also be executed by Mr. Phillips.

Mr. Phillips clarified that during their meeting, it was agreed that his monies would be paid on January 26<sup>th</sup> and the Acknowledgement, Release and Waiver of Claims states within seven days. Supervisor Jones explained this was done in case the payroll process was delayed for some unknown reason.

DISCUSSION - SEWER WORKS CORPORATION ATTORNEY

Resolution #37-11 was to schedule an interview session with Attorney Robert Hafner of Miller, Mannix, Schachner & Hafner, LLC regarding their Legal Services Agreement submitted to serve as special counsel for the Town on the proposed sewer works corporation related to the townhouse project. The Town Board was agreeable to hold a conference call with Attorney Hafner instead of incurring costs for him to travel from Glens Falls to attend a meeting at the Town Hall. Attorney Bailey will schedule the conference call.

With there being no further business, on a motion of Councilperson Stewart, seconded by Councilperson Simmons, the meeting was adjourned at 1:41 P.M.

Following adjournment, Councilperson Simmons briefed the Town Board on County issues related to workers compensation and election costs.

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Sheila McMichael, Town Clerk