The Organizational Meeting of the Town Board of the Town of Lexington was called to order on January 3, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building, followed by the pledge of allegiance.

**Installation of Officials:** Town Attorney Tal Rappleyea administered the oath of office for Council Member Bradley Jenkins.

Supervisor John Berger welcomed Council Member Bradley to the Town of Lexington.

**PRESENT:**
- Supervisor ............................... John Berger
- Council Members ..................... Michael Barcone
- William Pushman
- Jo Ellen Schermerhorn
- Bradley Jenkins
- Town Clerk ............................... Alice Marie Cross
- Superintendent of Highways .......... Frank Hermance
- Town Attorney ........................... Tal Rappleyea
- Code Enforcement Officer .......... Absent: Adam Cross

**OTHERS PRESENT:** Alfred Truesdell, Sal Mancuso Sr.

**RESOLUTION # 1-17**

**TOWN BOARD MONTHLY MEETING NIGHT**

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes - 5 - Berger, Jenkins, Barcone, Schermerhorn, & Pushman.
Nays - 0

Resolved, that this Town Board designates the 1st Tuesday of each month at 6:30 pm to be the regular meeting night of the Town Board of the Town of Lexington, and the meetings will be held at the 3542 Route 42 Municipal Building.

**CALLING SPECIAL MEETINGS**

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes - 5 - Berger, Jenkins, Barcone, Schermerhorn, & Pushman.
Nays - 0

It is resolved, that Special Meetings may be called by the Supervisor, provided that 48 hours advance notice be given to Town Board Members, when practical, and that the Supervisor will call a Town Board meeting at the request of two or more Town Board Members.

**DESIGNATION OF BANKS**

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes - 5 - Berger, Jenkins, Barcone, Schermerhorn, & Pushman.
Nays - 0

Resolved, that this Town Board does hereby designate the Bank of Greene County, Tannersville, NY and the NBT Bank, NA., of Grand Gorge, & Windham, NY, as the official depositories for the Town of Lexington funds for the year 2016.

It further resolves, that all funds guarantee a third part Collateral Agreement with the following institutions, which are NBT Bank, NA, Key Bank of New York.
INVESTMENT OF IDLE MONIES

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone, Schermerhorn, & Pushman.  
Nays - 0

WHEREAS the Town of Lexington wishes to comply with NYS General Municipal Law regarding the security of public deposits that it has on deposit at any bank, and

WHEREAS the Town of Lexington wishes to utilize a qualified Reciprocal Deposit Program as allowed under Chapter 128 of the NYS Laws of 2012 to diversify its investments, increase the effective FDIC coverage and maximize the rate of return on its public deposits; it is then

RESOLVED that the Chief Fiscal Officer is authorized to execute a Deposit Placement Agreement with NBT Bank to increase the FDIC insurance on those public deposits that the Town of Lexington invests in a qualified New York State-approved Reciprocal Deposit Program.

Adopted:

Supervisor: Berger – aye

Councilmen: Jo Ellen Schermerhorn aye
William Pushman aye
Bradley Jenkins aye
Michael Barcone aye

DESIGNATION OF OFFICIAL NEWSPAPER

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.  
Nays - 0

Resolved, that this Town Board does hereby designate the Windham Journal of Windham, NY, and the Catskill Daily Mail as the Official Newspapers for the Town of Lexington for the year 2017.

MILEAGE COMPENSATION & DINNERS FOR TOWN OFFICIALS

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes - 5 -- Berger, Jenkins, Barcone, Schermerhorn, & Pushman.  
Nays – 0

Resolved, that this Town Board does hereby fix mileage compensation at the IRS rate per mile for the following: Assessor, Code Enforcement Officer, Dog Warden, Justices, Town Superintendent of Highways, Election Inspectors, Town Clerk/Collector, Town Supervisor, Town Council Members, Planning Board Members, or any appointed or otherwise elected official that goes on official Town business.

Be it further resolved, that this Town Board authorizes payment of meals for Town Officials that attend official meetings, not to exceed $15.00 for lunch and $25.00 for dinner and a $ 40.00 maximum per day.

AUTHORIZE PAYMENT OF DUES TO ASSOCIATIONS AND ETC.

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes - 5 - Berger, Jenkins, Barcone, Schermerhorn, & Pushman  
Nays - 0

Resolved, that this Town Board authorizes payment of dues to the following Associations: NYS Association of Towns, NYS Planning Federation, Association of Magistrates of NYS, Magistrates Association of Greene County, NYS Tax Receivers and Collectors, Greene County Highway Superintendent Association,
PAYMENT OF BILLS IN ADVANCE OF BOARD MEETING

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes - 5- Berger, Jenkins, Barcone, Schermerhorn, & Pushman.
     Nays – 0

Resolved, that this Town Board authorizes the Supervisor to pay certain claims of indebtedness in advance of Town Board meetings, i.e., electric bills, postage, fuel oil bill, gasoline bill, diesel fuel bill, telephone bill, payroll, and Key Bank Credit Card.

RESOLUTION # 2-17
OFFICIAL DELEGATE TO ASSOCIATION OF TOWNS ANNUAL MEETING

On a motion by Council Member Michael Barcone, seconded by Council Member Bradley Jenkins, the following resolution was

ADOPTED - Ayes - 5 -- Baldrey, Jenkins, Barcone, Schermerhorn & Pushman.
     Nays - 0

Resolved, that this Town Board authorizes Supervisor John Berger to be the official delegate to the Association of Town 2017 Annual Meeting.

RESOLUTION # 3-17
AUTHORIZE SUPERVISOR’S REPORT TO STATE COMPTROLLER

On a motion by Council Member Bradley Jenkins, seconded by Council Member William Pushman, the following resolution was

ADOPTED - Ayes - 5 -- Berger, Jenkins, Barcone, Schermerhorn & Pushman.
     Nays -0

Resolved, that this Town Board authorizes the Supervisor to use the annual Supervisor’s Financial Report to the State Comptroller for the Annual Financial Report to the Town Board to be filed in the Town Clerk’s Office, where it will be available to all interested persons and to publish an abbreviated form of the report for the 2016 year in the Windham Journal and Catskill Daily Mail.

RESOLUTION # 4-17
RENEW MAINTENANCE AGREEMENT / COPY MACHINE

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED - Ayes - 5 - Berger, Barcone, Jenkins, Schermerhorn, & Pushman.
     Nays – 0

Therefore, Town Board moves to renew the maintenance agreement from 1/20/2017 to 1/20/2018 with Hudson Valley Equipment, Inc. at a cost of $671.00 for the Copystar CS-3035 Copier.

RESOLUTION # 5-17
APPOINTMENTS

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes - 5 -- Berger, Barcone, Jenkins, Schermerhorn, & Pushman.
     Nays - 0

Resolved, that this Town Board makes the following appointments:
Attorney for the Town............................................. Tal Rappleyea
Disaster Coordinator …………………….……….  Paul Dwon
Code Enforcement Officer / Zoning Officer............Adam Cross
Cemetery Custodian …………………..…...…….George Dart / Roseann West
Registrar of Vital Statistics .......................... Alice Marie Cross
Historian ............................................. Janice Barcone
Deputy Historian ..........................Mary Palazzolo
Deputy Town Clerk ……...Chris Dwon
Deputy Town Clerk ....................Alida Bloodgood
Deputy Town Clerk ....................Rose Williams
Deputy Supervisor ....................JoEllen Schermerhorn
Bookkeeper ..............................Michelle Brainard
Dog Control Officer ....................Bruce Feml
Records Management Officer .................. Alice Marie Cross
Health Officer ..............................Dr. Jacqueline Maier
Youth Director .............................Will Carr
Inventory Clerk ............................Andrea Searcy
Web Master ............................Donna Poulin
Planning Board Secretary ........................... Debora Kappel
Zoning Board Secretary ........................... Mary Cline
Court Clerk Substitute ........................... Michelle Blain
Court Security .............................Donald Schoenborn

Be it further resolved that this Town Board authorizes the Supervisor to make the following committee appointments:

Highway Committee:
Chairman – Council Member – Bradley Jenkins
Superintendent of Highways Frank Hermance
Council Member – William Pushman
Edwin Dippold

RESOLUTION # 6-17
MUNICIPAL BUILDING AND EMERGENCY COMMITTEES APPOINTMENTS

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED - Ayes - 5 -- Berger, Barcone, Jenkins, Schermerhorn, & Pushman.
Nays - 0

Be it further resolved that this Town Board authorizes the Supervisor to make the following committee appointments:

Municipal Building Committee------------------------ William Pushman and John Berger
Emergency------------------------------------------ JoEllen Schermerhorn and Michael Barcone

RESOLUTION # 7-17
SCHOHARIE WATERSHED/GCS&W RECREATION, GRANTS, CODE OF ETHICS, ZONING BOARD, PATRIOTS DAY, MEMORIAL BRICKS, BARN DANCE, AND THE TOWN PICNIC COMMITTEES APPOINTMENTS

On a motion by Council Member William Pushman, seconded by Supervisor John Berger, the following resolution was

ADOPTED - Ayes - 5 -- Berger, Barcone, Jenkins, Schermerhorn, & Pushman.
Nays - 0

Be it further resolved that this Town Board authorizes the Supervisor to make the following committee appointments:

Schoharie Watershed/GCS&W Recreation--------Lynn Byrne and Beverly Dezan
Grants------------------------------------------Michael Barcone and JoEllen Schermerhorn
Code of Ethics-----------------------------------Daniel Davern, Susan Sheiner, and Adam Cross
Zoning Update-----------------------------------Bradley Jenkins and Adam Cross
RESOLUTION # 8-17
Employee Handbook, Code of Ethics and Procurement Policy for Town of Lexington

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0


RESOLUTION # 9-17
Create Policy Review Committee

Supervisor John Berger explained that he would like to create a Policy Review Committee to go over all of the policies and update where needed. Supervisor John Berger would like to appoint Council Member JoEllen Schermerhorn and Supervisor John Berger to be the Policy Review Committee.

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to create a Policy Review Committee. The committee will consist of Council Member JoEllen Schermerhorn and Supervisor John Berger.

RESOLUTION # 10-17
SALARIES OF ELECTED & APPOINTED OFFICIALS

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED - Ayes - 5 -- Berger, Barcone Jenkins, Schermerhorn, & Pushman.
Nays - 0

Therefore, Town Board of Lexington moves to approve the following salaries of the appointed and elected officials of the Town of Lexington for the 2017 year with the amounts stated below from the 2017 Adopted Budget, and the payments made being as specified.

2017 Salaries

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Budgeted</th>
<th>Paid Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Berger</td>
<td>Supervisor</td>
<td>Budgeted</td>
<td>Paid Quarterly</td>
<td>$6,729</td>
</tr>
<tr>
<td>Robert Basil</td>
<td>Town Justice</td>
<td>Budgeted</td>
<td>Paid Quarterly</td>
<td>$4,800</td>
</tr>
<tr>
<td>Lubko Kizyma</td>
<td>Town Justice</td>
<td>Budgeted</td>
<td>Paid Quarterly</td>
<td>$4,800</td>
</tr>
<tr>
<td>Mike Barcone</td>
<td>Council Member</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$2,485</td>
</tr>
<tr>
<td>Bradley Jenkins</td>
<td>Council Member</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$2,485</td>
</tr>
<tr>
<td>William Pushman</td>
<td>Council Member</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$2,485</td>
</tr>
<tr>
<td>JoEllen Schermerhorn</td>
<td>Council Member</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$2,485</td>
</tr>
<tr>
<td>Frank Hermance</td>
<td>Supt. of Highways</td>
<td>Budgeted</td>
<td>Paid Bi-Weekly</td>
<td>$26,250</td>
</tr>
<tr>
<td>Alice Marie Cross</td>
<td>Town Clerk/Tax Collector</td>
<td>Budgeted</td>
<td>Paid Bi-Weekly</td>
<td>$31,266</td>
</tr>
<tr>
<td>Alida Bloodgood</td>
<td>Deputy Town Clerk</td>
<td>Budgeted</td>
<td>Paid Bi-Weekly</td>
<td>$13,916</td>
</tr>
<tr>
<td>Christine Dwon</td>
<td>Deputy Town Clerk</td>
<td>Paid Hourly</td>
<td>$15.00</td>
<td></td>
</tr>
<tr>
<td>Rose Williams</td>
<td>Deputy Town Clerk-Paid</td>
<td>Paid Hourly</td>
<td>$15.00</td>
<td></td>
</tr>
<tr>
<td>Nancy Bower</td>
<td>Sole Assessor</td>
<td>Budgeted</td>
<td>Paid Bi-Weekly</td>
<td>$23,707</td>
</tr>
<tr>
<td>Alice Marie Cross</td>
<td>Registrar of Vital Statistics</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$180</td>
</tr>
<tr>
<td>Alice Marie Cross</td>
<td>Records Management Officer</td>
<td>Budgeted</td>
<td>Paid Annually</td>
<td>$180</td>
</tr>
</tbody>
</table>
Dart & West ---- Cemetery Custodian ---- Budgeted ---- Paid Annually --- $600.
Janice Barcone ---- Historian ---- Budgeted – Paid Annually -- $ 554.
Deborah Kappel --- Planning Board Secretary - Budgeted -- Paid Monthly - $2,175.
John Lofts ---- BAR Member -- Budgeted – Paid Annually – Voucher – $150.
James Tilp ---- BAR Member Chairman ---- Budgeted – Paid Annually – Voucher – $200.
Mary Cline ---- BAR Member -- Budgeted – Paid Annually – Voucher – $150.
Beverly Dezan -- Planning Bd. Member -- Budgeted -- Paid Annually -- $490.
Taris Charysyn-- Planning Bd. Member -- Budgeted -- Paid Annually -- $490.
Jennifer Cawein -- Planning Bd. Member -- Budgeted -- Paid Annually -- $490.
Tal Rappleyea ---Town Attorney --- (Extras – 135.00 per hr.) - Voucher --$500. Monthly retainer
Michelle Brainard ----- Bookkeeper------ Budgeted -- Paid Quarterly – $8,593.
Bruce Feml ---- -Dog Control Officer ------- Budgeted – Paid Bi-Annually --- $1,500.
Dr. Jacqueline Maier ----Health Officer ---- Budgeted – Paid Annually – $ 155.
Charlotte Jaeger -- Domestic Engineer --- Paid Hourly --- Monthly ---- $18.00
Peggy Rappleyea --- Assessor Clerk ----- Paid Hourly --- Monthly ---- $17.00
Peggy Rappleyea --- Court Clerk ---- Paid Hourly --- Monthly ----$17.00
Mary Cline ---- ZBA Secretary ---Budgeted -- Paid Annually -- $400.

Andrea Searcy---- Inventory Clerk -----Budgeted ---- Paid upon Completion ---- $546.
Will Carr---- Youth Director --- Budgeted -- Paid upon completion -- $1,584.
Michelle Blain ----- Substitute Court Clerk --- Paid Hourly ---- $16.00
Court Security Service --- Donald Schoenborn ---- $42.00 ---- Nightly
Web Master…..Donna Poulin Paid Annually…$600.00

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of December 2016 shows 3 Certificate of Occupancy or Compliance,2 permits were issued and 0 violation letters.

2016 Inventory

Supervisor John Berger went over the 2016 inventory report and said that a copy of the inventory report will be in the Town Clerk's office. The 2016 inventory report was prepared by Andrea Searcy.

RESOLUTION # 11-17
F.P. Kane Payroll Approval

On a motion by Council Member Bradley Jenkins, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
Nays - 0

Resolved that the bills for Sewer ($70,599.61) and Storm Sewer ($1,393.75) for F. P. Kane be approved for payment # 17.

RESOLUTION # 12-17
Regional Emergency Service Council Contract

Supervisor John Berger explained that the $7,500.00 check is for the permanent application for the certificate of need. At present our temporary certificate of need expires in one week. Supervisor John Berger would like to take the money from the general fund balance and not charge to a specific line item since there is not a line for it.

On a motion by Council member William Pushman, seconded by Council member Michael Barcone, the following resolution was

ADOPTED:  Ayes - 5 - Baldrey, Schermerhorn, Pushman, Barcone, and Jenkins
Nays – 0

Therefore, Town of Lexington Town Board moves to approve for Supervisor John Berger to sign the application and take the money from the general fund balance.

Privilege of the Floor/Public Concerns
Sal Mancuso Sr. asked where does the money come from to pay F.P. Kane. Supervisor John Berger explained that CWC issues the checks for payment and that he endorses them for the Town of Lexington and sends them to F.P. Kane for them to endorse and deposit. Sal Mancuso Sr. then asked about snow removal, and grass cutting costs. Who pays? Supervisor John Berger said that the Sewer budget and the City of New York pays the bills.

Sal Mancuso Sr. gave an update on his findings regarding the Hunter Landfill fine they received from DEC (Twenty seven thousand dollars) which was reduced to Seven thousand. They have one year to produce an engineering report on how the problem will be taken care of. The engineering report was submitted in December 2016 and rejected. Now they have been granted another year (end of 2017) in which to solve the problem. Sal Mancuso Sr. would like for the Town of Lexington to inquire what has been done with the money.

**RESOLUTION # 13-17**

**Pay The Bills**

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, the following resolution was adopted:

**ADOPTED - Ayes - 5 -- Berger, Barcone, Jenkins, Schermerhorn, & Pushman.**

**Nays – 0**

Resolved that the bills be paid on General Fund Abstract # 1 in the following amounts:

- **General Fund**
  - No. 1 through 10 = $14,955.57

Resolved that the bills be paid on Highway Fund Abstract # 1 in the following amounts:

- **Highway Fund**
  - No. 1 through 2 = $300.00

Resolved that the bills be paid on Sewer District Fund Abstract # 1 in the following amounts:

- **Sewer District**
  - No. 1 through 1 = $300.00

**Adjourn**

With no further business, and on a motion from Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the meeting shall be adjourned. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk

---

7
The Meeting of the Town Board of the Town of Lexington was called to order on February 7, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building, followed by the pledge of allegiance.

PRESENT: Supervisor ....................................... John Berger
Council Members..................... Michael Barcone
                                      William Pushman
                                      Jo Ellen Schermerhorn
                                      Bradley Jenkins
Town Clerk .................................... Alice Marie Cross
Superintendent of Highways .......... Frank Hermance
Town Attorney ......................... Tal Rappleyea
Code Enforcement Officer............. Adam Cross


RESOLUTION # 14-17
Approve December 29, 2016

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED - Ayes - 4 - Berger, Jenkins, Schermerhorn, & Pushman.
                    Nays - 0
                    Absent - 1- Barcone

This Town of Lexington Town Board moves to accept the minutes of the regular meeting held on December 29, 2016 with the correction from Baldrey to Berger.

RESOLUTION # 15-17
Approve January Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
                    Nays - 0

This Town of Lexington Town Board moves to accept the minutes of the regular meeting held on January 2017 with the correction on Resolution 12-17.

Policy Book

Supervisor John Berger asked the Town Board to review the policies so that we can go over and adopt next month.

Create Audit Committee

Supervisor John Berger explained that he would like to create a Audit Committee to go over the vouchers and sign off instead of having it done by everyone before the Town Board meeting. Supervisor John Berger does not want the bookkeeper to be here at night by herself and would like her to write the checks Tuesday morning.

Supervisor John Berger asked for volunteers and Council Member Michael Barcone and Council Member William Pushman said they will come the Monday before the Town Board meeting to review and sign off on the vouchers.
RESOLUTION # 16-17
Voucher Deadline and Statements

Supervisor John Berger explained how our present voucher system works and would like to propose that vouchers are in by the Friday before the meeting so that we would give the Town Clerk and Bookkeeper Monday morning to complete their parts.

Supervisor John Berger would like to propose that we pay when the monthly statements from the oil and gas Companies instead of paying off the invoice.

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
          Nays - 0

This Town of Lexington Town Board moves to approve the new Voucher System and pay from the oil and gas monthly statements.

RESOLUTION # 17-17
Reappoint Jennifer Cawein to County Planning Board

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
          Nays - 0

This Town of Lexington Town Board moves to reappoint Jennifer Cawein to the County Planning Board.

RESOLUTION # 18-17
Senior Citizen Exemption

On a motion by Council Member Bradley Jenkins, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
          Nays - 0

This Town Board moves to adopt the Senior Citizen – Maximum Income Limits for the year 2017 is as follows:

Senior Citizen Maximum income limit $26,500.00 (base amount excluding sliding scale) have been authorized.

RESOLUTION # 19-17
Disabled Citizen Exemption

On a motion by Council Member Bradley Jenkins, seconded by Council Member William Pushman, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
          Nays - 0

This Town Board moves to adopt the Disabled Citizen – Maximum Income Limits for the year 2017 is as follows:

Disabled Citizen Maximum income limit $26,500.00 (base amount excluding sliding scale) have been authorized.

RESOLUTION # 20-17
Accept Deer Lane and Overlook Drive as Town Roads

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
          Nays - 0

This Town Board moves to adopt Deer Lane and Overlook Drive as Town Roads.

Copies of originals attached.

TOWN BOARD
TOWN OF LEXINGTON
COUNTY OF GREENE  STATE OF NEW YORK

2
In the Matter
of the Acceptance and
Laying Out of certain Town
Highways in the Town of Lexington
County of Greene and
State of New York to be known as
Overlook Drive and Deer Lane

PLEASE TAKE NOTICE, that on the 7th day of February, 2017 at 6:30 pm, at the Town Hall, 3542 Route 42, Lexington, NY, the undersigned Petitioner/Landowner Deer Pen Estates, Inc., Salvatore F. Mancuso, President, shall and hereby makes Petition to the Town Board of the Town of Lexington for the dedication of certain highways located in the Town of Lexington, County of Greene and State of New York known as Overlook Drive and Deer Lane in accordance with and as set forth in the proposed Deed of Dedication, attached hereto.

Dated: February 2, 2017

DEER PEN ESTATES, INC. BY:
SALVATORE F. MANCUSO, PRES.
288 MILLER AVENUE
FREEPORT, NEW YORK, 11520

TOWN BOARD
TOWN OF LEXINGTON
COUNTY OF GREENE
STATE OF NEW YORK

The following resolution was offered by Bradley Jenkins, seconded by Michael Barcone, to wit;

WHEREAS, upon submission of the annexed deeds of dedication of Salvatore F. Mancuso, dedicating and releasing the necessary lands for proposed town highways as set forth in the annexed legal description in the Town of Lexington, County of Greene, State of New York, to be known as Overlook Drive and Deer Lane; now therefore, it is

RESOLVED that, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent is given that the Highway Superintendent of the Town of Lexington make an Order accepting and laying out the aforesaid town highways to be known as Overlook Drive and Deer Lane, the Town highways to consist of the lands described in the deeds of dedication, subject to the approval of the Attorney for the Town, and it is further

RESOLVED that, subject to the approvals of the Attorney for the Town and the Order of the Highway Superintendent laying out the aforesaid town highways to be known as Overlook Drive and Deer Lane, the Town Board hereby accepts the annexed deed of dedication, provided it is filed in the Greene County Clerk’s office and the attorneys for the Town are provided with copies thereof documenting such satisfactory filing, and it is further

RESOLVED that, the Town Superintendent and Town Supervisor are hereby authorized to execute such documents and enter into such agreements as are necessary or appropriate to accepting and laying out the aforesaid town highways.

Dated: February 2, 2017
Town Board of Lexington
County of Greene, State of New York

TOWN BOARD
TOWN OF LEXINGTON
COUNTY OF GREENE
STATE OF NEW YORK

In the Matter
Application having been made for the laying of town highways in the Town of Lexington, County of Greene, New York, the Town highways to consist of the lands described in the deed of dedication, subject to the approvals of the Attorney for the Town, the owner of the land through which the highways are proposed to be opened, and said dedication and release having been given;

NOW, THEREFORE, I, the Highway Superintendent of the Town of Lexington, County of Greene, New York, do hereby determine and order that town highways shall be laid out in the Town in accordance with the descriptions set forth in the deeds of dedication which are attached hereto and made part hereof. The undersigned finds and determines that said highways are not less than three rods in width.

DATED: February 2, 2017

Frank Hermance, Highway Superintendent

Approved by: Tal G. Rappleyea, Attorney for the Town

Pattison, Koskey, Howe & Bucci CPA’S

Supervisor John Berger said that Pattison, Koskey, Howe & Bucci CPA’S have offered to do the court audit for around $2,000.00 to $2,500.00 and he wants to know if the Town Board of Lexington is interested in having them do the audit. Supervisor John Berger explained that the court audit is typically done by the Town Board Members. The Town Board of Lexington said that they prefer to keep it in house.

Request for Proposal for New Garage at the Municipal Building

Supervisor John Berger said that we need to send out a Request for Proposal for engineering and architect service to construct the New Garage. Supervisor John Berger would like to send out the request to Lamont Engineering, Steve Schildhorn and Katterskill Engineering in Cairo to satisfy the procurement policy of three quotes.

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of January 2017 shows 12 Certificate of Occupancy or Compliance, 0 permits were issued and 0 violation letters.

Audit of Town Clerk’s, and Courts Records

Supervisor John Berger asked Council Member JoEllen Schermerhorn and Council Member Bradley Jenkins to audit the Town Clerk’s books and Court Clerk’s books for the year 2016 and they both agreed.

PUBLIC CONCERNS:

88 Minew Rd - CHATEAU DE VUE

Bennett Wine inquired about 88 Minew Rd that is opening a Hotel. Do they have a business permit or residential permit? Bennett Wine, Ron Lipton, Janice Barcone, Beverly Dezan, Bonnie Blader, Steve Blader, Steven Weinbera, Casey Scieszka, Dennis Aquino, and Richard Milstein were all interested in the Town Laws regarding commercial building. Code Enforcement Officer Adam Cross and Town Attorney Tal Rappleyea will look into and have the owner come in to fill out the proper paperwork. The DEP, Board of Health and the State would also be involved with the requirements of a Hotel. Various owners expressed their concern.

Ron Lipton asked how much will it cost the town to build the Town Building Project. Town Attorney Tal Rappleyea said that the Planning Board will have to review and go from there.
February 7, 2017
Town Board Meeting

Several people asked about Beechridge North and South traffic. Superintendent of Highways Frank Hermance said that it for local traffic only and that it is not a thru way.

Bennett Wine asked how does the Town want to develop and he would like to attract higher end clients. Bennett Wine used Windham as an example. Town Attorney Tal Rappleyea said that Windham does not have zoning and that the Town could take a look at the zoning laws and update them. Tal also said that it is very costly.

RESOLUTION # 31-16
Pay The Bills

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
Nays - 0

Resolved that the bills be paid on General Fund Abstract # 2 in the following amounts:

General Fund
No. 11 through 56 = $102,519.79

Resolved that the bills be paid on Highway Fund Abstract # 2 in the following amounts:

Highway Fund
No. 3 through 33 = $57,039.86

Resolved that the bills be paid on Special District Fund Abstract # 1 in the following amounts:

Special District
No. 1 through 1 = $247.09

Resolved that the bills be paid on Sewer District Fund Abstract # 2 in the following amounts:

Sewer District
No. 2 through 11 = $1,867.11

Adjourn

With no further business, on a motion from Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the meeting shall be adjourned. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk ~^~
The Meeting of the Town Board of the Town of Lexington was called to order on March 7, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building, followed by the pledge of allegiance and a moment of silence for Elnora Truesdell and Stella Cross.

PRESENT:  Supervisor  ....................................... John Berger  
Council Members  ............... Michael Barcone, William Pushman, Jo Ellen Schermerhorn, Bradley Jenkins  
Town Clerk  ......................................Alice Marie Cross  
Superintendent of Highways ............Frank Hermance  
Town Attorney  .............................Tal Rappleyea  
Code Enforcement Officer  ......Absent:  Adam Cross

OTHERS PRESENT:  John Falke, Bennett Wine, Ron Lipton, Bonnie Blader, Steve Blader, Steven Weinberg, Casey Scieszka, Chris Dwon, Nancy Dippold, Betty Hapeman, Rose Williams, Beverly Thayer, Rick Knapp, Ellouise Cole, Nancy Raisanen, Ellen Levine, Robert Irvine, Adeline Basil, Lorraine Banks, Sean Mahoney, Kathleen Hilbert, Suzanne McCabe, John Klein, Francine Melodia, Walt Jaeger, Sharon Pushman, Bob Basil, Marie Iannelli, Logan Iannelli, Joe Concato, Brian Wilson, Steve Finch, Colleen Kortendick, Kate Steciu, Glen Faulkner, Rebecca Yarger, Anne Hall, and Joe Cuseta.

**MTC Broadband Presentation**

Bonnie Blader introduced Glen Faulkner (General Manager) and Steve Weinberg (Project Manager) from Margaretville Telephone Company.

Glen and Steve shared their excitement to have the opportunity to bring reliable broadband services to every home in their coverage area that were previously considered unserved. MTC strives to provide the best local customer and technical support as possible. Fiber optics will allow MTC to be able to bring a more robust service and faster speeds than ever before. Glen and Steve explained that with round 2 Lexington has 401 homes, and 80 miles that are covered. The time frame is initial construction to begin in 2017 and the completion will be early 2019. New NY Round 3 we have 504 eligible housing units for the Town of Lexington.

Logan Iannelli, a student in Hunter-Tannersville wrote a letter to Congressman John Faso letting him know the importance of the internet to the students of Lexington. A copy of this letter is attached at the end of the minutes.

**RESOLUTION # 32-17**

**Approve February Minutes**

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on February 7, 2017.

**RESOLUTION # 33-17**

**Financial Report – as of 01/31/17**

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Jenkins, Schermerhorn, Barcone, & Pushman.  
Nays – 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of January 31, 2017.

**RESOLUTION # 34-17**
Adopt Policy Book

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to adopt the Town of Lexington Policy Book.

RESOLUTION # 35-17
Adopt Pay Week

Supervisor John Berger offered the following resolution and moved for its adoption. Supervisor John Berger explained that the union contract (page 3 item #401) describes the pay week as Monday – Friday and employee is paid bi-weekly.

Hourly time sheets will be faxed or emailed to the bookkeeper on Friday afternoon at the end of the pay period.

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to adopt the pay week as Monday thru Friday.

RESOLUTION # 36-17
Establishing a Standard Work Day for Elected and Appointed Officials

BE IT RESOLVED, that the Town Board be and hereby establishes the following as a standard workday for the Town Clerk, Tax Collector, Superintendent of Highways, Code Enforcement and Highway employees for the purpose of determining days worked reportable to the New York State and Local Employee's Retirement System:

Standard six (6) hour day = one (1) day
Town Clerk, Tax Collector, Supervisor, Town Board Members, Bookkeeper, Justice, Attorney of Town, Assessor, Planning Board Members, Zoning Board of Appeals Members, Assessment review Board Members, Health Officer, Historian, Dog Control Officer, Clerk to the Assessor, Clerk to the Town Court, Deputies to the Town Clerk, and Cleaning Personnel.

Standard five (5) day work week, eight (8) hour day = one (1) day
Superintendent of Highways, Highway employees and Code Enforcement Officer

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the Standard Work Day the Town Clerk, Tax Collector, Supervisor, Town Board Members, Bookkeeper, Justice, Attorney of Town, Assessor, Planning Board Members, Zoning Board of Appeals Members, Assessment review Board Members, Health Officer, Historian, Dog Control Officer, Clerk to the Assessor, Clerk to the Town Court, Deputies to the Town Clerk, Cleaning Personnel, Superintendent of Highways, Highway Employees and the Code Enforcement Officer.

RESOLUTION # 37-17
General Liability and Workers Comp Certificate of Insurance

Supervisor John Berger would like for the Town of Lexington Town Board to approve that a certificate of Liability Insurance, naming the Town of Lexington additional insured be required from all Independent contractors hired by the Town, before work commences. Supervisor John Berger would like for the Town of Lexington Town Board to approve that proof of Workers Compensation Issuance will be required if the contractor has employees.

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was
ADOPTED:  Ayes - 5 - Berger, Schermerhorn, Pushman, Barcone, & Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to adopt the requirement of Liability Insurance and Workers Compensation Issuance.

**RESOLUTION 38-17**
Sustainable Communities Program LTAP Grant 2017

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Schermerhorn, Barcone, Jenkins, Pushman
Nays - 0

Therefore, the Town of Lexington Town Board moves to sign contract with Catskill Watershed Corporation Local Technical Assistance Program LTAP Grant 2017.

**RESOLUTION 39-17**
Justice Court Grant

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Schermerhorn, Barcone, Jenkins, Pushman
Nays - 0

Therefore, the Town of Lexington Town Board moves to accept the grant ($3,939.00) to replace blinds, lights and if possible floor.

**RESOLUTION # 40-17**
Town to Sponsor Lexington Farmers Market

Supervisor John Berger explained that in March of 2013 the Town of Lexington Board was presented with a request for use of the Pavilion that spring, summer, and for for the Farmer's Market which included a “Vendor's Agreement” for the Town's approval. The Farmer's Market Board of Directors was under the understanding that the Farmer's Market as well as the Board of Directors would be covered under the Town of Lexington's general liability.

Supervisor John Berger explained that the Lexington Farmers Market is a self funded branch of the Town of Lexington and deposits $732.14 to a general fund bank account to be audited by the Town Board yearly. The Farmers Market manager will maintain petty cash of $500.00 during the market season for purchases of goods and services in accord ance with the Town purchase policy adopted January 4, 2017.

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
Nays – 0

Therefore, Town of Lexington Town Board moves to approve and welcome the Farmer's Market and their Board of Directors.

**RESOLUTION # 41-17**
Lexington Farmers Market Board of Directors

Supervisor John Berger needs the Town Board of Lexington to accept the present Farmer's Market Board of Directors and they are Manager Bonnie Blade, Lynn Loflin, Danny Dymond, Kashka Glowacka, and Ellen Keator.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Bradley Jenkins, the following resolution was,
ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins  
Nays - 0  
Therefore, Town of Lexington Town Board moves to approve the Farmer's Market Board of Directors.

RESOLUTION # 42-17  
Lexington Farmers Market to sell Alcohol

Supervisor John Berger informed the Town of Lexington Board that the Farmer's Market and the Board of Directors are requesting approval for alcohol to be sold at the Farmer's Market. Council Member Michael Barcone said for the Farmer's Market Board of Directors needs to make sure that the vendors have a Market Special Use Permit and a liquor liability. The tasting of the product is permitted in accordance with NYS Laws. The Town of Lexington Town Board will allow 2oz tastings.

On a motion by Council Member William Pushman, seconded by Supervisor John Berger, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, & Jenkins  
Abstain – 1 Barcone  
Nays - 0

Therefore, Town of Lexington Town Board moves to adopt the Farmer's Market and the Board of Directors to allow 2oz taste of the alcohol and to sell alcohol in closed containers not to be consumed on Town property.

RESOLUTION # 43-17  
Audit of Court Records

Council Member JoEllen Schermerhorn and Bradley Jenkins informed the Town Board that the Court records were audited for the year 2016 and everything is as it should be.

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the Court Record audit for the year 2016.

RESOLUTION # 44-17  
Audit of Town Clerk's and Tax Collector Records

Council Member JoEllen Schermerhorn and Bradley Jenkins informed the Town Board that the Town Clerk's and Tax Collector records were audited for the year 2016 and everything is as it should be.

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the Town Clerk's and Tax Collectors Record audit for the year 2016.

RESOLUTION # 45-17  
Audit Committee Report to pay Monthly Expenditures

Supervisor John Berger informed the Town Board of Lexington that William Pushman, Michael Barcone, and himself audited the monthly expenditures and all was in order. Supervisor John Berger needs the Town of Lexington Town Board to approve the paying the expenditures. He will have the total in the future.

On a motion by Council Member Bradley Jenkins, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the paying the expenditures for the Month of March 2017.

Resolved that the bills be paid on General Fund Abstract # 3 in the following amounts
March 7, 2017  
Town Board Meeting

General Fund  
No. 57 through 76 = $11,184.66

Resolved that the bills be paid on **Highway Fund Abstract # 3** in the following amounts:

**Highway Fund**  
No. 34 through 55 = $19,685.55

Resolved that the bills be paid on **Special District Fund Abstract # 2** in the following amounts:

**Special District**  
No. 2 through 2 = $250.06

Resolved that the bills be paid on **Sewer District Fund Abstract # 3** in the following amounts:

**Sewer District**  
No. 12 through 15 = $752.58

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of February 2017 shows 2 Certificate of Occupancy or Compliance, 4 permits were issued and 0 violation letters.

**RESOLUTION # 46-17**  
Agreement for the Expenditure of Highway Moneys

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Barcone, Pushman, Schermerhorn, & Jenkins.  
Nays – 0

Therefore, Town of Lexington Town Board moves to accept the agreement for the expenditure of highway money.

Discuss Creation of Rental Registry

Supervisor John Berger handed out to the Town of Lexington Town Board a copy of Local Law in the Town of East Hampton for them to read and discuss at the next Town Board Meeting.

PUBLIC CONCERNS:

Bennett Wine thanked Superintendent of Highways Frank Hermance for clearing the parking area and cutting down the trees.

88 Minew Rd has a permit for a 3 bedroom home.

Fuller Road parking sign needs to be put back up.

Adjourn

With no further business, on a motion from Council Member William Pushman, seconded by Council Member Michael Barcone, the meeting shall be adjourned. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

*Alice Marie Cross, Town Clerk*
April 4, 2017
Town Board Meeting

The Meeting of the Town Board of the Town of Lexington was called to order on April 4, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building.

PRESENT: Supervisor ........................................ John Berger
Council Members................................. Michael Barcone
................................................. William Pushman
................................................. Jo Ellen Schermerhorn
.................................................. Bradley Jenkins
Town Clerk ........................................... Alice Marie Cross
Superintendent of Highways ............. Frank Hermance
Town Attorney ................................. Tal Rappleyea
Code Enforcement Officer ............... Adam Cross

OTHERS PRESENT: John Falke, Bennett Wine, Bonnie Blader, Betty Hapeman, Rose Williams, Alfred Trusdell, John Nolty and Michel Ryan, from the Mountain Eagle.

RESOLUTION # 47-17
Approve March Minutes

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was, ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins Nays - 0
Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on Match 7, 2017.

RESOLUTION # 48-17
Financial Report – as of 02/28/17

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was, ADOPTED : Ayes - 5 - Berger, Jenkins, Schermerhorn, Barcone, & Pushman. Nays – 0
Therefore, Town of Lexington Town Board moves to approve the financial report as of February 28, 2017.

Discuss Creation of Rental Registry

Supervisor John Berger asked the Town of Lexington Town Board their opinion and suggestions after reviewing the Local Law in the Town of East Hampton. Supervisor John Berger questioned whether it is required, will it benefit the town and do we want to get involved. Council Member Bradley Jenkins said who will enforce it, will it cost the town money and how would it benefit the town. Council Member William Pushman said it would be hard to enforce. Supervisor John Berger said to have the owners name and contact information for the police to be able to call. Council Member Michael Barcone suggested for the Town Board to form a committee to gather information for the Town Board to review and make a decision. Council Member JoEllen Schermerhorn has also been receiving calls and agrees with Council Member Michael Barcone. The Town Board has agreed to have a voluntary committee of three with Council Member Michael Barcone heading the committee. The Town Board is going to advertise for volunteers and put the names in a hat to pick the names.

RESOLUTION # 49-17
Transfer of Money from Highway and General Accounts

On a motion by Council Member Bradley Jenkins, seconded by Council Member William Pushman, the following resolution was

Budget transfers from: Highway
D9950.9 2016 to ICS account Machinery Reserve $11,500.00
D9950.9 2017 to ICS account Machinery Reserve $30,000.00
D9722.6 applied to BAN & Bond balance $95,000.00 for five (5) years @ 2.45% payment of $20,419.0

General
A1990.4 Contingent to A1910.4 Unallocated Ins. $ 2,257.95
Sewer Insurance to A1910.4 Unallocated $1,774.00

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Barcone, Jenkins, Pushman
Nays - 0

Therefore, the Town of Lexington Town Board moves to transfer from D9950.9 to ICS account Machinery Reserve, D9722.6 to BAN & Bond, A1990.4 to A1910.4.

Lexington Park Update

Supervisor John Berger asked Code Enforcement Officer Adam Cross to give an update on what is happening with the Lexington Park. Code Enforcement Officer Adam Cross said the first payment of $14,800.00 has been received, all of the permits have been approved and he is looking at starting the project in May. August and September the plants and trees will be put in. Bonnie Blader has volunteered to help with the planting part of the project. Highway department will be putting cloth and some stone. The park will have picnic benches, BBQ, bathroom and a fence on the roadside. Code Enforcement Officer Adam Cross is also looking for volunteers to help with the project.

RESOLUTION # 50-17
Appointment Michelle Brainard to Sewer Accounts Bookkeeper

Motion was made by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, to appoint Michelle Brainard to Sewer Account Bookkeeper.

ADOPTED - Ayes - 5 - Berger, Barcone, Jenkins, Schermerhorn, & Pushman.
Nays - 0

Therefore, the Town of Lexington town board moves to appoint Michelle Brainard to Sewer Account Bookkeeper.

Move and Cover Fuel Barrels

Supervisor John Berger explained that the town has been sited for the fuel tanks and proposes that they be moved to the salt shed and Superintendent of Highways Frank Hermance agrees. Both tanks would be covered, as well as cleaning up around the salt shed and black topped. Superintendent of Highways Frank Hermance suggested purchasing a 1000 gallon for gas and keeping the 2000 gallon for diesel, instead of moving them as the tanks are 16 years old. Supervisor John Berger would like to get a bid package together for next month. Superintendent of Highways Frank Hermance will draft a letter to the State informing them of what we are purposing and requesting to give us till September to complete. Code Enforcement Officer Adam Cross will make a call tomorrow to CWC to see about them helping with the costs.

Supervisor John Berger would like to get a timer on the old highway building and the salt shed. The electric bills are extremely high this year and last year.

RESOLUTION # 51-17
Audit Committee Report to pay Monthly Expenditures

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Barcone, & Jenkins
Nays – 0

Therefore, Town of Lexington Town Board moves to approve the paying the expenditures for the Month of April 2017.

Resolved that the bills be paid on General Fund Abstract # 4 in the following amounts

General Fund
No. 77 through 110 = $38,457.09

Resolved that the bills be paid on Highway Fund Abstract # 4 in the following amounts:

Highway Fund
No. 56 through 67 = $14,158.25

Resolved that the bills be paid on Special District Fund Abstract # 3 in the following amounts:

Special District
No. 3 through 3 = $246.80

Resolved that the bills be paid on Sewer District Fund Abstract # 4 in the following amounts:

Sewer District
No. 16 through 24 = $2,752.44
Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of March 2017 shows 0 Certificate of Occupancy or Compliance, 3 permits were issued and 0 violation letters.

PUBLIC CONCERNS:

There was no public comments.

Adjourn

With no further business, on a motion from Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the meeting shall be adjourned. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk
The Meeting of the Town Board of the Town of Lexington was called to order on May 2, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building.

PRESENT: Supervisor ................................. John Berger
Council Members............................. Michael Barcone
                                     William Pushman
                                     Jo Ellen Schermerhorn
Absent: Bradley Jenkins
Town Clerk ............................................ Alice Marie Cross
Superintendent of Highways .......... Frank Hermance
Town Attorney............................... Tal Rappleyea
Code Enforcement Officer................. Adam Cross

OTHERS PRESENT: John Falke, Betty Hapeman, Rose Williams, Alfred Trusdell, Beverly Dezan, Elouise Cole, Daryl Legg, Andrea Legg, Ron Lipton, Marianne Romito, Denise Abrahamsen, Robert Irvine, Steven Weinberg, and Michel Ryan, from the Mountain Eagle.

Andrea Legg and Maryanne Romito
Andrea Legg and Maryanne Romito shared with the Town that they are running for the Hunter Tannersville School Board and explained how their desire is to serve and asked if anyone had any questions for them.

RESOLUTION # 52-17
Approve April Minutes

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED:  Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
            Absent - 1- Jenkins
            Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on April 4, 2017.

RESOLUTION # 53-17
Financial Report – as of 03/31/17

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED :  Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
            Absent -1- Jenkins
            Nays – 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of March 31, 2017.

RESOLUTION # 54-17
Accept AUD

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED :  Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
            Absent –1- Jenkins
            Nays – 0

Therefore, Town of Lexington Town Board moves to approve the AUD as of December 31, 2016.
RESOLUTION # 55-17
Transfer of Money from Highway and General Accounts

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was:

Budget transfers from: **Highway**
- DA9010.8 Retirement to DA5130.4 Uniforms $300.00

**General**
- A9010.8 Retirement to A3310.4 Traffic Control $1,674.52

ADOPTED: Ayes - 4 - Berger, Schermerhorn, Barcone, and Pushman
Absent: 1 - Jenkins

Therefore, the Town of Lexington Town Board moves to transfer from DA9010.8 to DA5130.5, A9010.8 to A3310.4.

Open Stone Bids

The Town of Lexington received three bids from Carver Sand & Gravel LLC, Peckham Materials Corp., and Cobleskill Stone Products, Inc. Supervisor John Berger opened Peckman Materials Corp, (#1A Stone 500 tons $12.75 per ton, #1 Stone 275 tons $11.50 per ton, and Delivery to Highway Department; $8.25 per ton), Cobleskill Stone Products, Inc. (#1a washed 500 ton $19.25, and #1 st washed 275 ton $16.50) and Carver Sand & Gravel LLC (#1A stone 500 ton $17.95, and washed 1st stone 275 ton $15.75) Carver Sand & Gravel LLC won the bid. The Town of Lexington Town Board moved to approve Carver Sand & Gravel LLC to supply the material.

RESOLUTION # 56-17
Award Stone Contract

On a motion by Supervisor John Berger, seconded by Council Member William Pushman, the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1 - Jenkins

Therefore, Town of Lexington Town Board moves to award the Stone Bid to Carver Sand & Gravel LLC.

RESOLUTION # 57-17
Establish No Parking Zone – Fuller Road

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent – 1 - Jenkins

Therefore, Town of Lexington Town Board moves to approve installing no parking signs on Fuller Road.

County-Wide Shared Service Initiative

Supervisor John Berger explained that the Governor's proposed mandate that counties present a Shared Services Property Tax Savings plan. The Initiative's stated goal is to identify collaborative opportunities for shared services which will yield property tax savings for County residents.

The new mandate sets an August 1, 2017 deadline for creation of the proposed Shared Services Plan. The first meeting of the Greene County Shared Services Panel will be on Friday, May 12th, 2017 from 10:00 A.M. To 12:00 P.M. Supervisor John Berger requested from the Town Board of Lexington for them to come up with ideas and get back to him before the meeting.

Correspondences

**Greene County Honor-A-Vet Memorial Ceremony**
Greene County Legislature will be honoring the memory of Specialist Fourth Class, G.L. “Johnny” Lyles, of Catskill, in the annual Honor a Vet Memorial Ceremony, to be held at 10 a.m. May 20 on the Greene County Courthouse steps, 320 Main St., Catskill. The public is invited to attend.

G.L. Lyles, also known as “Johnny,” was born on June 26, 1942, in a small southern town called Lula, Mississippi which consisted of a little over 360 people. Lyles was born to father, Prince Lyles, who worked many years in a brickyard and on five plantations. At the age of two, Johnny began helping his mother, Nancy, working in the cotton fields. By the age of 15, Johnny moved to Dade City, Florida with his parents. He enjoyed playing sports, especially basketball and baseball; and, he excelled in boxing where he had a record of 15 wins and one draw as an amateur boxer. He also played semi pro baseball for the Chattanooga Lookout baseball team from Tennessee.

On June 15, 1967, just days before his 25th birthday, Johnny was inducted to the United States Army via a draft notice. He would then be assigned to Fort Campbell, Kentucky where he attended basic combat training. He was then sent to Fort McClellan, Alabama where he received advanced infantry training and mortar man training. At completion of this training in October of 1967, he received his orders for Vietnam. Johnny was assigned to the 9th Infantry in the Mekong Delta. At the time of his arrival, the Mekong Delta was heavily occupied by the North Vietnamese Army and the Viet Cong. The 9th Infantry was involved with some of the heaviest combat in the region and suffered heavy casualty rates.

On December 9, 1967, PFC Lyles and his platoon were assigned the task of reinforcing a hill that was under enemy fire. While under direct and indirect fire, PFC Lyles attempting to seek cover was injured by a land mine. PFC Lyles sustained severe injuries to his left foot and leg. He was evacuated by helicopter to a near-by field hospital where he was stabilized and then evacuated to Saigon for surgery. PFC Lyles was further transported to Walter Reed Army Hospital. On July 2, 1967, after several surgical attempts to save his leg and with the damage being too severe, PFC Lyles, at the age of 25, would have his leg amputated from the knee down. On Jan. 20, 1969, Johnny Lyles was medically retired at the rank of SP4, (Specialist Fourth Class).

Johnny was best known for his strong work ethic, family values and loyalty to his friends. He earned a mechanical certificate and enjoyed tinkering on a variety of different vehicles.

He was a life time member of the Sullivan-Teator VFW Post 770, Catskill and a life member of the Disabled American Veterans.

Specialist Fourth Class G. L. “Johnny” Lyles is survived by his wife of 49 years, Joan, five children, ten grandchildren and four great grandchildren.

Greene County Council of the Arts

Supervisor John Berger read a letter from Greene County Council of the Arts requesting the Town of Lexington's support. Supervisor John Berger said that the Town of Lexington cannot support them but if anyone wished to they can put the money in the envelope and he would send it out.

Their mission is to enrich the quality of life in Greene County by developing and strengthening the arts and fostering cultural and arts related activities. An active advocate for the arts at the county, state and federal level, GCCA nurtures artistic endeavors at all stages of development. They provide services and funding to cultural organizations and individual artists. They develop and present cultural and arts-related programming for our community reflecting the varied needs of our constituents. They act as a chamber of commerce for the arts and as a clearinghouse for the promotion of arts activities. They foster an awareness of Greene County's vast cultural resources. Their aim is to stimulate the area’s cultural and economic growth through the arts.

Catskill Mountain Housing Development Corp

Supervisor John Berger read the program overview and said it is posted in the building. Catskill Mountain Housing has received a grant from New York State Housing Trust Fund to make grants available to residents of Greene County who own a trailer or mobile home that serves as their primary residence.

RESOLUTION # 58-17

Audit Committee Report to Pay Monthly Expenditures

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone

Absent – 1- Jenkins

Nays – 0
Therefore, Town of Lexington Town Board moves to approve the paying the expenditures for the Month of May 2017.

Resolved that the bills be paid on **General Fund Abstract # 5** in the following amounts:

- **General Fund**  
  No. 111 through 137 = $14,187.29

Resolved that the bills be paid on **Highway Fund Abstract # 5** in the following amounts:

- **Highway Fund**  
  No. 68 through 85 = $57,484.44

Resolved that the bills be paid on **Special District Fund Abstract # 4** in the following amounts:

- **Special District**  
  No. 4 through 4 = $241.05

Resolved that the bills be paid on **Sewer District Fund Abstract # 5** in the following amounts:

- **Sewer District**  
  No. 25 through 34 = $3,394.91

### Change July 4th meeting to July 3rd

Supervisor John Berger requested that the July 4th meeting be held on July 3rd. The Town of Lexington town Board does not have a problem with the date change.

### Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of April 2017 shows 9 Certificate of Occupancy or Compliance, 2 permits were issued and 0 violation letters.

### PUBLIC CONCERNS:

Rose Williams asked about metal collection day and Supervisor John Berger said that the Town no longer has a metal collection day because it was too costly to the town.

Superintendent Frank Hermance inquired about the installation of the back door since a resolution was passed last year. Superintendent Frank Hermance said he saw a mouse come in through the hole in the door. Supervisor John Berger said that finding someone to install the metal door has not been easy and he is still looking for someone to install the door.

Elizabeth Hapeman inquired about the status of the study being done by Michelle Yost when Dixie Baldrey was in office. Supervisor John Berger said that she must be referring to the 23A scenic by way and the deal is not dead yet.

John Falke met with the inspector over the Lexington Bridge and the update. The bridge will be down to one lane off and on April 2018 thru November 2018.

### RESOLUTION # 59-17

**Open Executive Session – Personnel Issue**

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, to open for executive session at 7:10 P.M.

**ADOPTED:**  
Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone  
Absent – 1- Jenkins  
Nays – 0

### RESOLUTION # 60-17

**Close Executive Session**

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, to come out of executive session at 7:25 P.M.

**ADOPTED:**  
Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone  
Absent – 1- Jenkins  
Nays – 0

No action was taken.
Adjourn

With no further business, on a motion from Council Member William Pushman, seconded by Council Member Michael Barcone, the meeting shall be adjourned at 7:25 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk

5
June 6, 2017
Town Board Meeting

The Meeting of the Town Board of the Town of Lexington was called to order on June 6, 2017 at 6:30 P.M., by John Berger at the Lexington Municipal Building, followed by the pledge of allegiance.

PRESENT: Supervisor .................................. John Berger
        Council Members.......................... Michael Barcone
                                               William Pushman
                                               Jo Ellen Schermerhorn
                                               Bradley Jenkins
        Town Clerk ................................. Alice Marie Cross
        Superintendent of Highways .......... Frank Hermance
        Town Attorney............................. Tal Rappleyea
        Code Enforcement Officer.............. Adam Cross

OTHERS PRESENT: John Falke, Alfred Trusdell, John Nolty, Lynne Byrne, Colleen Korkendick, Steve Blader, Anne Hall, Glen Howard, and Michel Ryan, from the Mountain Eagle.

RESOLUTION # 61-17
Approve May Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Abstain - 1- Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on May 2, 2017.

RESOLUTION # 62-17
Financial Report – as of 04/30/17

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of April 30, 2017.

RESOLUTION # 63-17
New Gasoline Barrel Bids

Supervisor John Berger explained that the town has been sited for the fuel tanks and proposes that they be moved to the salt shed and Superintendent of Highways Frank Hermance agrees. Both tanks would be covered, as well as cleaning up around the salt shed and black topped. Superintendent of Highways Frank Hermance suggested purchasing a 1000 gallon for gas and keeping the 2000 gallon for diesel; instead of moving them as the tanks are 16 years old. Supervisor John Berger would like to get a bid package together for next month. Superintendent of Highways Frank Hermance will draft a letter to the State informing them of what we are purposing and requesting to give us till September to complete. Code Enforcement Officer Adam Cross will make a call tomorrow to CWC to see about them helping with the costs.

Supervisor John Berger would like to get a timer on the old highway building and the salt shed. The electric bills are extremely high this year and last year.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Bradley Jenkins, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to approve of scrapping the new fuel tank plans.

Open Garage Slab and Base Bids

The Town of Lexington received four bids:

1) T.L. Masonry Contractor
mono lite concrete slab 30’ x 44’ 6” thick plus 18” thick on outside perimeter with 6-6-6-w2 work mesh and 6 mil plastic. Outside perimeter shall be reinforced with 4 #4 steel pads. Slab will be poured in two section at 15’ x 44’ with expansion joint at center and low cut every 14’6” x 30’. Note that all excavation and prep work will be done by others. T.L. Masonry will finish final grade and complete. $22,106.22

2) Craig Bates
Remove 6” to 12” existing soil, prepare slab area with 12” of #2 Bluestone topped with #1 stone, to be compacted and sides of slabs to be filled 6” from top, seeded and mulched. $5,800.00,

3) Larry Falke Excavating ( 30 x 44 with 18” Haunches with #4 bar 2 bars continuous around outside edge and 4’ on center through slab with 6 x6 mesh. Gravel base with crushed stone under slab topsoil and item 4 in front of doors. $25,700.00

4) Evergreen Mountain Contracting, Inc Concrete slab only 33’ x 44’ building. Prep site, excavation, back-fill and grading, furnish, haul, place and compact #2 crushed stone, form, reinforce, furnish, pour hauch/floor and trowel finish floor. Prices quote includes: Mobilization, prevailing wages, insurance, inspections and testing. $26,800.00

RESOLUTION # 64-17
Award Garage Slab and Base Bid

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to award the Garage slab and base bid to Larry G. Falke Excavating.

RESOLUTION # 65-17
Hire Consultant for Sustainable Community Grant

Supervisor John Berger presented the two consultants (Milone and MacBroom and River Street Planning and Development, LLC) that are being considered for the Sustainable Community Grant. Supervisor John Berger looked into the most recommended one from the local towns and found it to be River Street Planning and Development, LLC. Therefore he is recommending River Street Planning and Development, LLC to be hired as the consultant for the Sustainable Community Grant.

On a motion by Supervisor John Berger, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to approve hiring River Street Planning and Development, LLC as the consultants for the Sustainable Community Grant.

RESOLUTION # 66-17
Approve Supervisor to Sign CWC for Storm Water System O and M

Supervisor John Berger shared that the CWC will give us $31,278.66 to put in an interest bearing account only to be used in the future for a vacuum truck.

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED : Ayes - 5 - Berger, Jenkins, Schermerhorn, Barcone, & Pushman
Nays - 0

Therefore, Town of Lexington Town Board moves to approve for Supervisor John Berger to sign the contract with CWC for Storm Water System O and M.

RESOLUTION # 67-17
Approve Supervisor to Sign GCSW Contract

Supervisor John Berger shared that we have up to $5,600.00 in reimbursements for a pergola and fence at the Riverfront access park.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED : Ayes - 5 - Berger, Jenkins, Schermerhorn, Barcone, & Pushman.
Nays - 0
Therefore, Town of Lexington Town Board moves to approve for Supervisor John Berger to sign the contract with GCSW contract for reimbursement of funds.

**Chip’s Money**

Supervisor John Berger shared that there is an increase in the chip money. We are receiving $72,663.75 chips and an additional $16,586.12 pave New York Funds as well as the allotted $13,324.18. The total we are receiving is $102,574.05.

**RESOLUTION # 68-17**

**Insurance Renewal**

Supervisor John Berger informed the Town Board that the Comp Alliance cost for workers compensation insurance went down by $1,800.00 from last year and he would like to renew with them. Comp Alliance will be doing a risk assessment for us soon.

On a motion by Council Member William Pushman, seconded by Council Member Jo Ellen Schermerhorn, the following resolution was

ADOPTED: Ayes - 5 - Berger, Jenkins, Schermerhorn, Barcone, & Pushman.

Nays - 0

Therefore, Town of Lexington Town Board moves to approve the renewing of workers compensation insurance with Comp Alliance.

**DEP Developable Land Analysis**

Supervisor John Berger reviewed the 2017 Town of Lexington level assessment that was conducted by DEP of the watershed. The State of New York owns about 26,600 acres in Lexington, or 51% of all land in the Town. Lexington encompasses 51,274 acres. As of 2016, DEP had acquired City Fee or City CE interests on 4,094 acres in Lexington, 88.7% of which consisted of undevelopable land. The DEP projects that from January 1, 2017 through December 31, 2025, LAP could acquire City Fee, City CE or WAC CE on an additional 2,687 acres in Lexington. DEP also projects LAP could acquire WAC CE on an additional 251 acres of agricultural land in Lexington. Initially when the City started to buy land they wanted undevelopable land and now they want land that is developable, or, they are not interested.

Supervisor John Berger said that CWC has put out a RFP to review the City's analysis because the City has skewed these results in their favor. Every Town that is listed will be hurt by the City's purchases of land.

Supervisor John Berger said that you can request to review the report and he will send it by email.

**RESOLUTION #69-17**

**Resignation-William H. Carr**

Supervisor John Berger read a letter of resignation from William H. Carr from his position as the Youth Director for the Town of Lexington Summer Swim Program.

On a motion by Council member William Pushman seconded by Council member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.

Nays - 0

Therefore, Town of Lexington Town Board moves to accept the resignation of William H. Carr.

**Bus Contract for Swim Camp**

Supervisor John Berger said we had eleven children last year for our youth program, he is interested in joining Ashland if they have room available and paying a portion of the counselor and transportation fees. Supervisor John Berger wanted to know if that did not work should we cancel the program or put an ad in the paper. Council Members said it should not be discontinued but to also contact Hunter to inquire about their program.

**RESOLUTION # 70-17**
Designate The Mountain Eagle as Second Official Newspaper

On a motion by Council Member Bradley Jenkins, seconded by Council Member William Pushman, the following resolution was,

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

Therefore, this Town of Lexington Town Board does hereby designate The Mountain Eagle as the second Official Newspapers for the Town of Lexington for the year 2017.

County-Wide Shared Service Initiative

Supervisor John Berger gave an update of the Governor's proposed mandate that counties present a Shared Services Property Tax Savings plan. Supervisor John Berger said that some of the areas that was discussed were code enforcement, court system, assessing services and ambulance service. All need to be researched more.

The state will match the savings plus revenue for the first year only (one time) when a county implements a consolidation measure. The participating municipalities have to live within the 2% tax savings threshold to be eligible for that one time only benefit. The state support is meant to offset the upfront costs before the municipalities start to see the savings in years two and three and beyond.

Supervisor John Berger said the Town of Lexington can opt out.

Committee for Rental Registry

Supervisor John Berger informed the Town Board of Lexington that the committee was not able to complete their research but will give their findings next month.

Broadband Update

Council Member William Pushman inquired about the Broadband update and Supervisor John Berger said that they have applied for the permit for the little building. Supervisor John Berger believes they will be starting in a couple of months.

RESOLUTION # 71-17
Audit Committee Report to Pay Monthly Expenditures

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of June 2017.

Resolved that the bills be paid on General Fund Abstract # 6 in the following amounts

General Fund
No. 138 through 176 = $11,291.16

Resolved that the bills be paid on Highway Fund Abstract # 6 in the following amounts:

Highway Fund
No. 86 through 109 = $26,746.20

Resolved that the bills be paid on Special District Fund Abstract # 5 in the following amounts:

Special District
No. 5 through 5 = $244.13

Resolved that the bills be paid on Sewer District Fund Abstract # 6 in the following amounts:

Sewer District
No. 36 through 41 = $1,133.06

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of May 2017 shows 8 Certificate of Occupancy or Compliance, 7 permits were issued and 0 violation letters.
June 6, 2017
Town Board Meeting

PUBLIC CONCERNS:

Council Member Bradley Jenkins inquired if the town was having the community vegetable garden this year. Lynne Byrne said that we were not having the community vegetable garden this year.

Supervisor John Berger asked the Town of Lexington Town Board if they would have an objection to tilling the slope by the memorial and planting flowers. Council Member Bradley Jenkins will look at it to see if he is able to till it.

Supervisor John Berger accepted the $150.00 donation from Glen Howard of the Big Valley Trail Breakers Snowmobile Club. The donation is to be used for recreation for youth enrichment.

Supervisor John Berger asked Adam Cross to give an update on the Riverfront Access Park. Adam Cross said Randy Potter pulled out trees and prepped. Floyd Dart is to pull out stumps and grade. Superintendent of Highways Frank Hermance is taking stumps and concrete away. Adam Cross will be ordering the fence and looking for volunteers. Adam Cross's goal is to have the park completed by the end of Summer.

Crump Road update – Supervisor John Berger said an appeal has begun but as of today it is still in the Towns favor,

RESOLUTION # 72-17
Open Executive Session – Personnel Issue

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, to open for executive session at 7:30 P.M.

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

RESOLUTION # 73-17
Close Executive Session

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Bradley Jenkins, to come out of executive session at 8:30 P.M.

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

No action was taken.

Adjourn

With no further business, on a motion from Council Member Bradley Jenkins, seconded by Council Member William Pushman, the meeting shall be adjourned at 8:31 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk ^_^
July 3, 2017  
Town Board Meeting

The Meeting of the Town Board of the Town of Lexington was called to order on July 3, 2017 at 6:30 P.M., by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance and a moment of silence for Eula Falke.

PRESENT:  Supervisor ............................... John Berger  
Council Members.......................... Michael Barcone  
William Pushman  
Jo Ellen Schermerhorn  
Absent: Bradley Jenkins  
Town Clerk .............................. Alice Marie Cross  
Superintendent of Highways ............. Frank Hermance  
Town Attorney ......................... Absent: Tal Rappleyea  
Code Enforcement Officer............... Absent: Adam Cross


Review Brick Project

Supervisor John Berger shared a little about the Brick project and then introduced Bennett Wine who has designed the project. Bennett Wine showed photos of the project (attached) and said that most of the work is being done by volunteers. Bennett Wine explained that it will meet handicap standards which may help to receive grants. The projected time frame is around next year at this time.

RESOLUTION # 74-17  
Approve June Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,  
ADOPTED:  Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone  
Absent - 1- Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on June 6, 2017.

RESOLUTION # 75-17  
Financial Report – as of 05/31/17

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,  
ADOPTED :  Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone  
Absent - 1- Jenkins  
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of May 31, 2017.

Short Term Rental Committee

Council Member Michael gave the report of the STR Committee (Peggy Rappleyea, Michael Barcone, and Robert Irvine). There are approximately 24 short-term rentals in the Town of Lexington that are advertised on the online hosting sites Airbnb, Homeaway, and VRBO, among others.  
STRs can be found in residential homes owned by full-time Lexington residents, second homes owned by non-full-time residents, bed and breakfast businesses, and residents who let out rooms within their own primary residences.  
Most STRs are in private residences comprising one to five bedrooms with a maximum capacity of twelve guests.  
The Town has four high-capacity STRs that cater to more than twelve guests. Two are advertised sixteen guests, and two to host fifty each.  
Most STR hosts stipulate; that their houses are not rented to be “party houses” and have strict limits about how many people can stay as guests. However, the Town Board has received noise, trespassing and trash complaints about certain STRs; complaints that may become more common with an increase in the number of STRs in the Town. Growth in the STR business has been exponential and that has caused related problems in Counties and Towns south of Lexington that are closer to New York City and New Jersey where the number of rentals has become substantial. We have looked into other Towns in the area and what they are experiencing with the STRs and have made recommendations in the report for the Town of Lexington Town Board to review and discuss at the August Town Board meeting.

Council Member JoEllen Schermerhorn commented that she would like to bring the noise ordinance to the table.
RESOLUTION # 76-17
Accept Standard Work Day for Elected and Appointed Officials

BE IT RESOLVED, that the Town Board be and hereby accepts the following as a standard workday for the Town Clerk, Superintendent of Highways, Supervisor, Town Justice, Dog Control Officer, Bookkeeper, Planning Board Secretary, and the Assessor for the purpose of determining days worked reportable to the New York State and Local Employee's Retirement System:

Standard six (6) hour day = one (1) day
Town Clerk, Superintendent of Highways, Supervisor, Town Justice, Dog Control Officer, Bookkeeper, Planning Board Secretary, and the Assessor

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1 - Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the Standard Work Day for Elected and Appointed Officials Town Clerk, Superintendent of Highways, Supervisor, Town Justice, Dog Control Officer, Bookkeeper, Planning Board Secretary, and the Assessor.

RESOLUTION # 77-17
Appoint Beth Ann Cervola as the Youth Director

On a motion by Supervisor John Berger, seconded by Council Member William Pushman, the following resolution was

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1 - Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to appoint Beth Ann Cervola as the Youth Director for the Town of Lexington.

RESOLUTION # 78-17
Resolution in Support of Extending the Comment Period for the 2017 Town Level Assessments for LAP

Supervisor John Berger presented the Resolution in Support of Extending the Comment Period for the 2017 Town Level Assessments for the LAP.

Town of Lexington

Resolution in Support of Extending the Comment Period for the 2017 Town Level Assessments for the LAP

WHEREAS: The Town of Lexington is located within the Schoharie Watershed basin in the northern Catskill Mountains, has land wholly or partially within the NYC Watershed and the Catskill Park where parcels owned by NYC and NYS are protected from future development, respectively; and

WHEREAS: The Town of Lexington reviewed the 2017 Town Level Assessments report developed by NYCDEP to evaluate the effect of the Land Acquisition Program (LAP) on the supply of land available for future development in each town; and

WHEREAS: the LAP is one of the core watershed protection programs in the Memorandum of Agreement and may be a long-term program, it should be analyzed in a way that reflects the long term impacts from such a program on local communities’ economic viability; and

WHEREAS: the methodology the NYCDEP used in the Town Level Assessments on one level was thorough, it lacked detailed criteria and incorporated assumptions due to an aggregating approach that presents potentially skewed conclusions as to the amount of developable land that would be available in 2025 and beyond; and

WHEREAS: the Coalition of Watershed Towns requested a three month extension to October 31, 2017 to allow additional time for comments and for an independent review of the NYCDEP’s Assessments that would include additional parameters, such as zoning, subdivision and deed restrictions, in order to provide more detail on remaining developable land in 2025 and beyond; and
WHEREAS: the Town of Lexington supports of an independent review of its town assessment and will work with Greene County SWCD and the Catskill Watershed Corporation (CWC), which is hiring a consultant to go into greater detail to refine the NYCDEP conclusions;

NOW THEREFORE BE IT RESOLVED: The Town of Lexington supports the CWT’s request for a three month extension and is requesting that be honored by NYCDEP and participating state agencies.

Resolution offered by Council Member Michael Barcone Seconded by Council Member William Pushman

In Favor 4 Opposed 0 Abstained _____ Absent -1 Passed 4 Failed ______

Signed: John Berger Date: 3, July, 2017
John Berger, Supervisor

Certification

I, Alice Marie Cross, being the Clerk of the Town Lexington and the official recording officer of the Town of Lexington records do hereby certify that the above resolution was approved at the meeting of the Town of Lexington Board of Trustees on 3rd, July, 2017, that the resolution is true and correct and in full force and that an official record of this action is on file in the Town’s minutes book.

Signed: Alice Marie Cross Town Clerk Date: 3, July, 2017

CC: David Warne, NYCDEP Pamela Young, NYSDOH Thomas Snow, NYSDEC
Bruce Dolph, CWT Chairman
Mountaintop Supervisors and Mayors Association, c/o GCSWCD

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1- Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to approve for Supervisor John Berger to sign the the Resolution in Support of Extending the Comment Period for the 2017 Town Level Assessments for the LAP.

RESOLUTION # 79-17
Appoint Special Counsel William Simon to fill Ethics Committee

Supervisor John Berger requested for William Simon be approved to be the Special Counsel for the Code of Ethics.

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED : Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1- Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to approve William Simon for Special Counsel for the Code of Ethics Board.

RESOLUTION # 80-17
Support Tour of the Catskills Cycling Race

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED : Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1- Jenkins
Nays - 0
Whereas, the Catskill Cycling Race is being held through the Town of Lexington on August 5, 2017; and
Whereas, promotion of the beauty of the Catskills through the Catskill Cycling Race, results in
goodwill with those participants and their families, and;
Whereas, such an event also provides an economic benefit to the mountaintop communities;
Therefore, Town of Lexington Town Board joins with its neighbors in supporting the Catskill Cycling
Race.

RESOLUTION # 81-17
CWC Flood Hazard Mitigation Implementation Program for New Garage

Supervisor John Berger explained the benefit to the Town this program would be to the new garage. He requested for the Town of Lexington Town Board to allow him to fill out the application form

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED : Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Absent - 1- Jenkins
Nays - 0

Therefore, the Town of Lexington Town Board moves to approve Supervisor John Berger apply for the CWC Flood Hazard Mitigation Implementation Program.

No Parking Law

Supervisor John Berger requested for the Town Board to hold a public hearing. Council Members have a copy in their packet for review. Public Hearing to be held on August 1, 2017 at 6:00 P.M followed by the Town of Lexington Town Board meeting at 6:30 P.M. at the Kenneth A. Becker Municipal Building.

RESOLUTION # 82-17
Transfer of Money from General Accounts

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

Budget transfers from: **General**

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A9010.8 Retirement</td>
<td>A1910.4 Unallocated Insurance</td>
<td>$4,031.95</td>
</tr>
<tr>
<td>A9050.8 Unemployment Insurance</td>
<td>A1910.4 Unallocated Insurance</td>
<td>$4,031.95</td>
</tr>
<tr>
<td>A9010.8 Retirement</td>
<td>A8020.4 Planning Board C.S.</td>
<td>$297.93</td>
</tr>
<tr>
<td>A9050.8 Unemployment Insurance</td>
<td>A8020.4 Planning Board C.S.</td>
<td>$297.93</td>
</tr>
</tbody>
</table>

ADOPTED : Ayes - 4 - Berger, Schermerhorn, Barcone, and Pushman
Absent: 1 - Jenkins
Nays - 0

Therefore, the Town of Lexington Town Board moves to transfer from A9010.8 and A9050.8 to A1910.4; A9010.8 to A8020.4.

Town of Lexington High School Graduates

HTC – Lindsey Coons, Cassie Curtis, Audra Rossingnol, and Jonathan Falke . WAJ – Emily Valero

RESOLUTION # 83-17
Audit Committee Report to Pay Monthly Expenditures

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes - 4 - Berger, Schermerhorn, Barcone, and Pushman
Absent: 1 - Jenkins
Nays - 0
Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of July 2017.

Resolved that the bills be paid on General Fund Abstract # 7 in the following amounts:

| General Fund   | No. 177 through 204 = $8,897.46 |

Resolved that the bills be paid on Highway Fund Abstract # 7 in the following amounts:

| Highway Fund   | No. 110 through 132 = $24,622.50 |

Resolved that the bills be paid on Special District Fund Abstract # 6 in the following amounts:

| Special District | No. 6 through 6 = $243.44 |

Resolved that the bills be paid on Sewer District Fund Abstract # 7 in the following amounts:

| Sewer District  | No. 36 through 48 = $1,047.36 |

**Code Enforcement Report**

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of June 2017 shows 4 Certificate of Occupancy or Compliance, 3 permits were issued and 0 violation letters.

**PUBLIC CONCERNS:**

Council Member JoEllen Schermerhorn announced the the Community Wide Dance at Westkill Community Hall on August 5th, 2017. Hot Dogs, hamburgers, and beverages will be provided. Please bring a dish to share. Chinese Auction from 5:00 P.M. To 6:30 P.M., Line Dancing lessons from 6:00 P.M. to 7:00 P.M., and Dancing music provided by: Paul Slusar from 7:00 P.M. To 10:00 P.M..

Sal Mancuso Jr. and Sal Mancuso Sr. gave an update on his findings regarding the Hunter Landfill fine they received from DEC (Twenty seven thousand dollars) which was reduced to Seven thousand. They have one year to produce an engineering report on how the problem will be taken care of. The engineering report was submitted in December 2016 and rejected. Now they have been granted another year (end of 2017) in which to solve the problem. Sal Mancuso Jr. handed out a packet to the Town of Lexington Town Board to review and inquire what has been done with the money.

Betty Hapeman inquired about the Catskill Watershed Corporation application for Local Technical Assistance Program update. Supervisor John Berger explained that this grant is for the purpose of conducting a planning study to assist the Town of Lexington in identifying a relocation parcel(s) for structures eligible for acquisition and relocation assistance as recommended in the Town’s Local Flood Analysis as well as a rendering of what Main Street in Lexington might look like.

Council Member JoEllen Schermerhorn asked if there would be a committee formed to follow up on the progress and Supervisor John Berger said that is on the agenda for next month.

Superintendent of Highways asked for an update regarding Broadband. Supervisor John Berger said that the engineering and poles should be getting put in by the years end.

**Adjourn**

With no further business, on a motion from Council Member Bradley Jenkins, seconded by Council Member William Pushman, the meeting shall be adjourned at 7:40 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk
The Public Hearing for the preliminary budget was called to order on August 1st, 2017 at 6:00 P.M. by Supervisor John Berger at the Kenneth A. Becker Municipal Building. The meeting was called to order by Supervisor John Berger.

**PRESENT:** Supervisor..............................................John Berger
Council Members.....................................................Michael Barcone
William Pushman
Jo Ellen Schermerhorn
Bradley Jenkins
Town Clerk ..............................................................Alice Marie Cross
Superintendent of Highways......................Frank Hermance
Town Attorney.........................................................Absent: Tal Rappleyea
Code Enforcement Officer..........................Vacant


**TOWN OF LEXINGTON**
**LOCAL LAW #1 of 2017**

**A LOCAL LAW AUTHORIZING THE DESIGNATION OF NO PARKING AREAS**

BE IT ENACTED by the Town Board of the Town of Lexington as follows:

Section 1. Title of Local Law:

This Local Law shall be entitled “A LOCAL LAW AUTHORIZING THE DESIGNATION OF NO PARKING AREAS.”

Section 2. No Parking Areas.

From time to time, the Town Board shall establish by resolution certain designated “No Parking” areas within the Town. The No Parking areas and any associated time frame of effectiveness shall be designated by the erection of No Parking signs. Parking between No Parking signs in violation of this section is subject to a $25 fine.

Section 3. Parking Violations.

The following shall also constitute parking violations:

a. Double Parking a vehicle alongside an already parked vehicle;
b. Parking a vehicle in a manner that impedes the flow of traffic on a public highway;
c. Parking a vehicle in a manner that obstructs access to a fire hydrant;
d. Parking a vehicle between two No Parking signs in a designated Fire Zone;
e. Parking a vehicle so that any portion of the vehicle is within the area of a designated cross walk;
f. Parking a vehicle so that any portion of the vehicle obstructs a driveway;
g. Parking a vehicle on the side of a public highway where the front of the vehicle faces the lane of oncoming traffic;
h. Parking a vehicle in a designated handicapped parking area without displaying a handicapped parking authorization;
i. Parking a vehicle on the sidewalk.

Section 4. Fines:

Any vehicle parked in violation of Section 3 above shall be subject to a fine in accordance with the following fine schedule:
a. A violation of § 3a: $100;
b. A violation of § 3b: $50;
c. A violation of § 3c: $150;
d. A violation of § 3d: $150;
e. A violation of § 3e: $50;
f. A violation of § 3f: $50;
g. A violation of § 3g: $50;
h. A violation of § 3h: $200;
i. A violation of § 3i: $50.

Section 5. Supersession.
Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town Law herein addressed, in so far as such statutes are inconsistent with this Law and any other laws or regulations of the Town of Lexington are superseded to the extent necessary to give this Local Law full force and effect.

Section 5. Severability:
If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

Section 6. Effective Date:
This Local Law shall take effect immediately.

Public Hearing - No Parking Law

Supervisor John Berger opened the Public Hearing for the No Parking Law for the Town of Lexington Town Board, and asked the public if they had comments.

Much discussion followed. Many residents were concerned about the parking for the hiking at the end of Spruceton.

Robert Irvine said that he was in favor of the law because it affects tourism in our community. He felt that the parking area could be enlarged, as well as putting up no parking signs along the side of the roads. Council Member Bradley Jenkins said that it is forest preserve land and it cannot be touched. Robert Irvine asked if we could possibly get permission from them and Council Member Bradley Jenkins said he did not know.

Supervisor John Berger said that they have been asked and have refused to allow the Town to enlarge the parking area.

Supervisor John Berger also stated that on Memorial Day and July 4rh it was difficult for fire trucks to get through.

Janice Barcone said that she agrees with Robert Irvine and that an alternatives should be tried before ticketing and fining people. Elizabeth Randolph wondered if the number of visitors would have an impact on enlarging the parking area.

Gretchen Milton asked who would be giving the tickets and Supervisor John Berger said the State Police and Greene County Sheriff Office.

Steven Weinberg and Casey Scieszka said that Overlook Mountain just expanded their parking area and suggested the Town pursue what Overlook Mountain did and in the meantime put up sign. Supervisor John Berger said he would make an inquiry to the State.

Janice Barcone asked if it was possible to contact the hiking clubs in getting the parking area enlarged. Steven Weinberg said he could provide a list of hiking clubs.

Motion to Close Public Hearing
Supervisor John Berger made a motion to close the Public Hearing on the No Parking Law, seconded by Council Member JoEllen Schermerhorn Time – 6:30 P.M.

Vote:
Berger -aye, Schermerhorn -aye, Pushman -aye, Barcone -aye, Jenkins -aye. Carried.
Respectfully submitted,

Alice Marie Cross
August 1, 2017
Town Board Meeting

The Meeting of the Town Board of the Town of Lexington was called to order on August 1, 2017 at 6:31 P.M. by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance.

PRESENT: Supervisor .................................................................. John Berger
Council Members......................................................... Michael Barcone
William Pushman
Jo Ellen Schermerhorn
Bradley Jenkins
Town Clerk .......................................................... Alice Marie Cross
Superintendent of Highways ............ Frank Hermance
Town Attorney..................................................... Absent: Tal Rappleyea
Code Enforcement Officer................. Vacant


RESOLUTION # 84-17
Motion to Accept No Parking Law

On a motion by Supervisor John Berger, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED: Ayes - 0
Nays - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.

This Town of Lexington Town Board moves to not approve the No Parking Law Public Hearing meeting held on August 1, 2017.

RESOLUTION # 85-17
Approve July Minutes

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Barcone
Abstain - 1- Jenkins
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on July 3, 2017.

RESOLUTION #86-17
Financial Report – as of 06/30/17

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of June 30, 2017.

RESOLUTION #87-17
Resignation-John Loftus – BAR Member and Adam Cross – Code Enforcement Officer

Supervisor John Berger presented the letters of resignation from John Loftus from his position as a BAR Member and Adam Cross from his position of Code Enforcement Officer for the Town of Lexington.

On a motion by Council member William Pushman seconded by Council member Michael Barcone, the following resolution was
ADOPTED:  Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.
Nays – 0

Therefore, Town of Lexington Town Board moves to accept the resignations of John Loftus and Adam Cross.

MTC Update

Supervisor John Berger said we will be seeing a lot of vehicles running around on 23A and Route 42 and they will fan out to Spruceton Road. Round three not approved yet.

Open Bids for Culvert Replacement

The Town of Lexington received two bids from Belgian Trucking and Excavating, and Evergreen Mountain Contracting, Inc. Supervisor John Berger opened Belgian Trucking and Excavating (Replace culvert on New Road, Town of Lexington. Town of Lexington will supply crusher run item #4 and will supply rocks if needed for headwall for the amount of $2,200.00), and Evergreen Mountain Contracting, Inc (Excavate and remove existing 60” round culvert. Set old culvert aside for the Town of Lexington Highway Department to pick up. Prep excavated hole with bedding for new Arched Culvert. Install new Arched Culvert provided by the Town of Lexington Highway Department. Back fill with suitable material provided by the Town of Lexington Highway Department. Furnish and install natural rock or concrete block headwalls. Finish road crossing with item #4 provided by the Town of Lexington Highway Department. Clean up disturbed area and demobilize. $4,150.00). The Town of Lexington Town Board moved to approve Belgian Trucking and Excavating.

RESOLUTION # 88-17
Award Culvert Replacement Contract

On a motion by Council Member Bradley Jenkins, seconded by Council Member William Pushman, the following resolution was,

ADOPTED :  Ayes - 4 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays – 0

Therefore, Town of Lexington Town Board moves to award the Culvert Replacement Bid to Belgian Trucking and Excavating.

RESOLUTION # 89-17
Audit Committee Report to Pay Monthly Expenditures

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED - Ayes - 4 - Berger, Schermerhorn, Barcone, Jenkins, and Pushman
Nays - 0

Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of August 2017.

Resolved that the bills be paid on General Fund Abstract # 8 in the following amounts:

General Fund
No. 205 through 227 = $10,004.00

Resolved that the bills be paid on Highway Fund Abstract # 8 in the following amounts:

Highway Fund
No. 133 through 150 = $15,437.60

Resolved that the bills be paid on Special District Fund Abstract # 7 in the following amounts:

Special District
No. 7 through 7 = $235.65

Resolved that the bills be paid on Sewer District Fund Abstract # 8 in the following amounts:

Sewer District
No. 49 through 54 = $2,436.71

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of July 2017 shows 0 Certificate of Occupancy or Compliance, 1 permits were issued and 0 violation letters.

PUBLIC CONCERNS:
Several people expressed their concern over the possibility of a brewery in the Village of West Kill. Supervisor John Berger and Council Member Michael Barcone explained in detail the process that they will have to go through in order to have a brewery.

Supervisor John Berger announced there will be the Community Wide Dance at the West Kill Community Hall on August 5th, 2017. Hot Dogs, hamburgers, and beverages will be provided. Please bring a dish to share. Chinese Auction from 5:00 P.M. to 6:30 P.M. Line Dancing lessons from 6:00 P.M. to 7:00 P.M., and dancing music provided by Paul Slusar from 7:00 P.M. To 10:00P.M.

Sal Mancuso Sr. asked what papers do we put our announcements in and Supervisor John Berger said the Catskill Daily Mail and the Mountain Eagle. Sal Mancuso Sr. asked if Supervisor John Berger or the Town Board has read the packet he handed out last month and Supervisor John Berger said he has not read it yet. Sal Mancuso Sr. expressed his concern over the Hunter Landfill.

Betty Hapeman inquired about the Sustainable Community Grant. Supervisor John Berger said he is waiting for the contract from River Street Planning and Development, LLC.

Lynn Byrne said she gave copies of the plans for the pergola to the Town Board of Lexington for them to review. Supervisor John Berger asked if we could go over that at the September meeting and Lynn Byrne said yes.

**RESOLUTION # 90-17**
**Open Executive Session – Personnel Issue**

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, to open for executive session at 7:30 P.M.

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays – 0

**RESOLUTION # 91-17**
**Close Executive Session**

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, to come out of executive session at 8:30 P.M.

ADOPTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

No action was taken.

**Adjourn**

With no further business, on a motion from Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the meeting shall be adjourned at 8:31 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk

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[Signature]

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The Meeting of the Town Board of the Town of Lexington was called to order on November 8, 2017 at 6:30 P.M. by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance and a moment of silence for Karen Deeter.

PRESENT: Supervisor .......................... John Berger
Council Members........................ Absent: Michael Barcone
                                        William Pushman
                                        Jo Ellen Schermerhorn
                                        Bradley Jenkins
Town Clerk ................................. Absent: Alice Marie Cross
Superintendent of Highways ......... Frank Hermance
Town Attorney ......................... Tal Rappleyea


RESOLUTION # 117-17
Approve October Minutes

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED:  Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on October 3, 2017.

RESOLUTION # 118-17
Approve October Public Hearing Local Law #3 TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED:  Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the Public Hearing of Local Law #3 of 2017 and read the Local Law to the public meeting held on October 11, 2017.

LOCAL LAW No. 3 of 2017
A LOCAL LAW TO AMEND THE EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

BE IT ENACTED by the Town Board of the Town of Lexington as follows:

WHEREAS, Section 458-b of Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by veterans who rendered military service to the United States during the “Cold War”; and

WHEREAS, Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum exemption amounts; and

WHEREAS, in regard to “Cold War” veterans who own residential real property within the Town of Lexington, it is the desire of the Lexington Town Board to amend the “Cold War” veterans exemption and establish new maximum amounts;

SECTION 1.
In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York residential real property owned by veterans who rendered military service to the United States during the “Cold War” shall be exempt from town taxation. Term of Cold War time period is September 2, 1945 to December 26, 1991. Veterans Exemption added to define the length of the cold war.

SECTION 2.
The maximum exemptions allowable from town real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 15% of the property’s assessment, not to exceed 12,000 multiplied by the latest final state equalization rate for service
during the “Cold War” and a percentage of the property’s assessment equal to one-half of any service connected disability rating not to exceed 40,000 multiplied by the latest final state equalization rate, and;

SECTION 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

RESOLUTION # 119-17
Approval October Public Hearing Local Law #4 For The Year 2018 to Override the Tax Levy Limit

On a motion by Council Member William Pushman, seconded by Supervisor John Berger, the following resolution was,

ADOPTED:  Ayes - 4  - Berger, Pushman, Jenkins, and Schermerhorn. 
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the Public Hearing for Local Law #4 for the year 2018 to Override the Tax Levy Limit meeting held on October 11, 2017.

TOWN OF LEXINGTON
LOCAL LAW 4 # FOR THE YEAR 2017
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Town Board of the Town of Lexington as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Lexington pursuant to General Municipal law §3-c, and to allow the Town of Lexington to adopt a budget for the fiscal year beginning January 1, 2018 and ending December 31, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal law §3-c, which expressly authorizes the Town board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Lexington, County of Greene is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION # 120-17
Accept Budget Workshop Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Bradley Jenkins, the following resolution was,

ADOPTED - Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

Therefore, the Town of Lexington Town Board moves to accept the minutes of the budget workshop held on October 11, 2017.

RESOLUTION # 121-17
Approve October 30 Special Meeting

On a motion by Supervisor John Berger, seconded by Council Member Bradley Jenkins, the following resolution was,
ADOPTED: Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the special meeting held on October 30, 2017.

RESOLUTION # 122-17
Financial Report – as of 09/30/17

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED : Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of September 30, 2017.

RESOLUTION # 123-17
Approve Delinquent Sewer Rents be sent to Greene County

Supervisor John Berger said the Town is required to submit a list of 2017 delinquent sewer charges to the County by November 10, 2017 and is requesting permission from the Town Board of Lexington to do so.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays - 0

This Town of Lexington Town Board moves to approve the delinquent sewer taxes be sent to the County.

RESOLUTION # 124-17
Resolution to sign Franchise Agreement with MTC

TOWN OF Lexington
RESOLUTION # 124 of 2017

MTC Cable Franchise

BE IT RESOLVED by the Town Board of the Town of Lexington that the Town of Lexington grants a nonexclusive franchise to Heart of the Catskills Communications, Inc. d/b/a MTC Cable to operate a cable system within the Town.

BE IT FURTHER RESOLVED, that the grant of the cable franchise is determined to be an unlisted action and a negative declaration is hereby made determining that the proposed action will not have a significant effect on the environment; and

IT IS FURTHER RESOLVED, that the Town Supervisor of the Town of Lexington and/or Deputy Supervisor of the town of Lexington is authorized to execute the Franchise Agreement with Heart of the Catskills Communications, Inc. d/b/a MTC Cable in the form submitted by the Attorney for the Town.

The foregoing resolution was adopted by the following call vote:

A motion to adopt this resolution was made by Councilman William Pushman and seconded by Councilman Bradley Jenkins.

The resolution was declared to be duly adopted by the members of the Town Board of Lexington

Supervisor: Berger
Councilmen: Jo Ellen Schermerhorn
William Pushman

Absent: Michael Barcone
Bradley Jenkins
RESOLUTION # 125-17
Payment of Stipends and Appointed Officials

Supervisor John Berger requested that the stipend and appointed officials be paid at the beginning of December instead at the end of December per the bookkeepers request.

On a motion by Council Member Bradley Jenkins, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED :  Ayes -  4 - Berger, Pushman, Jenkins, and Schermerhorn.
Nays -  0

Therefore, Town of Lexington Town Board moves to approve the payments for the stipend and appointed officials.

RESOLUTION # 126-17
Roof Estimate for Fireman's Room

Supervisor John Berger was given three recommendations of companies that do this kind of roofing. The only company that came out to look at the job was Superior Roofing. We have a proposal for $14,100.00 with a warranty for twenty years. Superior Roofing says the roof will be done by April 30, 2018.

Supervisor John Berger said we can pay for it by incumbering money from this years budget. It looks like the general fund will have about $10,000.00 or $12,000.00 fund balance.

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, the following resolution was,

ADOPTED :  Ayes -  4 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays =  0

Therefore, Town of Lexington Town Board moves to award the roofing job to Superior Roofing.

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report.

The month of October 2017 shows 0 Certificate of Occupancy or Compliance, 2 permits were issued and 0 violation letters.

RESOLUTION # 127-17
Audit Committee Report to Pay Monthly Expenditures

Council Member Bradley Jenkins questioned as to whether he should be voting on this since he does not see the bills. Supervisor John Berger said many towns do it this way.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED - Ayes -  3 - Berger, Schermerhorn, and Pushman
Nays -  0
Abstain - 1 - Jenkins

Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of October 2017.

Resolved that the bills be paid on General Fund Abstract # 11 in the following amounts:

General Fund
No. 298 through 336 = $15,956.30

Resolved that the bills be paid on Highway Fund Abstract # 11 in the following amounts:

Highway Fund
No. 199 through 242 = $71,053.99

Resolved that the bills be paid on Special District Fund Abstract # 10 in the following amounts:

Special District
No. 10 through 12 = $508.46

Resolved that the bills be paid on Sewer District Fund Abstract # 11 in the following amounts:
RESOLUTION # 129-17
Accept Public Hearing – 2018 Preliminary Budget

On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED - Ayes - 4 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays - 0

Therefore, the Town of Lexington Town Board moves to accept the minutes of the 2018 Preliminary Budget held on November 8, 2017.

PUBLIC CONCERNS:

Felicia Senigo said that she looked up the zoning laws and read part of it regarding protecting the natural habitat. Felicia Senigo wants to be proactive for the future.

Supervisor John Berger updated everyone regarding the Noise Ordinance. Supervisor John Berger had said at the last meeting that the ordinance was for all of Lexington but it is actually only for the Hamlet of Lexington.

Lexington Park

A resident who has been a part timer for 40 years said that she just found out about the big plans for Main Street along with the expansion plans that include peoples' residents. She would like to recommend that the residents be notified in writing regarding any plans for the future. She also would like to see the homes raised to protect them from the water.

Supervisor John Berger said that no one is being evacuated from their homes and this will not happen on his watch. There is a program that exists through Soil and Water that will help you raise your home. The do not pay the entire cost but will assist in paying the cost for raising your home.

Supervisor John Berger said the bathroom is in question right now due to the well. Supervisor John Berger said that he is trying to get out of building the bathroom right now.

Supervisor John Berger said he is also revisiting the grant to change the way it was structured.

Residents spoke out and said that they were never informed of any of the plans for the park. One resident said she found out from the newspaper. Supervisor John Berger will go back and look to see what he could find about the Town posting information regarding this park.

Supervisor John Berger said he is coming in at the end of this and everything had been approved.

Supervisor John Berger held a meeting on Saturday and residents wanted to know why it was done privately. Supervisor John Berger said it was not a private meeting all was welcomed. Supervisor John Berger wanted to speak with the residents of the 13A.

A resident brought up Lexington Scrap Metal Recycling and the danger with the cars piling up. They said that the cars are a fire hazard and they would like someone to look into.

Adjourn

With no further business, on a motion from Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the meeting shall be adjourned at 7:40 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.
The Special Meeting of the Town Board of the Town of Lexington was called to order on August 28th, 2017 @ 4:00 P.M. by Supervisor John Berger at the Lexington Municipal Building, followed by the Pledge of Allegiance.

PRESENT: Supervisor................................. John Berger
Council Members........................... William Pushman
JoEllen Schermerhorn
Michael Barcone
Bradley Jenkins

Town Clerk ........................................ Alice Marie Cross
Superintendent of Highway............. Frank Hermance
Town Attorney......................... Absent: Tal Rappleyea

OTHERS PRESENT: Carl Giangrande, Alfred Truesdell, Sal Mancuso Sr, and Stephen Senigo.

Executive Session

Resolution # 92-17
Open Executive Session to Appoint a Code Officer

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was

ADOPTED Ayes - 5 – Berger, Schermerhorn, Pushman, Barcone, and Jenkins
Nays - 0

This Town Board resolves to leave the special meeting and go into Executive Session to interview Carl Giangrande for the position of Code Enforcement Officer Time: 4:05 P.M.

Resolution # 93-17
Close Executive Session

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED - Ayes - 5 – Berger, Schermerhorn, Pushman, Barcone, and Jenkins
Nays - 0

This Town Board resolves to leave executive session and return to the special meeting of the Town Board. Time: 4:15 P.M.

Resolution # 94-17
Appoint Code Enforcement Officer

Supervisor John Berger said that there is a Public Hearing scheduled for September 5, 2017 to expand the residency requirements for the Town Code Enforcement Officer/Building Inspector.

On a motion by Council Member John Berger, seconded by Council Member William Pushman, the following resolution was

ADOPTED - Ayes -Berger, Schermerhorn, Pushman, Barcone, and Jenkins
Nays - 0

This Town of Lexington Town Board resolves that it will appoint Carl Giangrande to be the Code Enforcement Officer for the Town of Lexington.
Public Comment

Sal Mancuso Sr. asked if Supervisor John Berger or the Town Board has read the packet he handed out last month and Supervisor John Berger said that he has read it. Sal Mancuso Sr. expressed his concern over the Hunter Landfill.

Alfred Truesdell asked if our Town Attorney has read the packets given by Sal Mancuso Sr. and Supervisor John Berger said that he has read them. Attorney Tal Rappleyea informed Supervisor John Berger that we cannot get out of the contract.

Adjourn

Council Member JoEllen Schermerhorn made a motion to adjourn the meeting, seconded by Council Member Bradley Jenkins. Time 4:45 P.M. All Agreed.

Supervisor John Berger adjourned the meeting.

Respectfully Submitted,

Alice Marie Cross, Town Clerk
Public Hearing
Expanding The Residency Requirements for Code Enforcement and Building Inspector

The Public Hearing for the Expanding The Residency Requirements for Code Enforcement and Building Inspector was called to order on September 5, 2017 at 6:30 P.M. by Supervisor John Berger at the Kenneth A. Becker Municipal Building.

PRESENT: Supervisor.................................John Berger
Council Members.................................Michael Barcone
William Pushman
Jo Ellen Schermerhorn
Bradley Jenkins
Town Clerk .................................Alice Marie Cross
Superintendent of Highways..........Frank Hermance
Town Attorney.............................Tal Rappleyea
Code Enforcement Officer............Absent: Carl Giangrande


TOWN OF LEXINGTON
LOCAL LAW #2 of 2017
A LOCAL LAW AUTHORIZING Expanding The Residency Requirements for Code Enforcement and Building Inspector

Be it enacted by the Town Board of the Town of Lexington as follows:

SECTION 1. Pursuant to Section 20 of the State of New York Town Law the position of Code Enforcement Officer/Building Inspector has previously been established. The Town Board acknowledges that in the event such position is established, the appointee must be a resident of the Town unless otherwise changed by local law.

SECTION 2. The Town Board hereby determines and enacts that the Code Enforcement Officer/Building Inspector of the Town of Lexington need not be a resident of the Town.

SECTION 3. This local law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Public Hearing - Expanding The Residency Requirements for Code Enforcement and Building Inspector

Supervisor John Berger opened the Public Hearing for the Expanding The Residency Requirements for Code Enforcement and Building Inspector for the Town of Lexington Town Board, and asked the public if they had comments.

Felicia Senigo asked a few questions and Supervisor John Berger answered them. Supervisor John Berger explained that this law will enable them to not be limited to the qualifications that are required.

Motion to Close Public Hearing

Council Member William Pushman made a motion to close the Public Hearing for the Expanding The Residency Requirements for Code Enforcement and Building Inspector, seconded by Council Member Michael Barcone Time – 6:50 P.M.

Vote:
Berger -aye, Schermerhorn -aye, Pushman -aye, Barcone -aye, Jenkins -aye. Carried.

Respectfully submitted,

Alice Marie Cross
Public Hearing
Expanding The Residency Requirements for Code Enforcement and Building Inspector
The Meeting of the Town Board of the Town of Lexington was called to order on September 5, 2017 at 6:51 P.M. by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance and a moment of silence for Ginger Dymond.

PRESENT:
Supervisor .............................. John Berger
Council Members..................... Michael Barcone
                                  William Pushman
                                  Jo Ellen Schermerhorn
                                  Bradley Jenkins
Town Clerk ............................ Alice Marie Cross
Superintendent of Highways ......... Frank Hermance
Town Attorney ........................... Tal Rappleyea
Code Enforcement Officer .......... Absent: Carl Giangrande


RESOLUTION #95-17
Motion to Accept Local Law #2
Expanding The Residency Requirements for Code Enforcement and Building Inspector

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED - Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.
Nays - 0

This Town of Lexington Town Board moves to approve the Local Law #2
Expanding The Residency Requirements for Code Enforcement and Building Inspector held on September 5, 2017.

RESOLUTION #96-17
Approve August Minutes

On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on August 1, 2017.

RESOLUTION #97-17
Approve August Public Hearing No Parking Law Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Bradley Jenkins, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the No Parking Law Public meeting held on August 1, 2017.

RESOLUTION #98-17
Approve August Special Meeting Minutes

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED:  Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the special meeting held on August 28, 2017.
RESOLUTION # 99-17
Financial Report – as of 07/31/17

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED :  Ayes - 5 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of July 31, 2017.

RESOLUTION #100-17
Resignation-Amelia Osborn Chief Operator

Supervisor John Berger presented the letters of resignation from Amelia Osborn from her position as Chief Operator for the Town of Lexington. Supervisor John Berger will put an ad in the paper advertising for the position.

On a motion by Council member William Pushman seconded by Council member Michael Barcone, the following resolution was

ADOPTED:  Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the resignation of Amelia Osborn.

RESOLUTION # 101-17
Renew BAN with Bank of Greene County

Supervisor John Berger said we have set aside 35k in General account towards the BAN which will reduce the principal and pay around $2,300.00 in interest for the year. We will be renewing the BAN for around $137,000.00 as opposed to where it was.

On a motion by Council Member Bradley Jenkins, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED :  Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to renew the BAN with Bank of Greene County.

RESOLUTION # 102-17
Health Insurance Renewal

Supervisor John Berger explained that he has met with three brokers and all three recommend the same plan MVP. Supervisor John Berger requested that we switch to NBT Mang Insurance which would make it easier to deal with one insurance company instead of two.

On a motion from Council member William Pushman, seconded by Council member Michael Barcone, the following resolution was

ADOPTED.  Ayes 5 -- Berger, Schermerhorn, Pushman, Barcone , Jenkins
Nays 0

Therefore, Town of Lexington Town Board moves to change the insurance company from David La Voie to NBT Mang Insurance for the fiscal year 2018.

New Truck for Highway Department 2017/2018

Superior John Berger explained that the Highway trucks are costing more money in repairs and so it is time to replace them. Supervisor John Berger is going to research a lease option on the truck. Supervisor John Berger will come to the next Town Board meeting with the lease option.Supervisor John Berger asked if we could set a price of $150,000.00 (this is a rough price) or less. Superintendent of Highways Frank Hermance will look for a four year old truck.

RESOLUTION # 103-17
Town Picnic
September 5, 2017
Town Board Meeting

Supervisor John Berger would like to forego the Town Picnic this year and maybe go to every other year. Supervisor John Berger also expressed that he feels that the West Kill Community Center should be the one to hold the Town Picnic and not the government.

On a motion by Supervisor John Berger, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED: Ayes - 5 - Berger, Schermerhorn, Barcone, Pushman, Jenkins.
Nays - 0

Therefore, Town of Lexington Town Board moves to forego the Town Picnic this year.

Budget Season

Supervisor John Berger reminded the departments that it is budget season and to make sure their sheets are returned to the Town Clerk by September 20th.

RESOLUTION # 104-17
Audit Committee Report to Pay Monthly Expenditures

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, the following resolution was

ADOPTED - Ayes - 4 - Berger, Schermerhorn, Barcone, Jenkins, and Pushman
Nays - 0

Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of August 2017.

Resolved that the bills be paid on General Fund Abstract # 9 in the following amounts:

| General Fund | No. 228 through 275 = $39,993.00 |

Resolved that the bills be paid on Highway Fund Abstract # 9 in the following amounts:

| Highway Fund | No. 151 through 176 = $28,684.17 |

Resolved that the bills be paid on Special District Fund Abstract # 8 in the following amounts:

| Special District | No. 8 through 8 = $247.65 |

Resolved that the bills be paid on Sewer District Fund Abstract # 9 in the following amounts:

| Sewer District | No. 55 through 59 = $821.64 |

PUBLIC CONCERNS:

Felicia Senigo inquired as to how to get a new fire number sign because hers is faded. Supervisor John Berger said that the owner is responsible for getting their own numbers.

Felicia Senigo went on the Lexington web site to read the zoning laws and how to go about having them changed but found that there were pages she could not open. Council Member Michael Barcone explained that West Kill and Lexington did not qualify to receive the Historic District Preservation Grant.

Supervisor John Berger said there is no update on the brewery in West Kill.

Albert Van Etten inquired about the update of broadband. Supervisor John Berger said the municipal building should be turned on by mid January 2018. Route 42, route 23A and county 6 are the first areas to be turned on. Albert Van Etten inquired about the fees and Supervisor John Berger said around $150.00 to $160.00.

Sal Mancuso Sr. handed out papers from his attorney regarding research about the Hunter Landfill. Supervisor John Berger said he will read it and discuss it at the next Town Board meeting.

RESOLUTION # 105-17
Open Executive Session – Litigation
On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, to open for executive session at 7:10 P.M.

ADMITTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays – 0

RESOLUTION # 106-17
Close Executive Session

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, to come out of executive session at 7:25 P.M.

ADMITTED - Ayes – 5 - Berger, Jenkins, Barcone Schermerhorn, & Pushman.
Nays - 0

No action was taken.

Adjourn

With no further business, on a motion from Council Member William Pushman, seconded by Council Member Bradley Jenkins, the meeting shall be adjourned at 7:26 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk ^^-
The Meeting of the Town Board of the Town of Lexington was called to order on October 3, 2017 at 6:30 P.M. by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance.

PRESENT: Supervisor .......................... John Berger
         Council Members................... Michael Barcone
                     William Pushman
                     Jo Ellen Schermerhorn
                     Bradley Jenkins
         Town Clerk ............................ Alice Marie Cross
         Superintendent of Highways ........Frank Hermance
         Town Attorney......................... Tal Rappleyea
         Code Enforcement Officer............. Absent: Carl Giangrande

OTHERS PRESENT: Elouise Cole, Alfred Truesdell, John Nolty, Stephen Senigo, Felicia Senigo, Lois Jenkins, Michael Taliercio, John Falke, Charlotte Jaeger, Bennet Wine, Suzanne McCabe, Lynn Byrne, Mary Cline, Annie Hall, Walter Crump, and Mike Ryan from the Mountain Eagle.

RESOLUTION # 107-17
Approve September Minutes

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
                 Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the regular meeting held on September 5, 2017.

RESOLUTION # 108-17
Approve September Public Hearing Expanding The Residency Requirements for Code Enforcement and Building Inspector

On a motion by Council Member Michael Barcone, seconded by Supervisor John Berger, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Pushman, Jenkins, Schermerhorn, and Barcone
                 Nays - 0

Therefore, Town of Lexington Town Board moves to accept the minutes of the Public Hearing Expanding The Residency Requirements for Code Enforcement and Building Inspector meeting held on September 5, 2017.

RESOLUTION # 109-17
Financial Report – as of 08/31/17

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Schermerhorn, Jenkins, and Barcone
                 Nays - 0

Therefore, Town of Lexington Town Board moves to approve the financial report as of August 31, 2017.

RESOLUTION # 110-17
Appoint Operator

Supervisor John Berger said we had seven inquiries and interviews for the Chief Operator position.

Supervisor John Berger went over the description of the part time position, who will serve directly under Supervisor. The 3rd contact in emergency is LVDV. This is a salary position $20,000.00 per year. The hours will be anywhere from 10 to 25 hours per week, no vacation time nor benefits. This will include ground and building maintenance, and upkeep of the system.

Supervisor John Berger appointed Travis Rinaldi for the position of the operator.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,
ADOPTED: Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.  
Nays - 0

This Town of Lexington Town Board moves to approve Travis Rinaldi to fill the Chief Operator position.

RESOLUTION # 111-17
Appoint Assistant Operator

Supervisor John Berger appointed Jarrett D’Addario for the position of the assistant operator. This is a salary position $5,000.00 per year.

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED: Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.  
Nays - 0

This Town of Lexington Town Board moves to appoint Jarrett D’Addario to fill the Assistant Operator position.

Highway Truck Report

Superintendent of Highways Frank Hermance said that he researched on line and was told by everyone he spoke with that if a truck is three to four years old and they have not had a problem with it they are not getting rid of it. If a truck is for sale that is that old there are problems with the truck and you do not wish to purchase it. He went to a place in Plattsburgh that said you can purchase a truck that has never been used with a three year warranty for $29,000.00 more than you can buy a used truck.

Supervisor John Berger researched the lease option on the truck. Supervisor John Berger said that the place Superintendent of Highways Frank Hermance went to in Plattsburgh sent back two bank options one is from Kansas Bank (3.19 interest) and the other is from Key Bank (3.7 interest). Supervisor John Berger said they call it a lease but he thinks it is a purchase and Superintendent of Highways said it is called a lease because they defer the first year and you will have the truck for six years. Supervisor John Berger said that he is not happy paying $40,000.00 a year. Superintendent of Highways Frank Hermance asked Supervisor John Berger if he had heard from the Napa store with their lease program and Supervisor John Berger said he has not heard from them. Superintendent of Highways Frank Hermance said their lease program is for seven years. Supervisor John Berger said this lease has no residual value and what he would really like is a lease with a residual value.

Supervisor John Berger and Council Member Michael Barcone asked if it would be possible to use the two green trucks for this season and then purchase new vehicles next season. Superintendent of Highways Frank Hermance said he thought he could nurse them through for another year.

Supervisor John Berger suggested putting another $35,000.00 or $40,000.00 in next years budget as the first payment and purchase the truck next year. Superintendent of Highways Frank Hermance said that if we order this year we will pay this years price if we order it next year there may be an increase in cost. Superintendent of Highways Frank Hermance said if we order the truck now it will take six months to get these trucks. Supervisor John Berger said we can order it in January but Superintendent of Highways Frank Hermance said that if you want the 2017 price you need to order this year. Supervisor John Berger said put out for the bid (new or used) in January and buy it in March.

Highway Roller

Supervisor John Berger discussed the pavement roller that the Town leased with an option to purchase. The pavement roller was $39,900.00 and we have $10,500.00. Superintendent of Highways Frank Hermance said he has to keep the pavement roller for another month which will bring the lease cost up to $12,000.00.

Supervisor John Berger does not wish to purchase and rather lease the pavement roller. Council Member Bradley Jenkins said he would rather purchase because they are very useful in his experience.

On a motion from Council member John Berger, seconded by Council member William Pushman, the following resolution was

ADOPTED. Ayes- 4 - Berger, Schermerhorn, Pushman, Barcone , Nays -1- Jenkins

Therefore, Town of Lexington Town Board moves to not purchase the roller.

November Board Meeting Change Date
Supervisor John Berger and the Town Board changed the November Town Board meeting from Tuesday, November 7th to Wednesday, November 8th due to Election Day. The meeting will be held at the Municipal Building at 6:30 pm.

2018 Budget - Workshop

Supervisor John Berger and the Town Board set Wednesday, October 11th, 2017 at 6:30 PM for the budget workshop and in the event we do not finish the workshop the Town Board of Lexington will meet again on Friday, October 13th, 2017 at 6:30 P.M.

RESOLUTION # 112-17
Pergola for Park

Supervisor John Berger introduced Lynn Byrne as the person who has taken over the Park and then gave her the floor to explain the pergola she has chosen. The name is New England arbor and it is 10 x 10. The cost is $1,500.00.

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.
Nays - 0

This Town of Lexington Town Board moves to approve the New England pergola for $1,500.00.

Building Face Lift

Supervisor John Berger explained that the Building Committee will seek bids to complete project next Spring. Council Member William Pushman asked who was the Building Committee and Supervisor John Berger said Council Member William Pushman and him were the Building Committee.

Court Room

Supervisor John Berger complimented Peggy Rappleyea on all the work she has done to make the Court look so nice. This was done by a grant that Peggy Rappleyea applied for.

Fire Police of the Years

Supervisor John Berger and the Town Board congratulated Alfred Truesdell on receiving Fire Police of the Year Award. On the 7th day of September Greene County Volunteer Fire Association presented Alfred Truesdell with a plaque in appreciation for his service and dedication as a Fire Policeman.

Brick Garden Update

We are so excited that after a few years our brick garden is finished! We have around 246 bricks for our garden. We want to thank everyone including Karen Brown, for suggesting the brick garden for a bicentennial event as well as for getting the brick inscriptions to the brick company; Karen Deeter, for her dedication to this project throughout the bicentennial and beyond; Jim Buscarello, Danny Dymond, Bennett Wine, who did the installation, and Devon Russ who will be spearheading the garden portion. Sometime next spring the garden portion should be completed. We are happy and thankful to all who participated.

MTC Update

Supervisor John Berger read the letter he received from Glen Faulkner. Their goal remains to have service to our Town Building by the first of the year. The Network design is expected to be completed by the end of September and with the construction activity to commence in early October. The pre-fab building is at their warehouse with a plan to have erected in 2018. Additional connections cannot commence until this building is in place. Once cable construction crews commence activity in October, we anticipate keeping them working in the Town until the currently funded project is complete (depending on the severity of the winter weather and resulting safety concern).

Cold War Exemption for Veterans

Supervisor John Berger informed the Town of Lexington Town Board that the Cold War Exemptions for Veterans which the Town adopted in 2007 was a ten year law. Supervisor John said that Town Attorney Tal Rappleyea will provide the Town with a law. Supervisor John Berger purposes that we adopt that law. The Town of Lexington will hold a public hearing on the 11th day of October, 2017 at 6:00 P.M.

Noise Ordinance

Supervisor John Berger read a letter from local residents inquiring about the progress of the noise ordinance. The residents wish to remind the Town Board of Lexington that the noise is extremely loud and they have to get up to call the police. The police tell them every time, the Town of Lexington needs to adopt a noise ordinance before they can stop the noise. Supervisor John Berger said that the noise ordinance is posted on the web site and that it does not only pertain to the Hamlet. There is time when the noise is
acceptable and when it is not. Supervisor John Berger suggested that when the police come to your home to answer your call show them the noise ordinance and this should allow them to act upon the complaint.

RESOLUTION # 113-17
Short Term Rental

Supervisor John Berger said the short term rental committee did an extensive study and the Town Board of Lexington decided after hearing the recommendations to wait and see. The Town Board of Lexington never took any formal actions as to whether they are going to wait and see or put any legislation forward. Council Member JoEllen Schermerhorn says she has received calls about places being rented that are not advertised and may not meet code, there is concern if the Town is liable for this. Town Attorney Tal Rappleyea said we are not liable.

On a motion by Council Member Bradley Jenkins, seconded by Council Member Michael Barcone, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.
Nays - 0

This Town of Lexington Town Board moves to not take action at this moment.

Code Enforcement Report

Supervisor John Berger reviewed the report. Each Council Member has a copy of the Code Enforcement Officers Report. The month of August 2017 shows 0 Certificate of Occupancy or Compliance, 5 permits were issued and 0 violation letters and for the month of September 2017 shows 1 Certificate of Occupancy or Compliance, 2 permits were issued and 0 violation letters.

RESOLUTION # 114-17
Audit Committee Report to Pay Monthly Expenditures

Council Member Bradley Jenkins questioned as to whether he should be voting on this since he does not see the bills. Supervisor John Berger said many towns do it this way.

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the following resolution was

ADOPTED  - Ayes - 5 - Berger, Schermerhorn, Barcone, Jenkins, and Pushman
Nays - 0

Therefore, Town of Lexington Town Board moves to approve paying the expenditures for the Month of August 2017.

Resolved that the bills be paid on General Fund Abstract # 10 in the following amounts:

General Fund
No. 276 through 297 = $11,289.68

Resolved that the bills be paid on Highway Fund Abstract # 10 in the following amounts:

Highway Fund
No. 177 through 198 = $29,505.00

Resolved that the bills be paid on Special District Fund Abstract # 9 in the following amounts:

Special District
No. 9 through 9 = $253.48

Resolved that the bills be paid on Sewer District Fund Abstract # 10 in the following amounts:

Sewer District
No. 60 through 64 = $1,864.44

PUBLIC CONCERNS:

Walter Crump inquired if the Town has a new code enforcement officer and Supervisor John Berger said that we do and his name is Carl Giangrande. Carl's hours are Monday and Tuesday 9:00 A.M. To 12:00 P.M. As well as by appointments.

Superintendent of Highways Frank Hermance would like to remind the Town that the No Parking Law begins on the 1st of November and cars will be towed. We will put this on the web site.

Superintendent of Highways Frank Hermance said that on Wednesday and Thursday New Road will be closed for a culvert pipe replacement. Town will put this on the web site and the radio.
Lexington Park

Lynn Byrne read a letter from Paula Heisen (owns home by the park) stating that the Town Board of Lexington needs to work with the homeowners that live next to this park. Suzanne McCabe spoke out because her home is right next door. Suzanne McCabe cannot believe the Town did not consult with the neighbors. There was no public hearing regarding this park and she does not understand how this could happen.

Supervisor John Berger said the bathroom is in question right now due to the well. Supervisor John Berger said that he is trying to get out of building the bathroom right now.

Supervisor John Berger said that the neighbors are welcome to come and speak with him in his office. Supervisor John Berger said his hours are Thursday and Friday. It was asked who is responsible for maintaining the park and Lynn Byrne said regardless of outcome the Town must still maintain the property.

Adjourn

With no further business, on a motion from Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, the meeting shall be adjourned at 7:40 P.M. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

Alice Marie Cross, Town Clerk
A Budget Workshop of the Town Board of the Town of Lexington, County of Greene and the State of New York was held at the Municipal Building, 3542 Route 42, Lexington NY on October 11th, 2017 for a budget workshop.

The meeting was called to order by Supervisor John Berger and followed by the pledge to the flag.

**PRESENT:** Supervisor ........................................... John Berger  
Council Members ............................................... Absent: Michael Barcone 
William Pushman  
Jo Ellen Schermerhorn  
Bradley Jenkins  
Town Clerk ............................................................ Alice Marie Cross  
Superintendent of Highways .............. Frank Hermance  
Town Attorney ................. Absent: Tal Rappleyea  
Code Enforcement Officer ............... Absent: Carl Giangrande  

**OTHERS PRESENT:** No one present

**Budget Workshop**

Supervisor John Berger presented the Tentative Budget to the Town Board Members at the last Town Board Meeting and said the workshop was to review the Tentative Budget and come up with a Preliminary Budget for 2018.

The Council Members reviewed the 2018 Tentative Budget with Supervisor Berger and had their discussions on various line items.

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| SPECIAL LIGHTING | Fire District | 85,850 |
| Sewer District | TOTALS |        |

Supervisor John Berger and the Town Board Members confirmed the Preliminary Budget Hearing for the 2018 Budget will be on November 8th, 2017 @ 6:00 PM followed by the Town of Lexington Town Board meeting.

Being no further business, Supervisor John Berger closed the meeting.  
Time 7:35 P.M.

Respectfully submitted,

Alice Marie Cross:)  
Town Clerk
The Public Hearing for Local Law – Override the Tax Levy Limit was called to order on October 11th, 2017 at 6:00 P.M. by Supervisor John Berger at the Kenneth A. Becker Municipal Building.

PRESENT: Supervisor.......................... John Berger
Council Members.......................... Absent: Michael Barcone
William Pushman
Jo Ellen Schermerhorn
Absent: Bradley Jenkins
Town Clerk ................................. Absent: Alice Marie Cross
Superintendent of Highways........ Frank Hermance
Town Attorney............... Absent: Tal Rappleyea
Code Enforcement Officer......... Absent: Carl Giangrande

OTHERS PRESENT: No one present

Supervisor John Berger opened the Public Hearing for the Local Law #4 for the year 2017 to Override the Tax Levy Limit for the Town of Lexington Town Board, and asked the public if they had comments.

MOTION TO CLOSE PUBLIC HEARING

Council Member JoEllen Schermerhorn made a motion to close the Public Hearing for 2017 Override the Tax Levy Limit Law, seconded by Council Member William Pushman.

Vote: Berger-aye, Schermerhorn-aye, Pushman-aye. Carried.
Absent: Barcone,Jenkins.

Supervisor John Berger closed the Public Hearing for the 2017 Override Tax Levy Limit Law at 6:09 P.M.

Respectfully submitted,

Alice Marie Cross
Town Clerk
Public Hearing
Local Law #3

A LOCAL LAW TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

The Public Hearing for Local Law – “To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United State During The “Cold War”. A copy of Local Law No. 3 of 2017 was offered to the public for review on October 11th, 2017 at 6:10 P.M by Supervisor John Berger at the Kenneth A. Becker Municipal Building.

PRESENT: Supervisor................................. John Berger
Council Members................................. Absent: Michael Barcone
Absents: William Pushman
Jo Ellen Schermerhorn

Absent: Bradley Jenkins

Town Clerk .............................................. Alice Marie Cross
Superintendent of Highways............... Frank Hermance

Present: Town Attorney......................... Absent: Tal Rappleyea

Code Enforcement Officer................. Absent: Carl Giangrande

OTHERS PRESENT: No one present

Open Public Hearing

Supervisor John Berger opened the Public Hearing for the Local Law #3 of 2017 and read the Local Law to the public, and asked if they had any comments or questions.

LOCAL LAW No. 3-17

“A LOCAL LAW TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

BE IT ENACTED by the Town Board of the Town of Lexington as follows:

WHEREAS, Section 458-b of Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by veterans who rendered military service to the United States during the “Cold War”; and

WHEREAS, Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum exemption amounts; and

WHEREAS, in regard to “Cold War” veterans who own residential real property within the Town of Lexington, it is the desire of the Lexington Town Board to authorize the “Cold War” veterans exemption and establish maximum amounts;

SECTION 1. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York residential real property owned by veterans who rendered military service to the United States during the “Cold War” shall be exempt from town taxation.

SECTION 2. The maximum exemptions allowable from town real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 10% of the property’s assessment, not to exceed 8,000 multiplied by the latest final state equalization rate for service during the “Cold War” and a percentage of the property’s assessment.
Public Hearing
Local Law #3

A LOCAL LAW TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR”

equal to one-half of any service connected disability rating not to exceed 40,000 multiplied by the latest final state equalization rate, and;

SECTION 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Close Public Hearing

No comments were made and no questions were asked. Therefore, Supervisor John Berger asked for a motion to close the public hearing for Local Law No. 3 of 2017.

Council Member JoEllen Schermerhorn made a motion to close the public hearing for Local Law No. 3 of 2017, seconded by Council Member William Pushman.

Time: 6:15 P.M. — All Agreed

Vote: Berger-aye, Schermerhorn-aye, Pushman-aye. Carried.
Absent: Barcone,Jenkins.

Respectfully submitted,

Alice Marie Cross
Town Clerk
October 30, 2017
Special Meeting – Town of Lexington Town Board

The Special Meeting of the Town Board of the Town of Lexington was called to order on October 30th, 2017 at 4:00 P.M., by Supervisor John Berger, and it was followed by the pledge of allegiance.

PRESENT: Supervisor........................................ John Berger
Council Members................................. JoEllen Schermerhorn
.............................................. William Pushman
.............................................. Bradley Jenkins
.............................................. Michael Barcone
Town Clerk .............................................. Alice Marie Cross
Superintendent of Highways............. Frank Hermance

OTHERS PRESENT;

Supervisor John Berger said the meeting was called to declare seasonal road uses and to give permission to borrow Equipment Reserve money to pay the Gorm invoice. The money will be repaid with CHOPS money upon receipt.

Resolution # 115-17
Declaring Seasonal Use Roads

Resolution
Town Board of the Town of Lexington
Declaring Seasonal Use Roads

WHEREAS, the Town Board of Lexington, upon the recommendation of the Town Highway Superintendent, is authorized by NYS Highway Law §205-a to declare certain town highways within the town as seasonal limited use highways, and

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Lexington hereby declares the following town highways as limited seasonal use highways, thus the Town Highway Superintendent is authorized to temporarily discontinue snow and ice removal and maintenance on such roads from the first day of December until the first day of April:

- Kipp Hill Road From House #135 to the end of the entire road
- Morse Road

ROLL CALL VOTE:

Supervisor: Berger aye
Councilmen: Jo Ellen Schermerhorn aye
William Pushman aye
Michael Barcone aye
Bradley Jenkins aye

CARRIED.

Resolution # 116-17
Transfer of Money from Equipment Reserve to Highway

Supervisor John Berger explained that he needed permission to borrow money from the Equipment Reserve account to pay the Gorman invoice($76,104.00). The Highway Improvement Funds has $32,009.17 which means we need $44,094.33 to pay the invoice. Supervisor John Berger said the money would be repaid with the CHIPS money

On a motion by Council Member William Pushman , seconded by Council Member Bradley Jenkins, the following resolution was
October 30, 2017
Special Meeting – Town of Lexington Town Board

Budget transfers from: **Equipment Reserve**

From: 1CS (NBT)  $ 44,094.33
To: DA5112  $ 44,094.33

ADOPTED:
Ayes - 5 - Berger, Schermerhorn, Jenkins, Barcone, and Pushman
Nays - 0

Therefore, the Town of Lexington Town Board moves to transfer from 1S0 (NBT) to DA5112.

**Adjourn**

Council Member William Pushman made a motion to adjourn the meeting, seconded by Council Member JoEllen Schermerhorn. Everyone Agreed.

Supervisor John Berger adjourned the meeting.

Respectfully Submitted,

Alice Marie Cross
Town Clerk
**Public Hearing**

**MTC Cable proposed Franchise Agreement for Cable TV**

The Public Hearing for MTC Cable proposed Franchise Agreement for Cable TV was called to order on November 8, 2017 at 6:15 P.M. by Supervisor John Berger at the Kenneth A. Becker Municipal Building.

**PRESENT:** Supervisor John Berger

Council Members:
- Absent: Michael Barcone
- William Pushman
- Jo Ellen Schermerhorn
- Bradley Jenkins

Town Clerk
- Absent: Alice Marie Cross

Superintendent of Highways
- Frank Hermance

Town Attorney
- Tal Rappleyea

Code Enforcement Officer
- Absent: Carl Giangrande

**OTHERS PRESENT:** Elouise Cole, Dalton Sanford, Adrian Pysariwsky, Bonnie Blader, John Fake, Paula Heisen, Suzanne McCabe, Jack Jordan, Felicia Senigo, Stephen Senigo, Glen Faullener, Peggy Moorman, and Kendra Grocholl.

**TOWN OF LEXINGTON**

**MTC Cable proposed Franchise Agreement for Cable TV**

**Public Hearing - MTC Cable proposed Franchise Agreement for Cable TV**

Supervisor John Berger opened the Public Hearing for MTC Cable proposed Franchise Agreement for Cable TV. Supervisor John Berger introduced Kendra Grocholl and Glen Faullener and turned the floor over to them. They explained what the services would be and the process that will be taking place. Council Member Bradley Jenkins said that the Town of Lexington has had a franchise before and he wanted everyone to know so there is no surprises along the way. Everyone understood.

A few attendees made comments and asked questions and Kendra Grocholl and Glen Faullener answered all of the concerns.

**Motion to Close Public Hearing**

Supervisor John Berger closed the Public Hearing for the MTC Cable proposed Franchise Agreement for Cable TV. Time – 6:30 P.M.
Public Hearing – Preliminary Budget

The Public Hearing for the preliminary budget was called to order on November 8th, 2017 at 6:00 P.M by Supervisor John Berger at the Kenneth A. Becker Municipal Building.

PRESENT: Supervisor…………………………………….. John Berger
Council Members………………. Absent: Michael Barcone
William Pushman
Jo Ellen Schermerhorn
Bradley Jenkins

Town Clerk ………………………. Absent: Alice Marie Cross
Superintendent of Highways……….Frank Hermance
Town Attorney………………………Tal Rappleyea
Code Enforcement Officer. Absent: Carl Giangrande


Public Hearing - 2018 Preliminary Budget

Supervisor John Berger opened the Public Hearing for the 2018 Preliminary Budget for the Town of Lexington Town Board, and asked the public if they had comments or questions on the 2018 Budget for the Town of Lexington.

Supervisor John Berger asked if there were any questions or comments from the Council Members or General Public; and there was no response, so Supervisor John Berger asked for a motion to close the Public Hearing.

Motion to Close Public Hearing

Council Member JoEllen Schermerhorn made a motion to close the Public Hearing on the Budget, seconded by Council Member Michael Barcone Time – 6:15 pm

Vote: Berger -aye, Schermerhorn -aye, Pushman -aye, Jenkins -aye. Carried.

Adjourn

Being no further business, Supervisor John Berger asked for a motion to adjourn the public hearing.
Council Member William Pushman made a motion to adjourn, seconded by Council Member Michael Barcone. Everyone Agreed.
November 29, 2017
Special Meeting – Town of Lexington Town Board

The Special Meeting of the Town Board of the Town of Lexington was called to order on November 29, 2017 at 5:00 P.M., by Supervisor John Berger, and it was followed by the pledge of allegiance.

PRESENT: Supervisor................................. John Berger
Council Members................................. JoEllen Schermerhorn
William Pushman
Bradley Jenkins
Michael Barcone
Town Clerk ........................................ Alice Marie Cross
Superintendent of Highway...Absent: Frank Hermance

OTHERS PRESENT: None

Supervisor John Berger said the meeting was called for the purpose to opt in or out of family leave. Supervisor John Berger asked the Town Board if anyone had any comments and Council Member Bradley Jenkins said he did not wish to provide employee family leave and the Town Board all agreed.

Resolution # 130-17
Paid Family Leave

On a motion by Council Member Michael Barcone, seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes – 5 - Jenkins, Berger, Schermerhorn, Pushman, Barcone
Nays- 0 -

This Town Board moves to approve that the Town of Lexington will not provide paid family leave to employees in 2018.

Adjourn

Council Member William Pushman made a motion to adjourn the meeting, seconded by Council Member JoEllen Schermerhorn. Everyone Agreed.

Supervisor John Berger adjourned the meeting.

Respectfully Submitted,

Alice Marie Cross
Town Clerk
The Meeting of the Town Board of the Town of Lexington was called to order on December 3, 2017 at 6:30 P.M. by John Berger at the Kenneth A. Becker Municipal Building, followed by the Pledge of Allegiance. There was a moment of silence in memory of Chester Neice.

PRESENT:  
Supervisor ..........................  John Berger  
Council Members.....................  Michael Barcone  
                                       William Pushman  
                                       Jo Ellen Schermerhorn  
                                       Bradley Jenkins  
Town Clerk .........................  Absent: Alice Marie Cross  
Superintendent of Highways .......  Frank Hermance  
Town Attorney........................ Tal Rappleyea


RESOLUTION #131-17  
Approve November 8 Public Hearing MTC Franchise Agreement Minutes

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Jenkins, and Schermerhorn  
Nays - 0  
Abstain – 1 Barcone  

Therefore, Town of Lexington Town Board moves to accept the minutes of the Public Hearing MTC Franchise Agreement meeting held on November 8, 2017.

RESOLUTION #132-17  
Approve Public Hearing Preliminary Budget Minutes from November 8

On a motion by Council Member JoEllen Schermerhorn, seconded by William Pushman, the following resolution was,

ADOPTED: Ayes - 4- Berger, Pushman, Jenkins, and Schermerhorn,  
Nays - 0  
Abstain – 1 – Barcone  

Therefore, Town of Lexington Town Board moves to accept the minutes of the Public Hearing Preliminary Budget held on November 8, 2017.

RESOLUTION #133-17  
Approve November 8 Minutes for Regular Town Board Meeting

On a motion by Town Supervisor John Berger, seconded by JoEllen Schermerhorn, the following resolution was,

ADOPTED: Ayes - 4 - Berger, Pushman, Schermerhorn, and Jenkins,  
Nays - 0  
Abstain– 1 - Barcone  

Therefore, Town of Lexington Town Board moves to approve the Minutes for the November 8 Regular Town Board meeting with the following changes. Resolution #129-16 should be #129-17 to accept the 2018 Budget, Local Law #3 Resolution #118-17 Section 1 added defined the length of the Cold War September 2,1945 – December 26, 1991. Veterans Exemption added to define the term of the Cold War. Resolution #119-17 Local Law #4 for the Year 2018.

RESOLUTION #134-17  
Accept Financial Report Through October 31st

On a motion made Council Member Michael Barcone, seconded by JoEllen Schermerhorn, the following resolution was,

ADOPTED: Ayes – 5- Berger, Pushman, Schermerhorn, Jenkins, and Barcone  
Nays – 0  

Therefore the Town of Lexington Board moves to approve the Financial Report through October 31st.
RESOLUTION # 135-17
Approve Contract with PKHB
On a motion by Council Member Michael Barcone, seconded by Council Member William Pushman the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.
Nays - 0

This Town of Lexington Town Board moves to approve the contract with PKHB with a cost of $8,960.00.

RESOLUTION # 136-17
Approve Contract with The Columbia- Greene Humane Society
On a motion by Council Member William Pushman, seconded by Council Member JoEllen Schermerhorn, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.
Nays - 0

This Town of Lexington Town Board moves to approve the 2018 Contract with the Humane Society.

RESOLUTION # 137-17
Proposal to Change Municipal Lighting
On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman, the following resolution was,

ADOPTED : Ayes - 5 - Berger, Pushman, Barcone, Schermerhorn & Jenkins.
Nays - 0

This Town of Lexington Town Board moves to change the Municipal Building Lighting to LED Lights. The total cost is $7,984.00 of which Central Hudson will pay $2,682.00 and the Town of Lexington $5,301.00. There will be a substantial savings in doing so. There was discussion on changing the Highway Garage Lighting.

RESOLUTION # 138-17
Open Snow Plow Bids for Sewer Facility
Three bids were submitted of which two were not interested and the third submitted by Michael Jaeger for $5,000.00 which is a slight increase from the previous year.

On a motion by Supervisor John Berger seconded by Council Member JoEllen Schermerhorn, the following resolution was

ADOPTED - Ayes - 5 - Berger, Schermerhorn, Barcone, Jenkins, and Pushman
Nays - 0

Therefore, Town of Lexington Town Board moves to accept the bid of $5,000.00 from Michael Jaeger to maintain the Sewer facility.

Schedule Year End Meeting
It was decided that the year end meeting would be held on December 29th at 6:30.

Code Enforcement Report
Supervisor John Berger said he would put the report in the Council Members mail boxes.

Twilight Park Cell Tower
Supervisor John Berger had correspondence that stated there is a cell tower going up in Twilight Park.

Resolution #139-17
Audit Committee Report
On a motion made by Council Member JoEllen Schermerhorn, seconded by Michael Barcone the following Resolution was

ADOPTED – Ayes – 4 – Berger, Barcone, Schermerhorn, and Pushman
Nay-0
Abstain- 1- Jenkins
Resolved that the bills be paid on General Fund Abstract # 12 in the following amounts:

**General Fund**

$15,308.32

Resolved that the bills be paid on Highway Fund Abstract # 12 in the following amounts:

**Highway Fund**

$12,318.88

Resolved that the bills be paid on Sewer District Fund Abstract # 12 in the following amounts:

**Sewer District**

$3,276.75

**PUBLIC CONCERNS:**

*Lexington Park*

Paula Heisen shared her concerns over the location of the parks in proximity to her home, also the location next to the stream, and was worried because of people speeding through town. She believes the money could be better spent towards things like flood mitigation, stream corridor restoration, and an emergency command center. She doesn’t see a pressing need for the park. She spoke to Dylan Walrath at DEC in the Division of Land and Forest. She believes he is open to integrate the park in a better way. Supervisor John Berger is in contact with Susan Marshal through Western Catskills. He said that minimal funds have been used so far and that the expiration of the grant is in June of 2018. He also said he will report back tho the homeowners when he knows more information. It was determined that e-mail might be a good way to communicate.

*Lexington Scrap Metal Recycling*

It was noted that the cars at the junk yard have been removed. There were some concerns over the large pile because it was dangerous and a fire hazard.

*Hunter Landfill*

Alfred Truesdell asked if there was any updates on the Hunter Landfill. Supervisor John Berger said that he was still waiting to hear. There was no new information. We get an invoice every month. The total cost spent for 2017 was $11,000.00.

*No Parking Letters*

Superintendent of Highways Frank Hermance asked if a resolution was needed to send no parking letters out. Supervisor John Berger said no and that letters were going out to Rappleyea Rd and to the bridge on County Rte 6. There was discussion about Crump Hill. The Town of Lexington and the Town of Shandaken won the appeal.

**Adjourn**

With no further business, on a motion from Council Member William Pushman, seconded by Council Member Michael Barcone, the meeting shall be adjourned. Carried unanimously.

Supervisor John Berger adjourned the meeting.

Respectfully submitted,

*Charlotte Jaeger,*

*Deputy Town Clerk*
Town of Lexington Town Board ---Special Meeting

December 28, 2017

The Special Meeting of the Town Board of the Town of Lexington was called to order on December 28th, 2017 @ 11:00 AM by Supervisor John Berger at the Lexington Municipal Building

PRESENT: Supervisor ......................... John Berger
Council Members......................... William Pushman
JoEllen Schermerhorn
Bradley Jenkins
ABSENT: Michael Barcone
Town Clerk.................................Alice Marie Cross

OTHERS PESENT: Mark Booth and Charlotte Jaeger

RESOLUTION # 140-17
Appoint a Deputy Town Clerk and Tax Collector December 28 – 30

On a motion by Supervisor John Berger, seconded by Council Member William Pushman, the following resolution was

ADOPTED: Ayes – 4- Berger, Schermerhorn, Pushman, and Jenkins
Nays – 0

This Town Board moves to appoint Charlotte Jaeger Deputy Town Clerk and Tax Collector for the afternoon of the 28th and 29th as well as Saturday the 30th in order to take tax payments to comply with the Governor's Executive order.

Adjourn:

Supervisor John Berger made a motion to adjourn, seconded by Bradley Jenkins. Motion carried all in favor. Meeting was adjourned.

Respectfully Submitted,

Charlotte Jaeger, Deputy Town Clerk
December 29, 2017
Year-End Meeting – Town of Lexington Town Board

The Town Board of Lexington held their Year End Meeting on December 29, 2017 at 6:30 PM at the Lexington Municipal Building, 3542 Route 42, and Supervisor John Berger called the meeting to order, followed by the Pledge of Allegiance.

PRESENT Supervisor ......................................................John Berger
Council Members......................................................Michael Barcone
William Pushman
JoEllen Schermerhorn
Absent: Bradley Jenkins
Deputy Town Clerk ....................................................Charlotte Jaeger
Town Attorney ..........................................................Absent: Tal Rappleyea
Code Enforcement Officer .................................Absent: Carl Giangrande

OTHERS PRESENT: No one from the public present

RESOLUTION # 141 – 17
Approve November 29 Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by William Pushman the following resolution was

ADOPTED - Ayes 4 – Berger, Pushman, Barcone, Schermerhorn
Nays -0
This Town Board moves to accept the minutes of the November 29th special meeting.

RESOLUTION # 142-17
Approve December 28 Minutes

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member William Pushman the following resolution was

ADOPTED – Ayes 4 – Berger, Pushman, Barcone, Schermerhorn
Therefore the Town of Lexington Town Board approves the minutes from the December 28th Special Meeting with the correction of Deputy Town Clerk and Tax Collector

RESOLUTION # 143-17
Financial Report November 30

A motion was made to accept the financial statements through November 30th by William Pushman and seconded by Michael Barcone

ADOPTED – Ayes 4- Berger, Pushman, Barcone, Schermerhorn
Nays 0
Therefor the Town of Lexington Board moves to approve the financial report.

**RESOLUTION # 144-17**

**Encumber $14,000.00 from General Fund 2017 for Roof Replacement over Fireman's Room**

A motion was made by Michael Barcone and seconded by JoEllen Schermerhorn to utilize money from 2017 General Fund to pay for roof which was from Resolution # 126-17

ADOPTED – Ayes 4 – Berger, Pushman, Barcone, Schermerhorn
Nays -0
Therefore the Town of Lexington Town Board approves the use of money from 2017 to pay for roof replacement in 2018.

**RESOLUTION # 145-17**

**Remove Alice Marie Cross and Add Charlotte Jaeger to Town of Lexington Clerk and Tax Accounts as of January 2018**

A motion was made by William Pushman and seconded by Michael Barcone.

ADOPTED – Ayes – 4 – Berger, Pushman, Barcone, Schermerhorn
Nays -0

Therefore the Town of Lexington Town Board agreed to remove Alice Marie Cross and adds Town of Lexington Town Clerk and Tax Collector elect Charlotte Jaeger as a signer along with the Town of Lexington Supervisor John Berger.

**Insurance Policy Renewal**

There was discussion and a packet given for perusal of Insurance policy. There would be an increase of $317.00. The overall umbrella was increased to five million dollars.

**RESOLUTION # 146-17**

**Audit Committee to Pay Monthly Expenditures and Permission for the Town of Lexington Supervisor to Pay Reasonable Invoices until December 31st.**

A motion was made by JoEllen Schermerhorn and seconded by Michael Barcone for the Town of Lexington Supervisor John Berger to pay all reasonable invoices until December 31st and to pay the monthly expenditures.

ADOPTED – Ayes - 4 Berger, Pushman, Barcone, Schermerhorn
Nays -0

Therefore the Town of Lexington Town Board moves to pay monthly expenditures and gives the Town of Lexington Supervisor permission to pay all reasonable invoices until December 31st.

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<th>Amount</th>
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<tr>
<td>General Fund</td>
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<tr>
<td>Highway</td>
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RESOLUTION # 174-17
Resignation of Janice Barcone Town of Lexington Historian

A motion was made by John Berger Town of Lexington Supervisor to accept the resignation of Janice Barcone.

ADOPTED – Ayes - 4 – Berger, Pushman, Barcone, Schermerhorn
Nays – 0
Therefore the Town of Lexington Town Board moves to accept the resignation of Janice Barcone.

Public Comment:

Supervisor John Berger received a letter from Alan Crawford with concerns about drainage of water on the Leptondale Gun Club property as a result of construction done by Greene County.

JoEllen Schermerhorn wanted an update on the status of the park project. Supervisor John Berger gave an update and it was noted that Lynn Byrne is in charge of it at this time.

Adjourn

There was a motion to adjourn made by William Pushman and seconded by Michael Barcone

ADOPTED - Ayes - 4 – Berger, Pushman, Barcone, Schermerhorn
Nays – 0

Supervisor John Berger adjourned the meeting.

Respectfully Submitted,

Charlotte Jaeger
Deputy Town Clerk