

**Town of Lexington Town Board Meeting July 2, 2019**

The Town of Lexington Town Board Meeting was called to order at 6:00 P. M. by Supervisor Berger at the Municipal Building 3542 Route 42, Lexington, followed by the Pledge of Allegiance to the American Flag.

<b>Present:</b>	Supervisor	John Berger
	Council Members	Michael Barcone
		Bradley Jenkins
		William Pushman
		JoEllen Schermerhorn
	Town Clerk	Charlotte Jaeger
	Highway Superintendent	Frank Hermance
	Town Attorney	Tal Rappleyea

**Others Present:** Mike Moran, Christine Ferraiuolo, Sharon Potter, Alfred Truesdell, Jen Cawein, Rose Williams, & Michael Ryan from the Mountain Eagle

**RESOLUTION # 59-19**  
**Accept June 4, 2019 Minutes**

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

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

Therefore this Town Board of the Town of Lexington accepts the June 4, 2019 Minutes as presented.

**RESOLUTION # 60-19**  
**Accept Financial Report through June 30, 2019**

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

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

Therefore this Town of Lexington Town Board accepts the financial report through June 30, 2019.

**RESOLUTION # 61-19**  
**Rescind Truck Purchase Resolution # 56-19**

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

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

Therefore this Town Board moves to rescind Resolution # 56-19 Since the bid ad asked for a 2019 truck or newer and the bid that was accepted was for a 2018 truck. The new bid ad will be for a new truck no specific year.

**RESOLUTION # 62-19**  
**Standard Work Day & Reporting for Elected and Appointed Officials**

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

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

**Be It Resolved**, that the Town Board of the Town of Lexington establishes the following as a standard workday for the Town Clerk, Tax Collector, Superintendent of Highways, Code Enforcement, and Highway Employees’ 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 Assessor, Clerk to the 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 and Highway employees

**Be It Therefore Resolved**, that this resolution supersede any previous resolution of this matter.

#### **RESOLUTION # 63-19**

##### **Vote Coalition of Watershed Towns Executive Committee Members**

On a motion by Council Member JoEllen Schermerhorn, seconded by Council Member Michael Barcone, and with a majority vote cast by Council Member William Pushman, David kukle is chosen to be a regular member.

On a motion by Council Member Bradley Jenkins, seconded by Supervisor Berger, and with a majority vote cast from Council Members, William Pushman, and JoEllen Schermerhorn, Michael McCrary is chosen to be a regular member.

On a motion by Council Member Bradley Jenkins, seconded by Supervisor Berger, and with a majority vote cast by Council Member JoEllen Schermerhorn, Steve Walker is chosen as an alternate.

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins, and with a majority vote cast by Council Member JoEllen Schermerhorn, Rich Tompkins is chosen as an alternate.

Therefore, this Town Board casts their ballot for 2 members for a 2 year term and 2 alternates for a 2 year term to the Coalition of Watershed Towns.

#### **RESOLUTION # 64-19**

##### **Consolidate Bank Accounts**

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

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

Therefore the Town of Lexington Town Board agrees to move the following accounts from the Bank of Greene County to the Catskill Hudson Bank where they will be consolidated into a sweeps account. The accounts to be moved and consolidated are, Irene Disaster Donation, Ambulance Service, Health Insurance Liability, Stream Corridor, Sick Liability, and Disaster Assistance. Even though the accounts will be consolidated into one account so they can accrue interest the names and balances will be maintained on a spreadsheet.

##### **Review Goreman Letter**

Supervisor Berger read the letter aloud that was sent by Goreman last year. The work on Deer Pen Estates and N. Beech Ridge Rd. was supposed to have been finished as of June 1, 2019. Supervisor Berger asked Superintendent of Highways Frank Hermance if any of this work has been done and Superintendent Hermance said that no, none of it was done. Superintendent Hermance said that Goreman had been in Town but would need 2 to 3 weeks for everything to dry out. Supervisor Berger asked if they had sent a new letter stating when they might do this work and Superintendent Hermance said that they had not, but is confident that the work will get done.

##### **Code Enforcement Report**

Supervisor Berger said that the Town Board Members had reports to review and that it looks like the Code Enforcement Officer has been busy. There was 1 certificate of Occupancy or Compliance issued, 9 C. of O. Searches, and 4 Building Permits issued.

##### **DEP Purchase on Park Road**

Supervisor Berger passed around a map of the latest DEP purchase under the SAP program. It is on Park Road and is around 9.7 acres. The Town has 20 days to comment on the purchase but it is typically in contract at this point.

## **RESOLUTION # 65-19**

### **Audit Committee Report**

On a motion by Council Member Joellen Schermerhorn, seconded by Council Member Michal Barcone the following was,

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

Therefore this Town Board move to approve the paying of the following expenditures.

**General Fund** No. 160 Through No. 194 = \$ 22,649.04

**Highway Fund** No. 126 Through No. 146 = \$ 16,514.09

**Sewer Fund** No. 31 Through No. 41 = \$ 2,507.29

**Lighting Fund** No. 6 Through No. 6 = \$ 266.90

### **Public Comments:**

Mike Moran who has a place on Route 42, just down from the proposed Windham Falls Recovery also known as Euphoria or Marie's Dream House is a former Fire Captain from New York City. He wanted to know if Windham Falls would be classified as a medical facility, who governs it, and what type of fire protection would we require them to have? Supervisor Berger said that the State would govern it. Some of the things he mentioned were what type of fire detectors would they use, would there be sprinklers, & fire extinguishers in the hallways, also would there be a halon system in the kitchen? He said that a special well could be put in to be used as a hydrant, it would be a good place to have a pre-fire plan, and an accurate list of people there at any given time in case of an emergency. If they call for an ambulance which hospital would they go to and would an employee go with the patient? Supervisor Berger said that we have a contract with Ashland for transportation and that these are all valid points. Mike Moran said that the Town should get things in writing and if they are not followed the Windham Falls permit should be pulled. He said that he is not against the facility, that there is a need for them but it is our responsibility to keep them safe. Supervisor Berger said that these questions would all be answered in time.

Christine wanted to know if there would be security.

Alfred said that he saw a facility of this type was being shut down in Colorado.

## **RESOLUTION # 66-19**

### **Executive Session**

A motion was made by Council Member William Pushman, seconded by Council Member Michael Barcone, to open for Executive Session at 6:33 P. M.

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

## **RESOLUTION # 67-19**

### **Close Executive Session**

A motion was made by Council Member Michael Barcone, seconded, by Council Member William Pushman to close Executive Session at 6:53 P. M. No action was taken.

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

### **Adjourn**

With no further business, on a motion from Council Member Michael Barcone, seconded by Council Member William Pushman and with none opposed the meeting was adjourned by Supervisor Berger at 6:53 P. M.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk