**OFFICIAL**

**Town of Lexington Public Hearings and Town Board Meeting**

**In Person & Via Zoom November 8, 2023**

**Present:** Supervisor JoEllen Schermerhorn

Council Members Bradley Jenkins

William Pushman

Bennett Wine

Michael Barcone

Superintendent of Highways Kevin Simmons

Town Clerk Charlotte Jaeger

Town Attorney Tal Rappleyea (zoom)

**Others Present:** Liza Dwon, Moira Taylor, & John Enochty **Zoom:** Lynn Byrne, Larry Russ, Malcolm Ring, Helle, & Mike Ryan from the Mountain Eagle

**Open Public Hearing Local Law #6 of 2023**

Supervisor JoEllen Schermerhorn opened the public hearing at 6:00 PM at the Municipal Building located at 3542 Rte. 42, Lexington. Supervisor Schermerhorn went over the proposed Local Law No.6 of 2023. A Local Law to override the tax levy limit established in General Municipal Law 3-c. There were no comments.

**2024 Budgets**

Supervisor Schermerhorn talked about the Sewer District budget which is paid by NY City and the budget is $105,020.00.   
The Ambulance budget has a slight increase as there is a need for a new ambulance. The Supervisor had copies of the ambulance budget for the Board to look at. The total budget is $432,761.00. There was some discussion regarding a new ambulance and how long it might take for the combined districts to be formed.

**Close Public Hearing**

On a motion by Council Member Bennett Wine, seconded by Council Member Michael Barcone and with all in favor the public hearing was closed at 6:52pm.

**Open Town Board Meeting**

Supervisor Schermerhorn opened the Town Board meeting at 6:52pm followed by the Pledge of Allegiance to the American Flag. There was a moment of silence for Freda Howard Fancher and Ila Decker Goodrich.

Town Board member Bennett Wine said that this was his last in person Town Board meeting and wanted to thank the community for giving him the opportunity to be on the board. It was a great experience in his life. He congratulated Rose Petrella-Wilson, William Pushman, JoEllen, & Kevin on winning the election. He said it was a very special experience. He loved working with Michael on a couple of projects, he said Town Clerk a hard worker, and thanked Supervisor Schermerhorn for what she does and being such a hard worker. Supervisor Schermerhorn thanked Bennett for all of his hard work.

**RESOLUTION # 76-23**

**Accept October 3, 2023 Minutes**

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

ADOPTED: Ayes – 5- Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays - 0

Therefore this Town Board moves to accept the October 3, 2023 minutes as presented.

**RESOLUTION # 77-23**

**Accept October 17, 2023 Budget Workshop Minutes**

On a motion by Council Member Bennett Wine, seconded by Council Member William Pushman the following was,

ADOPTED: Ayes – 3 – Pushman, Schermerhorn, & Wine

Nays – 0

Abstain-2 – Barcone and Jenkins

Therefore this Town Board moves to accept the October 17, 2023 budget workshop minutes as presented.

**RESOLUTION # 78-23**

**Accept September 2023 Financial Report**

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

ADOPTED: Ayes – 5– Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays - 0

Therefore this Town Board moves to accept the Financial Report for September 2023.

**Highway Report**

Superintendent of Highways Kevin Simmons said that they have been getting the trucks ready for winter. The truck that was at Ben Funck was fixed and the cost was not as expensive as first thought.

**RESOLUTION #79-23**

**Local Law # 6 of 2023**

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

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays – 0

Therefore this Town Board moves to adopt Local Law # 6 0f 2023.

**Town of Lexington**

**Local Law # 6 For the Year 2023**

**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 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, 2024 and ending December 31, 2024 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 2023 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 of 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 # 80-23**

**Ambulance Budget for 2024**

On a motion by Council Member Bennett Wine, seconded by Council Member Bradley Jenkins the following was,

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays - 0

Therefore the Town Board approves the 2024 ambulance budget.

**RESOLUTION # 81-23**

**2024 Town Budget**

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

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, and Wine

Nays – 0

Therefore this Town Board of the Town of Lexington adopts the 2024 budget.

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Code** | | **Fund** | | **2024 Adopted Budget** | | **Less Estimated Revenues** | **Less Fund Balance** | | | **Amount to Be**  **Raised by**  **Taxes** |
| **A** | GENERAL | | 584,550 | | 67,086 | | | 93,900 | **423,564** | |
| **DA** | HIGHWAY | | 857,950 | | 73,000 | | |  | **784,950** | |
| **TOTALS** | | | **1,442,500** | | **140,086** | | | **93,900** | **1,208,514** | |
| **SPECIAL DISTRICTS** | | |  | |  | | |  |  | |
| **Fire** | | | **110,001** | | **0** | | | **0** | **110,001** | |
| **Ambulance** | | | **189,443** | | **26,100** | | | **0** | **163,343** | |
| **Lighting** | | | **4,000** | | **0** | | | 0 | **4,000** | |
| **Sewer** | | | **105,020** | | **0** | | | **0** | **0** | |

**RESOLUTION # 82-23**

**Delinquent Sewer Bills**

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

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays -0

Therefore this Town Board moves to collect delinquent sewer bills.

**RESOLUTION # 83-23**

**Greene County Hazard Mitigation & Resilience Plan of 2023**

On a motion by Council Member Michael Barcone, seconded by Council Member Bennett Wine the following was,

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays -0

Therefore this Town Board adopts the Greene County Hazard Mitigation & Resilience Plan of 2023. Supervisor Schermerhorn read the plan aloud for the Town of Lexington and said that it needs to be updated every 5 years.

**RESOLUTION # 84-23**

**Pay Year End Stipends the Beginning of December**

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

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays - 0

Therefore this Town Board moves to approve the paying of stipends in the beginning of December.

**End of Year Meeting Date**

The end of the year meeting will be on December 27th at 6pm.

**RESOLUTION # 85-23**

**Raising the fee of Short Term Rentals**

On a motion by Council Member Bennett Wine, seconded by Council Member Barcone the following was,

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Therefore this Town Board moves to change the fee from $250.00 to $500.00 which will take place in 2025.

**Letter from NYCity DEP**

Supervisor Schermerhorn said that she received a letter that the highway garage on Route 42 will be surveyed and a title search done. She reminded the Board members that they need to be thinking about a new highway garage. She said that a new building would need to be done by the end of 2024 or it will have to be built according to the new State guidelines and no fossil fuels will be allowed. The Town will need to hire an engineer and preferably one that will help get grant money. Delaware Engineering was mentioned.

**RESOLUTION # 86-23**

**Audit Committee Report**

On a motion by Council Member William Pushman seconded by Council Member Bennett Wine the following was,

ADOPTED: Ayes – 5 – Barcone, Jenkins, Pushman, Schermerhorn, & Wine

Nays - 0

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

**Highway Fund** No. 156 Through No. 181 = $ 37,827.88

**General Fund** No. 264 Through No. 289 = $ 15,759.34

**Lighting District** No. 11 Through No. 11 = $ 311.19

**Sewer District** No. 52 Through No. 56 = $ 874.67

**Health Report**

Health Officer Liza Dwon said that the number of strokes in Greene County has gone up after Covid shots came out so a study is being done. Covid numbers are up and individuals need to talk to their Doctors about shots. She also said that the Senate is still working on a bill to make EMS essential.

**Public Be Heard**

There were no comments from the public.

**Adjourn**

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone and with no further business and with none opposed Supervisor Schermerhorn adjourned the meeting at 7:43 pm.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk

**Calendar of Events**

Holiday Market at Community Hall 12/02/2023 10-1

Town Board Meeting 12/05/2023 6pm

WK Tree Lighting & Santa 12/09/2023 6pm