**Town of Lexington Town Board Meeting & Public Hearing**

**November 3, 2021 In Person & Via Zoom**

Supervisor JoEllen Schermerhorn opened the Town Board meeting at 6:00 pm followed by the Pledge of Allegiance to the American Flag. There was a moment of silence in memory of Barbara Missy Runyan and Alex Swienc.

**Present:** Supervisor JoEllen Schermerhorn

 Council Members

 Bradley Jenkins William Pushman

 Bennett Wine

 Town Clerk Charlotte Jaeger

 Town Attorney Tal Rappleyea

**Absent:** Superintendent of Highways Frank Hermance

 Council Member Michael Barcone

**Others Present:** Allen Cross, James Doran, Larry Russ,Mike Ryan from the Mountain Eagle, Robin Potter, Kathy & Jack Jordan, Kevin Simmons, Gladys Myer, Shelly, & Will Sperling

**Public Hearing – 2022 Preliminary Budget**

Supervisor Schermerhorn went page by page and mentioned where there were some changes made and explained why they were made. Kathy Jordan asked about the youth program. The Town did not have a

summer program this past year but the number of children in the Town is on the rise so some money was budgeted for a youth program that way the money will be available if a program is put into place.

Kathy asked if the Town gives the Farmers Market funding. Supervisor Schermerhorn said that no the Town manages an account for them but does not give them money. There is a Board/Committee for the Farmer’s Market that are all volunteers. Supervisor Schermerhorn asked if anyone had any other concerns or comments on the budget. There were none.

**Close Public Hearing**

On a motion by Council Member Bradley Jenkins, seconded by Council Member Bennett Wine and with none opposed the public hearing ended at 6:31 pm.

**RESOLUTION # 69-21**

**Accept October 5, 2021 Town Board Minutes**

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

ADOPTED: Ayes – 4 - Jenkins, Pushman, Schermerhorn, & Wine

 Nays - 0

 Absent- 1- Barcone

Therefore this Town Board moves to accept the October 5, 2021 Town Board minutes as

 presented.

**RESOLUTION #70-21**

**September 2021 Financial Report**

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

ADOPTED: Ayes – 4- Jenkins, Pushman, Schermerhorn, & Wine

 Nays – 0

 Absent-1-Barcone

Therefore this Town Board moves to accept the financial report for the month of September 2021.

**Highway Report**

Supervisor Schermerhorn said that Frank Hermance the Superintendent of Highways is having some health issues and that Allen Cross was in attendance. There is a slope failure on Howard Road and the road has dropped as much as 4 feet in spots. There has been communication with Joel Dubois, Scott Templeton, and Steven Shepard. Half of the road can still be used at this time. Three out of four houses have access from State Route 42.

**Request to Abandon Morse Road**

Morse Road is part of the Lexington Arts and Science. There is no deed for this. Council Member Bradley Jenkins said that this a right by use road and he said that the Town needs to know if anyone else borders the road. Council Member Bennett Wine suggested this be tabled especially since the Town Attorney was not in attendance.

**Request to Buy Town Property which was deeded for Town Road**

Council Member Bradley Jenkins was reading from the deed and is questioning if there was a trust fund associated with this property. This was tabled until some questions could be answered.

**Rappleyea Road**

James made the Board aware that people have been traveling at high speeds past his house on Rappleyea Rd. He was wondering what could be done to slow people down. Allen Cross offered to call the County.

**RESOLUTION # 71-21**

**Town of Lexington 2022 Budget**

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

ADOPTED: Ayes – 4 - Jenkins, Pushman, Schermerhorn, & Wine

 Nays -0

 Absent-1- Barcone

Therefore this Town Board accepts the Budget for the year 2022.

**2022 Budgets**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  **Code** |  **Fund**  |  **2021 Adopted Budget** | **2022 Adopted Budget** | **Less Estimated Revenues** | **Amount to be Raised by Taxes** |
|  **A** | **GENERAL** |  548,222 |  563,075 |  43,000 |  **520,075** |
|  **DA** | **HIGHWAY** |  811,875 |  832,875 |  73,000 |  **759,875** |
|  **Total** |  | **1,360,097** | **1,395,950** |  **116,000** | **1,279,950** |

**2022 Special District Budgets**

|  |  |  |  |
| --- | --- | --- | --- |
|  **Fund** |  **2021** **Adopted Budget** |  **2022****Adopted Budget** | **Amount to be Raised by Taxes** |
| **SPECIAL LIGHTING** |  3,200 |  3,200 |  **3,200** |
| **FIRE DISTRICT** |  98,738 |  100,713 |  **100,713** |

**RESOLUTION #72-21**

**Override 2% Tax Cap if Needed**

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

ADOPTED: Ayes – 4 – Jenkins, Pushman, Schermerhorn, & Wine

 Nays - 0

Absent-1 – Barcone

Therefore this Town Board moves to go over the 2% tax cap in case of an emergency.

**RESOLUTION #73-21**

**Petty Cash for Planning Board Secretary**

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

ADOPTED: Ayes – 4 – Jenkins, Pushman, Schermerhorn, & Wine

 Nays - 0

 Absent-1 – Barcone

Therefore this Town Board moves to allow a petty cash for the Planning Board Secretary in the amount of $100.00.

**Hudson Valley Greenway Community Acceptance**

The Town of Lexington has been approved to participate. It gives the Town an eligibility to apply for grants.

**CWC Anchor Program**

This is a program for people in the floodplain to have their propane/fuel tanks anchored down. Propane tanks up to 420 pounds and fuel tanks up to 330 gallons. There will be applications available with the Town Clerk. There is no cost to the homeowner.

**Highway Garage State Route 42**

The Town had contacted John Mathiesen about a buyout and he and Aaron Bennett took a look at the property. David Tobias also stopped by to take a look at the property. The next step would be for it to be appraised. If the Town should decide to do a buyout there would need to be a place to store the trucks and equipment.

**Bonnie’s Trails**

Council Member Bennett Wine said that there are a few minor changes that need to be made with the State and he expects that the trail & signage will be open in the spring or summer. Though the trails can be used now.

**Cell Service**

Council Member Bennett Wine met with Senator Hinchey along with James Doran and Hilary Kolos.

Glen Faulkner from MTC said that we have the infrastructure here. Senator Hinchey suggested that MTC, Verizon, & AT& T get together to make a plan. James Doran said that the cell service (lack of) is a black spot in Lexington and creates an economic black spot.

**Covid 19 Update**

A couple of families have been quarantined. Everyone is encouraged to get their shots including flu, to wear masks, and social distance.

**RESOLUTION # 74-21**

**Transfers**

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

ADOPTED: Ayes – 4 – Jenkins, Pushman, Schermerhorn, & Wine

 Nays - 0

 Absent-1 – Barcone

Therefore this Town Board moves to make the following transfers.

**From: General To: General**

**A1990.4 Contingent $369.96 A1670.4 Central Printing & Mailing $369.96**

**A1990.4 Contingent $ 7.98 A1680.2 Equipment $ 7.98**

**A1990.4 Contingent $ 96.00 A1920.4 Municipal Assoc. Dues $ 96.00**

**End of year Meeting**

It was decided that the end of year meeting would be held on Tuesday December 28th at 6:00pm.

**Resolution # 75-21**

**Approve Payment of Vouchers as Presented by Audit Committee**

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

ADOPTED: Ayes – 4 – Jenkins, Pushman, Schermerhorn, & Wine

 Nays -0

 Absent-1- Barcone

Therefore this Town Board moves to pay the following expenditures. The reason the highway fund is so high is because of road work that was done that the Town has to pay for first and then will be reimbursed by the State for work on Beech Ridge and also from CHIPS.

Highway Fund No. 172 Through No. 194 $307,100.95

General Fund No. 262 Through No. 281 $ 6,959.85

Lighting District No. 10 Through No. 10 $ 287.61

Sewer District No. 68 Through No. 75 $ 1,686.51

**Public Be Heard**

Kathy wanted to know what the Town is leaning towards regarding the opt in or out with the marijuana dispensaries. She said that Windham and Jewett have opted out. There have been many studies about the dangers involved. Jack said that there is only one more month to decide and that there is a lot of information online and he explained that there is a candy bar that if a child eats it, it will do a lot of harm. Bill said that they are going to be selling it legally. Jack thinks the Town should make a stand against it. James does not like the idea of the government making restrictions on business opportunities. Will lived in California & DC and you can not sell alcohol and marijuana in the same place. Larry said he thought the Town had decided to opt in. Supervisor Schermerhorn said that they were asked to wait and see what other Towns were doing. They are waiting for people to make comments on how they feel. Kathy wanted to know if there would be a public hearing because it should be up to the community to decide. Robin would hate for it to get out of hand and thinks it should all go through Doctors. Larry has not heard that California or Colorado regret legalizing it. Jack said that for every dollar made it costs them 4.50. Supervisor Schermerhorn asked where that information comes from and Kathy said that it is on a website. Gladys said that she is for it medically but is worried that there is no way to check for impaired drivers and is also worried about children because it looks like candy. It needs to be regulated.

**Adjourn**

On a motion by Council Member Bennett Wine, seconded by Council Member William Pushman and with none opposed Supervisor Schermerhorn adjourned the meeting at 7:42pm.

 Respectfully Submitted,

 Charlotte Jaeger, Town Clerk