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

**November 5, 2020**

Supervisor JoEllen Schermerhorn opened the meeting at 6:00PM at the Municipal Building located at 3542 Rte. 42, Lexington followed by the Pledge of Allegiance. There was a moment of silence in memory of Barbara Jaeger Rion, Michael McCrary, and Gerald Jaeger

**Present:** Supervisor JoEllen Schermerhorn

Council Members Michael Barcone Bradley Jenkins

William Pushman

Bennett Wine

Superintendent of Highways Frank Hermance

Town Clerk Charlotte Jaeger

**Others Present:**  Nancy Jordan, Matt Jordan, Lucy Veneski, & Susan Falke

**Public Hearing 2021 Budget**

Supervisor JoEllen Schermerhorn said that the Budget is $19, 092.00 more than last year and that is under the 1.56 tax cap. There was some discussion on the amount to be raised by taxes and the estimated revenues for 2021. On a motion made by Council Member William Pushman, seconded by

Council Member Michael Barcone and with all in favor the Public Hearing for the 2021 Budget ended at 6:10.

**Public Hearing Short Term Rental Regulations Proposal**

Council Member Bennett Wine asked that since the WiFi was not working and the meeting could not be done via zoom should there still be a public hearing. Supervisor JoEllen said that they would hold the public hearing and could have another one at the December 1st meeting. Council Member Bradley Jenkins made a motion to have another public hearing on December 1, 2020, seconded by Council Member Bennett Wine with none opposed. Council Member Michael Barcone read a letter from Casey

who is a resident and business owner and she is in favor of the proposal. He also received 2 more letters in support and one that was not in support of the regulations. Susan said that in the Shandaken area there are a number of LLCs for short term rentals and Council Member Michael Barcone said that

LLCs cut their liabilities and they are buying properties under corporations. Council Member Bennett Wine said that it makes sense to have a contact person. Council Member William Pushman thought it might be discriminatory to have the 2 separate costs, one for residents & one for nonresidents. Matt who owns the Farm wanted to know what would be considered a resident since he lives in Hensonville.

Council Member Michael Barcone said that Grandfathering in of Properties is on the table. Council Member Bradley Jenkins said that more residences mean more services. Council Member Michael Barcone said that there is no accountability for short term rentals. The Town of Jewett pays for a software program to find short term rentals. The Town of Lexington might be able to do a shared service with them. Council Member Bradley Jenkins is worried about property owners rights. Supervisor JoEllen Schermerhorn said that it is important to keep people safe. Lucy said that there are short term rentals on her road and she feels that her serenity is being taken away and she does not feel safe anymore. She said that $300 and $150 is nothing for the owners to pay. She feels they should be taxed as a business. Council Member William Pushman said it is up to the owners to report their income. Council Member Michael Barcone went over the main points of the proposal again and more discussion ensued. Council Member Bennett Wine said there should be a way to get a more accurate number of short term rentals in Lexington. The software program would help with that. Council Member William Pushman made a motion to close the public hearing, seconded by Council Member Michael Barcone and with all in favor the public hearing ended at 7:21 pm. Supervisor JoEllen Schermerhorn opened the regular Town Board meeting at 7:22 pm.

**RESOLUTION #83-20**

**Accept October 6, 2020 Minutes**

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

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

Nays - 0

Abstain-1- Pushman

Therefore this Town Board moves to accept the October 6, 2020 minutes as presented.

**RESOLUTION #84-20**

**Accept the Budget Workshop Minutes**

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

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

Nays – 0

Abstain-1 – Barcone & Pushman

Therefore the Budget Workshop Minutes from October 14, 2020 were accepted as presented.

**RESOLUTION # 85-20**

**Accept September 2020 Financial Report**

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 accept the Financial Report for September 2020.

**Highway Report**

Superintendent of Highways Frank Hermance said that they were done patching and that the snow plows are on the trucks and they have been out twice so far plowing. They wired a couple of trucks themselves. Superintendent Frank Hermance said that he needs a new sander for the new truck and he could get one for $5,300.00. He has enough money in the fuel account to pay for it. They have also been cutting & chipping brush.

**RESOLUTION #86-20**

**New Sander**

On a motion by Council Member William Pushman, 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 let Superintendent of Highways Frank Hermance get a new sander.

**RESOLUTION #87-20**

**Local Law # 3 of 2020 Override Tax Cap**

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

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

Nays – 0

Therefore this Town Board moves to override the tax cap in case of an emergency.

**RESOLUTION # 88-20**

**Approved 2021 Budget**

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 of the Town of Lexington approves the budget for 2021. The totals are as follows:

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| |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Code** | | **Fund** | | **2020 Adopted Budget** | | **2021 Adopted Budget** | **Less Estimated Revenues** | | | **Amount to Be**  **Raised by**  **Taxes** | | **A** | GENERAL | | 540,305 | | 548,222 | | | 43,000 | **505,222** | | | **DA** | HIGHWAY | | 799,9900 | | 811,875 | | | 63,000 | **748,875** | | | **TOTALS** | | | **1,340,205** | | **1,360,097** | | |  | **1,254,097** | | |  | | |  | |  | | |  |  | | | **SPECIAL**  **LIGHTING** | | | **3,200.00** | | **3,200** | | |  | **3,200** | | | **Fire District** | | | **91,638** | | **98,738** | | |  | **98,738** | | |  | | |  | |  | | |  |  | | |  | | |  | |  | | |  |  | |  **Summary of Town Budget 2021** |
|  |

Council Member Bradley Jenkins said that he would like to see money put in for disaster relief/ flood mitigation in the future.

**RESOLUTION #89-20**

**Delinquent Sewer Bills**

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

the following was,

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

Nays - 0

Therefore this Town Board moves to send the delinquent sewer bills to Greene County to be collected on the 2021 taxes.

**RESOLUTION #90-20**

**Approve Sewer Budget**

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 give Supervisor JoEllen Schermerhorn permission to approve the 2021 Sewer District Budget and to make any needed changes.

**RESOLUTION # 91-20**

**Stipend for Snow Removal**

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

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

Nays – 0

Therefore this Town Board moves to pay Steven Anshanslin a $2000.00 stipend now and another $2000.00 stipend in April for snow removal at the sewer district.

**RESOLUTION # 92-20**

**Pay John Giordano**

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 pay John Giordano of Blue Mountain Excavation $22,565 for work done at the sewer district. This payment does not come out of the Town Budget it is paid from the sewer district.

**RESOLUTION # 93-20**

**Payment of End of Year Stipends**

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

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

Nays – 0

Therefore this Town Board approves the paying of the year end stipends to be paid the first pay period in December.

**RESOLUTION # 94-20**

**Greene County Paramedics Contract**

On a motion by Council Member Bradley Jenkins, 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 accept the contract with Greene County Paramedics.

**RESOLUTION # 95-20**

**Approve CPA for Annual Report**

On a motion by Council Member William Pushman, 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 have Nichole from UHY prepare the year end report and court audit.

**Replacement for Master Alarms**

Supervisor JoEllen Schermerhorn said that she thought that the Town might try Doyle to take the place of Master Alarms or this might need to be put out to bid.

**11941 Route 23A**

Supervisor Schermerhorn was asked to take a look at this property by the homeowner because his property is eroding. Council Member Bradley Jenkins believes this is a State DOT problem. They had someone from CWC look at the property but they do not qualify for help at this time. The homeowner is looking to the Town for help as to who they should contact. It was decided that the Supervisor could write a letter to DOT. Council Member William Pushman said that this is not a Town problem.

**Year End Meeting Date**

The Town Board decided to have the year end meeting on Tuesday, December 29th at 6:00 pm.

**UPDATES**

**Covid-19**

Supervisor JoEllen Schermerhorn said that the Town of Lexington is in good shape. There was an outbreak in the Town of Hunter. The County will be giving an update by Town. Albany is getting hit pretty hard right now.

**West Kill – Spruceton Road Speed**

Council Member Bennett Wine said that he had been at the parking lot just past Evergreen (Devils path) there were a lot of cars but room enough for emergency vehicles to get through. He said that it is a different story at the end of Spruceton Road. That parking lot was completely filled and he feels that the no parking signs are not clear enough for people to understand.

Council Member Bennett Wine was wondering how much space is needed for emergency vehicles to go through. He thought with some research maybe there could be parking on one side of the road. Council Member Bradley Jenkins said that peoples driveways are being blocked. Council Member Michael Barcone spoke to the 3500 club & the New York/ New Jersey Conference about expanding the parking lots. New York State will be holding hearings on this. The management plans are out dated. The end of Spructon Road is unique because it is advertised. Supervisor Schermerhorn said she would write a letter. Council Member Michael Barcone said that he saw the Sheriff and the speeding has calmed down.

**Farmer’s Market**

The Farmer’s Market had a great season and they are looking to get some grant money.

**Code Enforcement Report**

The Town Board have copies to peruse at their leisure.

**RESOLUTION # 96-20**

**Audit Committee Report**

On a motion by Council Member Bennett Wine, seconded by Council Member William Pushaman

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. 204 Through No. 224 = $ 65,941.30

**General Fund** No. 292 Through No. 312 = $ 6,719.61

**Lighting District** No. 10 Through No. 10 = $ 262.22

**Sewer District** No. 60 Through No. 63 = $ 659.97

**Windham Falls** No. Through No. = $ 0.00

**Public Be Heard**

The Highway bills were high from summer road projects.

Supervisor Schermerhorn said that the election went smoothly.

**Calendar of Events**

Next Board Meeting &

Public Hearing Tuesday, December 1st at 6:00pm

**Close Regular Meeting and go into Executive Session – No Action will be taken**

Council Member Michael Barcone made a motion to close the regular meeting and go into executive session and Council Member William Pushman seconded that motion and with none opposed the Board went into Executive Session at 8:16 pm.

**Close Executive Session**

Council Member William Pushman made a motion to close the Executive Session and Council Member

Bennett Wine seconded the motion and with none opposed the Board closed Executive Session and went back into the regular meeting at 8:36 pm.

**Adjourn**

On a motion by Council Member Bennett Wine, seconded by Council Member Bradley Jenkins and with no further business and all in favor Supervisor Schermerhorn adjourned the meeting at 8:37 pm.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk