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

**Via Zoom January 5, 2021**

Supervisor Schermerhorn opened the Public Hearing at 6:20pm. It started a little late due to technical difficulty.

**PRESENT:** Supervisor JoEllen Shcermerhorn

Council Members Michael Barcone

Bennett Wine

William Pushman

Bradley Jenkins

Town Clerk Charlotte Jaeger

Highway Superintendent Frank Hermance

**ABSENT:** Town Attorney Tal Rappleyea

**OTHERS PRESENT:** Kelly Reid, Mike Ryan from the Mountain Eagle, Jo Aster, Christopher Ber, Nancy & Matt Jordan, Brandon aka, Alicia, Karen Varona, Donald, Alison Grand, JT, Frederick Larsen, Matthew A., Michael, & Erik Davis

**Public Hearing - Law for Property Tax Exemptions for Disabled and Low Income**

Supervisor Schermerhorn read the proposed law and with no questions or discussion following the reading of the law asked for the public hearing to be closed. On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone the Public Hearing was closed at 6:25pm.

The Town of Lexington Town Board Meeting was called to order at 6:25 pm by Supervisor Schermerhorn followed by the Pledge of Allegiance to the American Flag. There was a moment of silence for William Gannon.

Town Clerk Charlotte Jaeger administered the oath of office to Bennett Wine. He will serve the remaining 3 years of the 4 year term of Town Council since he was elected in November.

**Highway Report**

Superintendent of Highways, Frank Hermance said that Spruceton road will be closed until Conservation does what they need to.

**RESOLUTION #1-21**

**Designation of Regular Monthly Meeting**

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, the Town of Lexington Town Board designates the first Tuesday of each month at 6:00 PM to be the regular meeting night of the Town Board of the Town of Lexington, and the meetings will be held at the Municipal Building, 3542 Route 42 unless specified otherwise.

**RESOLUTION #2-21**

**Calling Special Meetings**

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

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

Nays – 0

Therefore, it is resolved, that Special Meetings may be called by the Supervisor, provided that 24 hours advance notice be given to Town Board Members and that the Supervisor will call a Special Town Board Meeting at the request of two or more Town Board Members.

**RESOLUTION #3-21**

**Designation of Banks**

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

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

Nays - 0

Resolved, that this Town Board does hereby designate the Bank of Greene County, Tannersville, N.Y., the NBT Bank, NA., of Grand Gorge, & Windham, N.Y., and the Catskill – Hudson Bank, of Kingston, N.Y. as the official depositories for the Town of Lexington for the year 2021.

**RESOLUTION # 4-21**

**Investment of Idle Monies**

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

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 so the Town of Lexington will continue to use an ICS account at the Catskill-Hudson Bank.

**RESOLUTION #5-21**

**Designation of Official Newspapers**

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

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

Nays - 0

Resolved, that this Town Board does hereby designate the Mountain Eagle and the Catskill Daily Mail as the official newspapers for the Town of Lexington for the year 2021.

**RESOLUTION #6-21**

**Designation of Radio Station**

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 designate WRIP 97.9 the official radio station for the Town of Lexington for the year 2021.

**RESOLUTION #7-21**

**Readopt Policy Book / Mileage Compensation and Dinners for Town Officials**

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

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

Nays - 0

Resolved, that this Town Board moves to accept the book as is which consists of the employee handbook and code of ethics and does hereby fix mileage compensation at the IRS rate of 56 cents per mile for the following: Assessor, Code Enforcement Officer, Animal Control Officer, 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 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.

**RESOLUTION # 8-21**

**Authorize Payment of Dues to Associations**

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

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, NYS Superintendent of Highways, NYS Assessors Association, Greene County Assessors Association, Columbia-Greene Town Clerk's Association, NYS Town Clerk Association, and the Association of Public History for New York State.

**RESOLUTION #9-21**

**Payment of Bills in Advance of Board Meetings**

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

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 NBT credit card.

**RESOLUTION # 10-21**

**Authorize Supervisor's Report to NYS Comptroller**

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

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

Nays - 0

Resolved, that this Town Board authorizes the Supervisor to send the Supervisor's Financial report to the State Comptroller and then 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 year 2020 in the designated newspapers.

**RESOLUTION # 11-21**

**Renew Maintenance Agreement with HVOE- Copy Machine**

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, the Town Board moves to renew the maintenance agreement with Hudson Valley Office Equipment, Inc. from 1/20/2021 to 1/20/2022 at a cost of $708.00 for the Copystar CS-3035 Copier.

**Appoint Planning Board Member**

Supervisor Schermerhorn said that she had a letter from Robert Hermance that he would like to remain a Planning Board member and she made a motion to appoint him but there was not a second as Council Member Bennett Wine wanted to discuss the appointment.

**RESOLUTION #12-21**

**Table the Planning Board Appointment**

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 this Town Board moves to table the appointment of a Planning Board Member until the next meeting which will be in February.

**RESOLUTION # 13-21**

**Appointments**

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

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

Nays - 0

Resolved, that this Town Board makes the following appointments.

**2021Appointments**

Zoning Board Ronald Lipton

Attorney for the Town Tal Rappleyea

Disaster Coordinator Paul Dwon

Code / Zoning Officer Carl Giangrande

Registrar of Vital Statistics Charlotte Jaeger

Historian Mary Palazzolo

Deputy Historian Christine Dwon

Deputy Town Clerk Christine Dwon

Deputy Town Clerk Rose Williams

Deputy Supervisor Michael Barcone

Deputy Supt. of Highways John Falke

Bookkeeper Michelle Brainard

Secretary to the Supervisor Charlotte Jaeger

Dog Control Officer Bruce Feml

Records Management Officer Charlotte Jaeger

Health Officer Jo Cross

Inventory Clerk Andrea Searcy

Web Master Charlotte Jaeger

Planning Board Secretary Charlotte Jaeger

Zoning Board Secretary Mary Cline

**RESOLUTION #14-21**

**Committees**

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

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

Nays -0

Therefore this Town Board authorizes the Supervisor to make the following committee appointments.

**2021Committees**

**Highway:** Frank Hermance, Mike Petosa, Charles Van Etten, Bradley Jenkins

**Building:** William Pushman, Willaim Decker

**Monthly Audit:**  Bradley Jenkins, Bennett Wine

**Court / Clerk Audit:**  JoEllen Schermerhorn, Bradley Jenkins

**Comprehensive Plan:** Lynn Byrne, Jen Cawein, JoEllen Schermerhorn

**Ethics:** Caroline Hermance, Charlotte Jaeger, Rose Petrella-Wilson

**Memorial Bricks:** Mary Palazzolo

**Patriots Day:** Mary Palazzolo, Christine Dwon

**Negotiations:** Bradley Jenkins, Micheal Barcone

**Emergency:** JoEllen Schermerhorn, Paul Dwon

**Schoharie Watershed / GCSW Recreation:** Lynn Byrne, Beverly Dezan, Bennett Wine

**Policy Review:** JoEllen Schermerhorn, Michael Barcone

**RESOLUTION #15-21**

**2021 Salaries**

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 approves the following salaries for 2020.

**2020 Salaries**

**Name**  **Position** **Pay Schedule** **Salary**

JoEllen Schermerhorn Supervisor Monthly $ 12,000.00

Michael Barcone Deputy Supervisor Annually $ 500.00

Charlotte Jaeger Secretary to the Supervisor Monthly $ 5,000.00

Michelle Brainard Bookkeeper Monthly $ 8,850.00

Robert Basil Town Justice Quarterly $ 5,000.00

Devon Russ Town Justice Quarterly $ 5,000.00

Peggy Rappleyea Court Clerk Monthly $ 17.50hr

Michael Barcone Council Member Annually $ 2,500.00

Bradley Jenkins Council Member Annually $ 2,500.00

William Pushman Council Member Annually $ 2,50000

Bennet Wine Council Member Annually $ 2,500.00

Frank Hermance Supt. of Highways Bi-Weekly $ 31,500.00

John Falke Deputy Supt. Of Highways Annually $ 500.00

Charlotte Jaeger Town Clerk / Collector Bi-Weekly $ 32,710.00

Rose Williams Deputy Town Clerk Annually $ 500.00

Christine Dwon Deputy Town Clerk Annually $ 500.00

Charlotte Jaeger Registrar of Vital Statistics Annually $ 200.00

Charlotte Jaeger Record Management Officer Annually $ 200.00

Garth Slocum Sole Assessor Bi-Weekly $ 24,800.00

Peggy Rappleyea Assessor Clerk Monthly $ 17.50hr

Carl Giangrande Code Enforcement Officer Bi-Weekly $ 15,000.00

Mary Palazzolo Historian Annually $ 600.00

Christine Dwon Deputy Historian Annually $ 300.00

Charlotte Jaeger Planning Board Secretary Monthly $ 2,208.00

Ron Lipton Board of Assessment Review Annually $ 150.00

Susan Falke Board of Assessment Review Annually $ 150.00

Mary Cline/Chair Board of Assessment Review Annually $ 200.00

Jennifer Cawein Planning Board Chair Annually $ 1,000.00

Dan Davern Planning Board Member Annually $ 500.00

Taris Charysyn Planning Board Member Annually $ 500.00

Beverly Dezan Planning Board Member Annually $ 500.00

Tal Rappleyea Town Attorney (Extras $135 / hr) Voucher $ 500.00

Charlotte Jaeger Domestic Engineer Bi-Weekly $ 18.00hr

Mary Cline ZBA Secretary Annually $ 525.00

Andrea Searcy Inventory Clerk Upon Completion $ 560.00

William Decker Grounds/Maintenance Monthly $ 10,380.00

Charlotte Jaeger Wenbmaster Annually $ 600.00

**RESOLUTION # 16-21**

**Local Law #1 of 2021**

**Authorizing Tax Exemptions for Persons with Disabilities & Limited Incomes**

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

Resolved, that this Town Board authorizes tax exemptions for persons with disabilities and limited incomes using the sliding scale from Greene County.

**RESOLUTION #17-21**

**2021 Association of Towns Delegate**

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 appoint Michael Barcone the Delegate for the Association of Towns Zoom meetings.

**Covid-19 Update**

There were 164 new positive cases since last Thursday and there were 5 deaths over the weekend in Greene County. Wear your masks, wash & sanitize your hands.

**Short Term Rental Proposal**

Council Member Michael Barcone gave an update, he started off by saying that the 10% cap is off of the table for right now and he wanted to reiterate what prompted the proposal. He said some of the issues were noisy parties, illegal parking on public roads, improper disposal of garbage, loss of housing for locals, lack of accountability, and safety issues. Bradley Jenkins said that his opinion has not changed that he is opposed to 90% of the regulation, the water might be the only thing he is in favor of. Council Member Bennett Wine rents out his house and he does not have any problem with any of the regulations. Supervisor Schermerhorn said that she is the one that receives the complaints and that she wants to be able to identify short term properties and be able to reach a manager or at least have a telephone number in case there is a problem. Council Member Michael Barcone said that other communities are having the same issues. He also spoke with Titan & Aquatech about water testing and how some people have arsenic and other issues with their water. Water testing should be biannual. Council Member William Pushman doesn’t believe they will get anywhere until they can sit down with the actual proposal and discuss it, he also disagrees with the 2 different fees, he believes there should be one set fee. Supervisor Schermerhorn said that there should not be any camping on short term rentals. Council Member Michael Barcone said that Jewett started their regulations last year and the 87 out of around 110 were registered. Carl Giangrande it the Code Enforcement Officer for Jewett as well as Lexington so he has experience with the program. The Service cost $6,000.00 per year and there is an ability for us to pool our resources. The regulations are not a fix all but at least there would be a basic way to hold accountability. Council Member William Pushman believes the flat fee should be $250.00.

Bennett thinks they need to figure out how much it will cost to put these regulations in place.

**RESOLUTION #18-21**

**Basic Outline of STR Law**

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

the following was,

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

Nays - 0

Therefore this Town Board moves to have Town Attorney Tal Rappleyea draw up a law on Short Term Rental Regulations. Council Member Michael Barcone made a point of thanking the committee on all of their hard work.

**Code Enforcement Report**

The Town Board members were in receipt of the report and could peruse a their leisure.

**Public Comments**

Brandon wanted to thank everyone for their hard work he wanted to know if there would be a chance to respond to the law. Council Member Bennett said that Matt and Nancy have been at all of the meetings and proves his point that there a number of short term renters are not involved with the community.

Alicia does not believe this is a one size fits all and there are other factors to look at like the number of people coming to the Mountain because of Covid. Council Member Bennett Wine does not believe that the regulations are so difficult. James moved here in October and he welcomes the regulations and believes they are minimal. He said that it really is nice to rent a place that has a property manager.

Nancy said that she reached out to 20 short term rental owners because they were not aware of the proposal. Council Member William Pushman said that it was in the newspaper and it is on the website.

Supervisor Schermerhorn said that there will be another public hearing before a law is passed. Council Member Michael Barcone said that the reason we are discussing this is because of the complaints and it is also a matter of safety which is the main concern. This is the second time the Town has visited this issue. James said that these are very minimal regulations but they are a positive. Next Speaker said that Air bnb has added value to his home but there is no cell service. He owns the house because he wanted to since he spent a lot of time here when he was younger but he let the house go until he started using it for air bnb. Council Member Bennett said that we will have more discussion at a later date.

February 2, 2021 will be the next Town Board Meeting and there will be a public hearing for Senior Citizens Tax Exemptions.

**Adjourn**

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

Supervisor, Schermerhorn adjourned the meeting at 8:00 PM.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk