**Town of Lexington Town Board Meeting**

**July 6, 2021 In Person & Via Zoom**

Supervisor JoEllen Schermerhorn opened the Town Board meeting at 6:05 pm followed by the Pledge of Allegiance to the American Flag. There was a moment of silence in memory of Donald Strausser, Gerald Baltz, Jean Breck, and Helen Palermo

**Present:** Supervisor JoEllen Schermerhorn

Council Members Michael Barcone Bradley Jenkins

Bennett Wine

Town Clerk Charlotte Jaeger

Town Attorney Tal Rappleyea

Superintendent of Highways Frank Hermance

**Absent:** Council Member William Pushman

**Others Present:** Mike Ryan from the Mountain Eagle, Rick, James, & Shelly

**RESOLUTION # 39-21**

**Accept June 1, 2021 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

Absent- 1 Pushman

Therefore this Town Board moves to accept the minutes from June 1, 2021 as presented.

**RESOLUTION # 40-21**

**May 2021 Financial Report**

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

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

Nays – 0

Absent-1-Pushman

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

**Highway Report**

Supervisor Schermerhorn said that the culvert plans for Truesdell Road have changed and a box culvert will be put in instead of a regular culvert and the work should start in September. Superintendent of Highways Frank Hermance said that they are waiting for the creek to dry up a bit before putting the culvert in Spruceton. Cobleskill is ready to black top on Beech Ridge but Frank is not ready to do the work there until he gets something from the State. He only has $160,000 in chips money to work with. Council Member Bennett Wine had a question about the culvert on Truesdell Road. The culvert is being paid for by Trout unlimited and not by the Town of Lexington.

**RESOLUTION # 41-21**

**Working Foreperson - $ 1.50/hr retro to May 14, 2021**

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

Absent-1 – Pushman

Therefore this Town Board approves the paying of the working foreperson $1.50/ hr. retro active to May 14, 2021.

**Backhoe**

Superintendent of Highways Frank Hermance said that the backhoe is 25 years old and needs some expensive repairs. He is looking around to get prices on a new one. He can get a municipal lease. He canceled the cutter so he has $30,000.00 to put towards the backhoe. He and Council Member Bradley Jenkins will go to Saratoga to look at them. A new backhoe will cost $100,000.00 - $110,000.00. The length of a lease is 5 – 7 years.

**RESOLUTION # 42-21**

**Request for Designation of the Town of Lexington as a Greenway Community**

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

Absent-1- Pushman

Therefore this Town Board moves to become a Greenway Community. The Town will be eligible to apply for more grants.

WHEREAS, the Hudson River Valley Greenway Act, (hereinafter, the “Greenway Act) Chapter 748 of the Laws of 1991, has as a legislative goal the establishment of the Greenway Compact, a process for voluntary regional cooperation and decision- making among the communities of the Hudson River Valley, and

WHEREAS, the process and programs that will comprise the Compact are under development, and

WHEREAS, communities may participate in the initiation and implementation of the compact process, and

WHEREAS, the Town of Lexington is situated in the Greenway area as it was officially designated in the Greenway Act, and

WHEREAS, the Greenway Act permits the Hudson River Valley Greenway Communities Council(hereinafter the “Council”), and the Greenway Conservancy for the Hudson River Valley, Inc:

(hereinafter the “Conservancy”) to assist communities in developing local planning and projects related to the five criteria contained in the Greenway Act: natural and cultural resource protection, regional planning, economic development (including tourism, agriculture and urban development), enhancing public access to the Hudson River, and heritage and environmental education, and

WHEREAS, communities can become eligible to receive technical and financial assistance from the Greenway, and

WHEREAS, community participation in the Greenway planning process is voluntary; and

WHEREAS, the Greenway Act does not supersede or change the powers that the State has previously granted municipal governments under the New York State Constitution, the Municipal Home Rule Law, or pursuant to the various municipal enabling acts, and

NOW THEREFORE BE IT RESOLVED AS FOLLOW

The Town of Lexington Town Board {legislative body) supports the criteria contained in the Greenway Act and the process by which the Compact will be achieved, and

The Town of Lexington Town Board (legislative body)endorses the designation of the Town of Lexington by the Greenway Council and Conservancy as a **Greenway Community**.

**RESOLUTION # 43-21**

**Town of Lexington Fire men's Room Rental $240**

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

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

Nays - 0

Absent-1 – Pushman

Therefore this Town Board moves to not charge the Fire Company for the annual rent for 2021 for the use of the Fire men's room since the Town Board has been using it for meetings.

**Application for On-Premise Alcoholic Beverage (wine, beer, cider)**

This is for 4021 State Route 42 for the General Store next to the Post Office.

**Opt out or in of Adult Use Cannabis Retail Dispensaries**

Supervisor Schermerhorn spoke to Town Attorney Tal Rappleyea regarding the notice that she received

about the opt out of Adult Cannabis Retail Dispensaries and the Town will need to make a decision by December. If the Town opts out then the Town will not receive any revenue. The Town can set up zoning. Personal use would be allowed on private property or in homes but public places can be limited.

**UPDATE:**

**Annual Audit**

The Town has received their copy of the annual audit and can be reviewed in the Town Clerk’s office during regular business hours.

**Mortgage Tax Check**

Supervisor Schermerhorn said that she has received the check from Greene County and the amount was $79,464.31.

**Life Net Presentation**

LifeNet will do a presentation on July 11, 2021 from 12:00 – 2:30 for the medical helicopter pad that the Town would like to put by the Sewer building.

**Electrical Contract for Municipal Garage, etc.**

The Town is just waiting for a proposal from Pelham Electric.

**STR Applications**

The applications were available on May 1, 2021 and will be accepted until October 31, 2021 for the year 2022.

**14th Annual Anthem Sports Bike Race**

The Race will be held on August 14, 2021. A map of the race will be on the Town website.

**Covid-19 update**

Jo Cross sent an update that our numbers are very good and over 50% of the County is vaccinated.

**Code Enforcement Report**

The Town Board members received the report for their review.

**RESOLUTION # 44**

**Approve payment of Vouchers as presented by the Audit Committee**

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

Absent-1 – Pushman

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

**Highway Fund** No.104 Through No. 125 = $ 28,495.72

**General Fund** No. 149Through No.175 = $ 12,363.37

**Lighting District** No. 6 Through No. 6 = $ 288.90

**Sewer District** No. 34Through No. 43 = $ 2,250.54

**Calendar of Events**

LifeNet Presentation 7/11/21 12 -2:30pm

Supervisor’s Vacation 7/12/21 – 7/16/21

Historian Presentation 7/17/21 1 pm

Farmer’s Market 7/10/21 & 7/24/21 10-1

Town Board Meeting 8/3/21 6pm

**Public Be Heard**

Rick said that he would vote yes on the Cannabis. He had given the Town Clerk a letter and Council Member, Michael Barcone said that it was being passed along to the Town Attorney and that the in home inspection would be for safety reasons.

James said that he will do an interview with Will regarding the General Store and asked if Mike Ryan would be interested in sharing in the Mountain Eagle. Mike Ryan asked what happens if people don’t register for short term rental and Supervisor Schermerhorn said that they get fined which is in the law.

**Adjourn**

On a motion by Council Member Michael Barcone, seconded by Council Member Bradley Jenkins and with no more business and none opposed the meeting was adjourned at 6:57pm.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk