**Town of Lexington Town Board Meeting**

**April 5, 2022 In Person & Via Zoom**

Supervisor JoEllen Schermerhorn opened the meeting at 6:00 PM followed by the Pledge of Allegiance to the American Flag. There was a moment of silence in memory of Candace Boyle.

**Present:** Supervisor JoEllen Schermerhorn

Council Members Bradley Jenkins

Michael Barcone

William Pushman

Superintendent of Highways Kevin Simmons

Town Clerk Charlotte Jaeger

Town Attorney Tal Rappleyea

**Absent:** Council Member Bennett Wine

**Others Present:** Bill Keller, John Falke, Emmett Turk, Nicole Pursell, Dan Davern, Tom Gasbarro, John Nolty, Peggy & Mike Bush, Louie & Nancy kizyma, Nancy Orr, Janice Barcone, Lynn Loflin, Gretchen Gray, Patrick Meagher, Thoms,Bougetz, Gabi Moritz, Kim McGalliard, Liza & Paul Dwon,

**RESOLUTION # 32-22**

**March 3, 2020 Minutes**

On a motion by Council Member Bradley Jenksins, seconded by Council Member William Pushmanthe following was,

ADOPTED: Ayes – 4 - Barcone, Jenkins, Pushman, &Shcermerhorn

Nays -0

Absent-1- Wine

Therefore this Town Board accepts the minutes from March 1, 2022 as presented.

**RESOLUTION # 33-22**

**Financial Reports for February**

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

ADOPTED: Ayes – 4- Barcone, Jenkins, Pushman, Shcermerhorn

Nays -0

Absent-1 -Wine

Therefore this Town Board moves to accept the financial reports through February 2022.

**Highway Report**

Supervisor JoEllen Schermerhorn asked Highway Superintendent Kevin Simmons how it was going? He said that Howard Road has not moved too much. They have measured for the driveways. They need to get paving bids and set a date to open them. The Rappleyea Road culvert construction will

start soon and there will be a detour. The highway department has also started sweeping the roads.

**Coalition of Watershed Towns Election**

Supervisor Schermerhorn said that they need to vote on people for the election and she would like to do it with one motion. They need to vote for 2 regular members and 2 alternates. The alternates are Greg Cross/ Prattsville and Greg Kroyer/ Jewett and the 2 regular members are David Kukle / Hunter and Steven Walker/ Windham.

On a motion by Supervisor Schermerhorn, seconded by Council Member Michael Barcone the following was,

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

Nays - 0

Absent-1 – Wine

Therefore this Town Board moves to vote for Greg Cross and Greg Kroyer as alternates and David Kukle and Steven Walker as regular members to the Coalition of Watershed Towns.

**Greenway Grant**

Supervisor Schermerhorn said that the Town of Lexington was awarded a $10,000.00 grant from Greenway and would like to have Nan Stolzenburg work on up dating the Comprehensive plan. The Town has to match the grant of $10,000. Supervisor Schermerhorn asked for a motion to accept the contract submitted by Nan Stolzeburg.

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

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

Nays - 0

Absent-1- Wine

Therefore this Town Board moves to accept the contract to have Nan Stolzenburg up date the Comprehensive Plan and the amount stated in the contract was $9,955.00. Supervisor Schermerhorn said that there could be additional/optional items added budget allowing.

**STR Committee / Review and Appeals Board**

Supervisor Schermerhorn said that she had all of the people needed to make up the review and appeals board for short term rentals. The committee members are Council Member Michael Barcone, Alida Joy, Kim McGalliard, Eric Davison, and Ron Lipton. They will hold a meeting in the near future.

**Town Clerk’s Conference**

The Town Clerk will be at the NYSTCA conference in Albany April 24-27. Chris Dwon will cover the office while she is away.

**West Kill Cemetery**

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

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

Nays – 0

Absent-1 – Wine

Therefore this Town Board moves to give Jim Tilp the President of the West Kill Cemetery $2,500 towards the mowing of the cemetery rather than have Bill Decker do the mowing there.

**Tunis Rappleyea Jr. Road Dedication**

Supervisor Schermerhorn said that County Legislator Daryl Legg is working on it. The County will purchase a plaque and a section of the road where Tunis resided will be dedicated.

Council Member William Pushman asked when the Veterans Memorial here at the Municipal Building would be up dated again as he was wondering about his nephew Stanley being added.

**Farmer’s Market**

James said that the market is opening up in May and they have some new events planned including hot food, music, games, etc. Lynn B., Sarah, & Lynn Loflin along with James have been meeting to go over the details of these events. They plan to have spring, summer, fall, & winter. They are seeking volunteers. They have a new manager, Brianna Shevlin. Lynn B. said that they are looking for new vendors as well.

**Code Enforcement Report**

The Town Board Members had reports to review.

Carl Giangrande said that he gave the Town Board Members a copy of a vacant building registration form for them to look at. It is an incentive for owners to fix or sell properties. There are some vacant buildings that pose a problem in Lexington. He said that 1/3 of the STRs have been inspected.

**CORRESPONDENCE**

Comp Alliance

Supervisor Schermerhorn said that the Town had received a check in the amount of $4,628 from Comp Alliance since we didn’t have any incidents or claims.

Lexington Fire/Rescue

Supervisor Schermerhorn read a letter that the Lexington fire company had sent. They responded to an incident on Morse Rd. there was only one smoke detector on the second floor and there were portable heaters that posed fire hazards. They are concerned about other buildings not being safe and have noticed that some of the properties are being advertised for rentals. They are hopeful that some of these issues will be taken care of.

Lexington Fire District

Supervisor Schermerhorn read a letter from the Fire Commissioners that said they were concerned for the first responders well being because of the condition of some of the buildings in Town such as the old post office, Lexington hotel, and the Lexington House just to name a few.

Code Enforcement Officer, Carl Giangrande responded to these letters and he said that the properties are not considered short term rental properties and no building permits have been issued for these properties.

Health Officer Liza Dwon will be giving classes for people to use the AEDs. It is a 4 hour CPR class and the certificate is good for 2 years. NYS no burning until May 15th.

Council Member William Pushman asked Supervisor Schermerhorn about a group of people that were told they could not use the pavilion for a prayer group. Supervisor Schermerhorn said that they did not ask to use the pavilion they had asked to use the front of the building and that would not work because

parking is an issue with the fire trucks. They are more than welcome to use the pavilion and should check with the Town Clerk for availability. Council Member William Pushman said that they were told they couldn’t use it because of separation of church and state. Supervisor Schermerhorn had sent the request out to all of the Board members and she only got 2 responses back. Council Member William Pushman said he did not get the email.

**RESOLUTION # 34-22**

**Audit Committee Report**

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

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

Nays -0

Absent-1 - Wine

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

**Highway Fund** No. 42 Through No. 69 = $ 71,296.00

**General Fund** No. 68 Through No. 98 = $ 16,287.52

**Lighting District** No. 3 Through No. 3 = $ 323.34

**Sewer District** No. 13 Through No. 20 = $ 1,678.62

**Public Be Heard**

Alex Rodriguez and Patrick Meagher wanted to speak to the Town to see what they envision for the hamlet of Lexington. Alex is from the Lexington arts and science which owns the old Lexington house and Morse Inn and properties. Patrick is working with the Mary Kaplan properties. Alex put the 2018 Hamlet Revitalization document up for everyone to see and started to discuss it. He wanted the Towns input on this since some of the buildings are under new ownership. Patrick mentioned that Will and Caitlin will be opening the general store which addresses one of the goals mentioned in the revitalization study. Alex and Patrick wanted to know what the new goals or concerns are and they wanted to know what sites the Towns people wanted to focus on. Dan asked Alex if he had any permits and Alex said no since he did not need any for the work that has been done so far. Lynn B. was on the original committee for the hamlet revitalization and she mentioned that the Town is in the process of up dating the Comprehensive Plan and some of these questions would be answered with the survey. Code Enforcement Officer Carl Giangrande said that the Morse Inn is basically being used for worker housing and there was mention of one room being used for short term rental and an application has been submitted and is under review. James asked if you collect rent and you don’t live there does this change the property from a personal home? James said that it is being advertised as a short term rental.

Paul asked about the lean-to and Carl Giangrande said that there is an issue with camping in the hamlet. Paul asked if there is any liability as far as the Town is concerned? Liza said that they had calls at some of these properties and witnessed some unsafe conditions. Council Member Jenkins said that if the Town did not have a short term rental law then people would be completely on their own. Carl is hoping to have the inspections done by the end of the month. Council Member Pushman asked how to get to the lean-to and that it looked like someone had been driving on the neighboring property. Supervisor Schermerhorn asked Alex if he ever thought about going in front of the planning board to see about the lean-to for camping. Council Member Barcone asked what the current situation is with the Kaplan Estate. Patrick said that Mary’s older sister is one of the legal representatives. It was brought to his attention that there are taxes due on the Mary Kaplan properties. Patrick said that he personally had paid over $50,000 toward taxes. Council Member Barcone said that we are just looking for transparency and it gets confusing with the Kaplan properties. Patrick said that Spencer Hoffman is the lawyer and it’s the J M Kaplan foundation which is mostly run by family members. James asked what Patrick and Alex actually want. Alex said that the revitalization plan is a guiding light and is what they would like to see for the town. Supervisor Schermerhorn said that Alex and Patrick should prioritize which buildings to fix first and think of safety. John F. said that years ago (1960s) the Deparment of Health and the state closed down campsites in Lexington. Carl Giangrande said that there is a distinction between camping and campsites. Patrick said that they have made progress since the store will be opening soon and he would like to make more progress but they need financial help. Alex thanked everyone for listening and said he can be reached at lexartsci@gmail.com

**Adjourn**

On a motion by Council Member William Pushman, seconded by Council Member Michael Barcone and with all in favor the meeting was adjourned at 7:44PM by Supervisor Schermerhorn.

**Town of Lexington Calendar of Events**

NYS Burning Ban 3/16/2022– 5/14/2022

Town Clerk Conference 4/24-4/27/2022

Town Board Meeting 5/3 2022 6PM

Annual Grievance Day 5/26/2022 4-8PM

Respectfully Submitted,

Charlotte Jaeger, Town Clerk