**Town of Lexington Town Board Meeting**

**September 6, 2022 In Person & Via Zoom**

Supervisor JoEllen Schermerhorn opened the Town Board meeting at 6:01 pm followed by the Pledge of Allegiance to the American Flag.

**Present:** Supervisor JoEllen Schermerhorn

Council Members Michael Barcone William Pushman

Bradley Jenkins

Bennett Wine (Late)

Town Clerk Charlotte Jaeger

Town Attorney Tal Rappleyea(Zoom)

**Absent:** Superintendent of Highways Kevin Simmons

**Others Present: In Person-**  James Rooney, Christina Siess, John Andrews, John & Donna Brower **Zoom-** Kim McGalliard, Simone Cool, Richard, Shelly Brainard, Gretchen Gray, iphone, & Mike Ryan from the Mountain Eagle

**RESOLUTION # 59-22**

**Accept August 2, 2022 Public Hearing & Regular Meeting Minutes**

On a motion by Council Member Bradley Jenkins, 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 accepts the meeting minutes from August 2, 2022 public hearing & meeting as presented.

**RESOLUTION # 60-22**

**July 2022 Financial Report**

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

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

Nays – 0

Absent-1-Wine

Therefore this Town Board moves to accept the financial report for the month of July 2022.

**Highway Report**

Superintendent of Highways Kevin Simmons reported that Truesdell road is tore apart and there are pieces in place, the rain may put them behind a little bit on the culvert project. The truck is still at Ben Funks. The Spruceton road no parking signage with arrows have been placed but they ran out of posts and ordered more. He took a ride up Spruceton road on Saturday and everything was good. There was a new stop bar painted on Rappleyea road.

**RESOLUTION # 61-22**

**Electrical Bid**

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 this Town Board moves to accept the only bid received to have electric run from the Municipal Building to the garage in the back. The bid accepted was from KJA Mechanical for $9,000.00.

**Burn Ban**

Supervisor Schermerhorn explained that she had Declared a Declaration of Emergency. The Town of Lexington Declaration of Emergency Burn Ban was in effect from Sept. 1 – 5 and was not renewed.

**RESOLUTION # 62-22**

**Google E-mail**

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 moves to move to Google for government for the Town emails. James Rooney gave a presentation to go over why the Town should change from the Roundcube emails and answered questions for the Town Council Members.

**Short Term Rental Update**

Council Member Barcone started by saying that there were only 17 inspections completed and that Sarah Pellizzari has offered to help with finishing up the inspections. Code Enforcement Officer Carl Giangrande asked to table this until the next meeting. Council Member Wine asked if there needed to be inspections done every year and the other Council Members did not feel they needed to be done every year. The renewal letters will go out once a year in September and will need to be paid in December. Council Member Jenkins said that if there were a problem another inspection will need to be done again. Supervisor Schermerhorn read the renewal letter that she came up with. Council Member Barcone said that the committee has found a couple of houses that are operating with out being registered so he asked Town Attorney Tal Rappleyea about who should send out the violation letter. The violation letter should come from the Code Enforcement Officer. Carl Giangrande asked

about the cap and if renewal properties will automatically be put in for 2023 and Council Member

Barcone said only if they get their renewal in on time. The renewals will be a good way to keep track of short term rentals since they have put together a spread sheet of information. Council Member Pushman said that a lot of people do not know about the law especially prospective buyers. CEO Carl   
Giangrande thinks that the STR# should coincide from year to year.

**RESOLUTION # 63-22**

**Mountain Top Ambulance**

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 the Town of Lexington Town Board approves the formation of a Mountaintop Ambulance and Issuance of a Certificate of Need in Relation thereto by the Mountaintop Ambulance Service, Inc.

Town Attorney Tal Rappleyea recommended that the Town support this. There will be a Board of Directors where each Town will be represented and other Towns could join later on.

The Resolution is as follows;

**TOWN OF LEXINGTON**

**RESOLUTION SUPPORTING THE FORMATION OF A MOUNTAINTOP AMBULANCE AND ISSUANCE OF A CERTIFICATE OF NEED IN RELATION**

**THERETO BY THE MOUNTAIN TOP AMBULANCE SERVICE, INC.**

WHEREAS, the Mountaintop Towns of Greene County including the Town of Lexington and others have traditionally utilized volunteer ambulance companies or other similar organizations for its ambulance and emergency medical services; and

WHEREAS, due to a severe shortage of trained emergency responders, many of the Greene County Mountaintop Towns, including the Town of Lexington have resorted to obtaining their own Certificate of Need and contracted with nearby Town to provide such service; and

WHEREAS, the Town of Lexington recognizes that such arrangement cannot be a permanent situation; and

WHEREAS, many of the Greene County Mountaintop Towns, including the Town of Lexington, have caused to be created a NYS not-for -profit corporation entitled Mountaintop Ambulance Service, Inc., which has received IRS Code {501-c-3 tax exempt recognition; and

WHEREAS, the said Mountaintop Ambulance Service, Inc., has or is intending to apply to the NYS Department of Health to obtain a Certificate of Need for the establishment of an emergency medical and ambulance service.

NOW THEREFORE BE IT RESOLVED, that the Town of Lexington hereby announces its’ full support of the efforts of the said Mountaintop Ambulance Service, Inc., and specifically supports the issuance of a Certificate of Need; and it further

RESOLVED that the Supervisor or a designee is hereby authorized to execute all documents necessary to assist in such application.

**Security Cameras**

The Town Clerk, Charlotte Jaeger wanted to know how the Town Board felt about putting up security cameras and the response was that it depended on the cost. The Town Clerk said that she would gets some quotes.

**Appoint BAR Member**

Supervisor Schermerhorn said that Mary Clines’ term is up the end of September and that she is appointing Schuyler Minew to take her place on the Board of Assessment Review. Supervisor Schermerhorn thanks Mary Cline for her years of service on the BAR.

**Projects for Bidding**

Supervisor Schermerhorn said that the Town will be looking for bids for the salt shed roof, and that we are still waiting for specs for the helicopter landing zone and a walking path and parking lot at the sewer district, and that the Municipal building needs new windows, insulation, and an up dated heating system and cooling too.

**Budget Workshop**

It was decided that the Budget Work Shop will be on Wednesday, October 12, 2022 at 6pm.

**Greene County Hazard Mitigation and Resilience Plan**

Greene County is updating its’ (CEMP) Comprehensive Emergency Management Plan and has asked Town Officials for updated information and there is a survey on the website for the public.

**Comprehensive Plan**

Kim said that so far there were 268 replies for the Town survey and that it will run to the end of September.

**CEO Report**

Code Enforcement Officer, Carl Giangrande handed Town Board members a code enforcement report to peruse.

**RESOLUTION # 64-22**

**Audit Committee Report**

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 moves to approve the paying of the following expenditures.

**Highway Fund** No. 137 Through No. 148 = $ 17,034.14

**General Fund** No. 213 Through No. 243 = $ 11,560.76

**Lighting District** No. 8 Through No. 8 = $ 298.32

**Sewer District** No. 43Through No. 49 = $ 2,079.61

**Public Be Heard**

John lives along 23A and a car went off the road and landed on his property. He would like to see the speed limit lowered along that stretch of road where he lives. Supervisor Schermerhorn had called the State DOT and she was told by the engineer that the road is made for 55 MPH and that there are not enough complaints to warrant a study. John has contacted the Sherri ff but he should contact the State Police as well. Supervisor Schermerhorn said that maybe signage could help to slow some people down.

Donna and John own property in Lexington and they have a problem with their neighbor and the boundary line. Packets explaining the situation along with diagrams were dropped off earlier for the Board Members to see. The neighbors trailer is over the boundary line and Donna believes that the Town is at fault because the Code Enforcement Officer at that time signed off on it. She has been working on this issue for 2 years and wants to put a house in for her Mom. The CEO, Carl Giangrande asked if the trailer is inhibiting the ability to put in the septic or build the house and Donna responded no but feels the Town gave away her property and she wants to put up a stone wall along the property line. Carl said that he is not sure the Town can take a position on this as it is a civil venue. Town Attorney Tal Rappleyea said that from a legal stand point the Town is not liable and that the statute of limitations has lapsed and that this is a civil matter between neighbors. Donna was upset that the Town

would not help her.

**Calendar of Events**

Community Hall Yard Sale Sept. 11 9am-3pm

Farmer’s Market Sept 17th 10am-1pm

Town Board Meeting Oct. 4th 6pm

**Adjourn**

On a motion by Council Member William Pushman, seconded by Council Member Bradley Jenkins and with no more business and none opposed the meeting was adjourned at 7:40 pm.

Respectfully Submitted,

Charlotte Jaeger, Town Clerk