

**Village of Elmira Heights
Regular Board Meeting
January 7, 2025
7:00 P.M.**

Members Present: Mayor Smith, Trustee Southard, Trustee Aiosa, Trustee Fuhlhage
Trustee Patelunas joined via Zoom from 28326 Loft Mountain Drive, Leesburg, FL

Officials Present: Deputy Clerk Martone, Police Sergeant Morrell, Code Enforcement Officer Sturgis, Building Inspector Witkowski

Officials Absent: Fire Chief Cadek, Street Superintendent Vanderhoff

Others Present: Tom Witzel

Pledge of Allegiance

**PUBLIC HEARING: FIRE PROTECTION DISTRICT #2 AGREEMENTS BETWEEN
TOWN OF HORSEHEADS AND VILLAGE OF ELMIRA HEIGHTS, AND THE TOWN
OF ELMIRA AND THE VILLAGE OF ELMIRA HEIGHTS**

Called to order at 7:14 PM

No comments from the public.

Closed at 7:15 PM

VILLAGE BOARD MEETING

Called to order at 7:15 PM

1. Trustee Aiosa made a motion to resolve to accept the minutes of the December 3, 2024 Regular Board Meeting.

Second by Trustee Fuhlhage

Roll call vote: Trustee Patelunas	Abstain
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

2. Trustee Fuhlhage made a motion to resolve to accept the minutes of the December 30, 2024 Special Board Meeting.

Second by Trustee Patelunas

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Abstain
Trustee Aiosa	Abstain
Trustee Fuhlhage	Aye
Mayor Smith	Aye

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3. Trustee Patelunas made a motion to approve audit #8 in the amount of \$237,307.79 claim numbers 404 - 465, check numbers 23231 - 23292.

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

4. Trustee Southard made a motion to put the following reports on file for the month of December 2024.

Police & Summary
Fire Department
Village Justice and Acting Justice Reports
Gas and Diesel Consumption
Street Department

Second by Trustee Fuhlhage

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

5. Department Official Remarks

Police Sergeant Morrell read Chief Noonan's report, which is on file. Chief Noonan was not present as he was celebrating his promotion to Chief with his family. Sgt. Morrell stated that the process for the new hires is going smoothly.

Code Enforcement Officer Sturgis read his report. With regard to the Flower Cart, he spoke with the structural engineer who drove by the property. The structural engineer stated that CEO Sturgis' photographs and camera footage were not needed and gave the approval to proceed with tearing down the building. Trustee Patelunas stated that we should block off the sidewalk for the safety of Village residents.

With regard to public safety, Trustee Aiosa mentioned to CEO Sturgis about some vacant properties in the Business District that do not shovel their sidewalks. He stated while he didn't mind shoveling to help out, we've gotten a bit more snow than in recent years. CEO Sturgis stated that he could put a door hanger on the property, and that a letter is sent in addition to the door hanger notice. It was suggested by CEO Sturgis that the snow violations could be treated like mowing.

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Trustee Fuhlhage read Street Superintendent Vanderhoff's report, which is on file.

Building Inspector Witkowski gave an informal report for the Fire Department. Chief Cadek was absent because the officer elections are being held tonight. Mr. Witkowski stated that as of right now the Chiefs and Deputy Chiefs are staying the same.

6. Discussion of Fire Protection Software

Building Inspector Witkowski was then addressed by the Board to discuss a proposal for Fire Protection Software. Mr. Witkowski stated that the iWorQ software will cost \$2,500.00 annually and is what most of the neighboring municipalities use for their software. It can generate forms, permit templates, and comes with State codes. We would be able to add our own Village Codes as well at no extra cost. It is mobile, with no limit on cloud storage. CEO Sturgis and even the governing board would be able to have their own login credentials to access the same information and see what Mr. Witkowski is working on. The proposed software would streamline Mr. Witkowski's work from 20 minutes of preparation per inspection to half that time or less. The company is also willing to work with the Village as we are in the middle of our fiscal year, and give us the first six months for free.

7. Trustee Patelunas made a motion to add to the agenda the purchase of the Fire Protection software per advisement of Fire Marshal Witkowski, not to exceed \$2,500.00.
Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

8. Trustee Patelunas made a motion to proceed with the purchase of the Fire Protection software per advisement of Fire Marshal Witkowski, not to exceed \$2,500.00.

Second by Trustee Southard

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

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9. Trustee Aiosa made a motion to resolve to accept the Fire Protection District #2 Agreement between the Town of Horseheads and the Village of Elmira Heights.

Second by Trustee Patelunas

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

10. Trustee Patelunas made a motion to resolve to accept the Fire Protection District #2 Agreement between the Town of Elmira and the Village of Elmira Heights.

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

11. Motion by Trustee Southard to amend the Village Budget for 2024-2025, by changing the name of account A3150.4, currently 'Jail Contractual', to 'Police Vehicle Grant' and changing the name of account A1510.23, currently 'Plow Truck Purchase', to 'Street Sweeper Purchase'.

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

12. Motion by Trustee Fuhlhage to move the following monies:

- \$5,645 from A1990.4 (Contingency) to A3410.22 (Fire Truck Purchase) to cover the cost of the fire truck bond
- \$300.00 from A3620.48 (Code Enforcement – Education & Training) to A3620.46 (Code Enforcement – Vehicle Maintenance & Repair)
- \$300.00 from A3120.47 (Police – Radio Repair) to A3120.12 (Police – Crossing Guards)
- \$700.88 from A3411.48 (Volunteer Fire Department – School) to A3411.43 (Physicals)
- \$8,884.00 from A1990.4 (Contingency) to A1620.42 (Building Insurance)

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- \$150,000.00 from A909 (Unreserved Fund Balance) to A232VRS (Vehicle Replacement Reserve) for car and street sweeper
- \$55,916.04 from A232VRS (Vehicle Replacement Reserve) to A3150.4 (Police Vehicle Grant)
- \$50,000 from A232VRS (Vehicle Replacement Reserve) to A1510.23 (Street Sweeper Purchase)
- \$96,738.00 from A3907 (Grant Revenue) to A3120.2 (Police – Equipment Account)

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

13. Motion by Trustee Southard to approve Local Law #1 of 2025, Tax Cap Override.

WHEREAS, according to New York State's property Tax Cap Legislation, if a Village government decides to adopt a Village budget with a property tax levy that exceeds the level set by the State, the Village government must pass a local law to override that cap, and

WHEREAS, adopting said local law is not predictive of the final tax levy but will provide the Village of Elmira Heights Board of Trustees flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State recalculation of the applicable limit will not make the Village inadvertently out of compliance, and

WHEREAS, the Village of Elmira Heights wishes to adopt a local law authorizing the possibility of a property tax levy for the fiscal year commencing June 1, 2025 in excess of the limit established by the State of New York in General Municipal; Law Section 3-c, and

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NOW, THEREFORE, BE IT ENACTED, A NEW Chapter 2 of the Code of the Village of Elmira Heights, New York

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

14. Motion by Trustee Aiosa to resolve to accept membership into the Greater Tompkins County Municipal Health Insurance Consortium and authorize the Mayor to sign the 2025 Municipal Cooperative Agreement

WHEREAS, the Village of Elmira Heights applied for membership in the Greater Tompkins County Municipal Health Insurance Consortium (the “Consortium”), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the Village of Elmira Heights received notification of approval by the Consortium Board of Directors to become a Participant in the Consortium effective January 1, 2025, and

NOW THEREFORE, BE IT RESOLVED, that the Village of Elmira Heights hereby accepts membership effective January 1, 2025 and authorizes the Mayor to sign the 2025 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium as recommended by the Board of Directors.

Second by Trustee Fuhlhage

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

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15. Motion by Trustee Patelunas to amend the 2024 Organizational meeting motion for mileage reimbursement from \$0.67 cents per mile to \$0.70 cents per mile pursuant to the IRS rate.

Second by Trustee Aiosa

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

14. Person recognizing the Board on non-agenda items.

Tom Witzel, representing Hesselsons, addressed the Board with a parking dispute complaint with an individual that is close to one of his neighbors. Mr. Witzel states that he has tried to be reasonable with this person to no avail and asked the Board for advisement on how to move forward. Mr. Witzel asked if the relevant local code or ordinance might be amended or an addendum added to increase the weight capacity of trucks on the road in question.

After much discussion of the local ordinance presently in place, the Board decided that they will turn the situation over to the Attorney and the Elmira Heights Police Department.

15. Remarks: Mayor, Trustees

Mayor Smith stated that Marty's father, Larry Vanderhoff, is not doing well. She has asked that we keep him in our thoughts and prayers.

Mayor Smith also advised officials in attendance that our new attorney's name is Dan Pautz and that the Clerk has his contact information on file. Mayor Smith asked that she be cc'ed into any correspondence with the attorney, and advised that the attorney charges \$250 per hour.

Mayor Smith also wanted to thank Deputy Clerk Martone for her work on ensuring all items were correct in preparation for this meeting, following Robin's resignation from the Clerk-Treasurer position.

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16. Motion by Trustee Fuhlhage to go into executive session at 8:21 PM to discuss personnel matters.

Second by Trustee Patelunas

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

Motion by Trustee Aiosa to come out of executive session at 9:15 PM.

Second by Trustee Southard

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

17. Motion by Trustee Fuhlhage to adjourn the January 7, 2025 regular board meeting at 9:15 PM.

Second by Trustee Patelunas

Roll call vote: Trustee Patelunas	Aye
Trustee Southard	Aye
Trustee Aiosa	Aye
Trustee Fuhlhage	Aye
Mayor Smith	Aye

Respectfully Submitted By,
Amanda Martone
Deputy Clerk
Village of Elmira Heights