

Village of Elmira Heights
215 Elmwood Ave., Elmira Heights, NY
Regular Board Meeting Minutes
April 6, 2026
7:00 PM

PUBLIC HEARING:

The Public Hearing for the franchise agreement between the Village of Elmira Heights and Spectrum Northeast, LLC was opened at 7:55 PM.

The Franchise agreement is a non-exclusive agreement for Spectrum Northeast, LLC to do business with the Village of Elmira Heights.

No members of the public wished to comment.

Trustee Churches made a motion to close the Public Hearing at 7:57 PM.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

PUBLIC HEARING CLOSED

CALL TO ORDER & ATTENDANCE:

Mayor Smith called the regular Village Board meeting to order at 7:58 PM at the Elmira Heights Village Hall. **Those Village Board members in attendance and constituting a quorum were:** Mayor Smith; Trustee Patelunas joined us via Zoom from 28326 Loft Mountain Drive, Leesburg, FL; and Trustees Aiosa, Churches, & Fuhlhage.

Others Present: Clerk Martone, Code Enforcement Officer Mein, Street Superintendent Vanderhoff, Police Sgt. Gooshaw, & Fire Chief Sabatini.

Public Present: Alicia Bryan & Joel Matkosky

PROCEEDINGS:

1. Trustee Aiosa made a motion to resolve to accept the minutes of the March 3, 2026 Regular Board Meeting.

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Second by Trustee Fuhlhage

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

2. Trustee Fuhlhage made a motion to resolve to accept the minutes of the March 24, 2026 Special Board Meeting.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

3. Trustee Aiosa made a motion to approve audit #11 in the amount of \$303,242.10 claim numbers 534 - 598, check numbers 24096 – 24158.

Second by Trustee Patelunas

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

4. Department Official Remarks

Police Sergeant Gooshaw read his report.

Fire Chief Sabatini read his report. He wanted to let everyone know that the Elmira Heights Fire Company's chicken barbeque will be held on April 25th.

Code Enforcement Officer Mein read his report. It included a draft of an updated fee schedule proposal for permits based on research gathered from nearby municipalities. He wasn't certain on the timber harvesting piece but stated aside from that, if the Board approves, the draft presented would be the finalized copy.

Trustee Patelunas said that the Board would need to amend the original local law with the updated fee schedule. This would require a public hearing.

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Trustee Churches made a motion to add to the agenda to set the date and time of May 5, 2026, just prior to the 7:00 PM regular Board meeting, for a Public Hearing regarding the adjustment of fees charged by Code Enforcement for permits within the Village of Elmira Heights.

Second by Trustee Patelunas

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

Trustee Churches made a motion to set the date and time of May 5, 2026, just prior to the 7:00 PM regular Board meeting, for a Public Hearing regarding the adjustment of fees charged by Code Enforcement for permits within the Village of Elmira Heights.

Second by Trustee Patelunas

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

Street Superintendent Vanderhoff read his report, which is on file.

5. Trustee Aiosa made a motion to put the following reports on file for the month of March, 2026.

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

Second by Trustee Fuhlhage

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

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6. Trustee Churches made a motion to resolve to approve the franchise agreement with Spectrum Northeast, LLC.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

7. Trustee Patelunas made a motion to approve the contractual agreement with the Urban Renewal Agency.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

8. Trustee Fuhlhage made a motion to declare April as Fair Housing Month **WHEREAS**, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and;

WHEREAS, the month of April 2026 has been designated by the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity as Fair Housing Month and;

NOW THEREFORE BE IT RESOLVED that the Elmira Heights Village Board of Trustees hereby declares and proclaims April as Fair Housing Month in the Village.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

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9. Trustee Churches made a motion to authorize the Clerk to move the following monies:
- A budget transfer of \$366.00 from A 3411.5 (Volunteer Fire Department – Equipment Testing) to A3411.43 (Physicals) to cover the cost of the annual physicals
 - A budget transfer of \$4,892.89 from A1990.4 (Contingency) to A1620.4 (Buildings – Contractual) to cover costs for the remainder of the fiscal year.
 - A budget amendment of \$30,080.90 from Fund Balance to A9030.8 to cover Social Security taxes for the rest of the fiscal year.
 - A budget amendment of \$22,527.50 from Fund Balance to A5110.22 (Feasibility Study) to cover the invoice from Hunt Engineers, to be held until we receive the final report from them.
 - A budget amendment of \$5,250.00 from the Building Reserve account to A1620.4 (Buildings – Contractual) to cover the new Fire Department door.
 - A budget transfer of 526.88 from A3620.46 (Code Enforcement – Vehicle Repair) to A3620.4 to cover the cost of the new Code Enforcement software
 - A budget transfer of \$31.25 from A3620.48 (Code Enforcement – Training) to A 3620.4 (Code Enforcement – Contractual) to cover the cost of the new Code Enforcement software.
 - A budget transfer of \$662.52 from A3620.49 (Code Enforcement – Fuel) to A3620.4 (Code Enforcement – Contractual) to cover the cost of the new Code Enforcement software.
 - A budget transfer of \$4,456.08 from A3620.11 (Deputy Code Enforcement – Personal Services) to A3620.4 (Code Enforcement – Contractual) to cover the cost of the new Code Enforcement software & current claims.
 - A budget transfer of \$9,549.55 from A3120.2 (Police – Equipment) to A3120.15 to cover police overtime.
 - A budget transfer of \$900.00 from A3120.47 (Police – Radio Repair) to A3120.15 to cover police overtime.

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- A budget transfer of 2,280.00 from A3120.5 (Police – Equipment Testing/Repair) to A3120.15 to cover police overtime.

Second by Trustee Fuhlhage

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

10. Discuss when to hold Public Hearing for Tentative Budget

Trustee Patelunas made a motion to set a date and time of Tuesday, April 14, 2026 at 4:00 PM for a Public Hearing on the Tentative Budget.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

Mayor Smith made a slight adjustment to the agenda, swapping numbers 11 and 12 so that the public present may speak regarding the feral cat control update.

11. Feral cat control update

Trustee Churches led this portion of the meeting by stating that there are several “roadblocks” when it comes to controlling the feral cat situation. He has been in contact with several people, mentioning Jon Jacobis who is the Director of Programs and Services with the Chemung County ASPCA and three different trapping experts. The Cornell students that participate in the Trap, Neuter, & Return would do so at no charge during the summer months.

Alicia Bryan of 119 Cleveland Street stated that the issues faced by many residents at present are the smell, potential health hazards, and property damages caused by the urine and feces of the feral cat population. She stated that she did not feel it was right for the fees to rent the traps and have the cats “fixed” to fall upon the resident.

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Trustee Patelunas sympathized with Miss Bryan and offered a few suggestions:

- She could go to the Health Department and insist to speak with the Director about the problems presented tonight, and to include the photo/video proofs of this issue and emphasize that it aggravates her asthma.

- She could invite someone from the Health Department to come to her house, and inform them of the same as if she went in person.

- She could even speak or write to Senator Tom O'Mara, to try to encourage change in the laws that cause cats to be exempt from regulation.

Miss Bryan and Mr. Matkosky left the meeting.

Trustee Churches proposed to implement the following, based on the research he's done regarding other municipalities' answer to this problem:

- Circulation of a public education piece that includes information about the Trap, Neuter, & Release Program

- Funding 2 or 4 high-quality traps (\$70 - \$100 each), with air tags to locate the traps in the event of nonreturn or theft

- Draft and implement a hold harmless agreement

- Documentation of progress on the number of cats trapped, spayed/neutered, and released

Trustee Fuhlhage suggested starting with 2 traps. Storage location for the traps was discussed. It was decided that the paperwork portion would be initiated and maintained by the Clerk's Office.

Trustee Churches made a motion to add to the agenda approval of the purchase of two traps and accompanying securements in an amount not to exceed \$300.00

Second by Trustee Patelunas

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

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Trustee Fuhlhage made a motion to approve the purchase of two traps and accompanying securements in an amount not to exceed \$300.00.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

12. Village Website discussion

Some of the Village Board members were given a presentation by Town Web regarding their website development service. Town Web's services had a few features that Civic Plus did not and for a lower price. Trustee Patelunas also believed that it looked easier to use. Trustee Churches also pointed out a few things that could be added later that may benefit the Village.

Trustee Churches made a motion to add to the agenda to hire Town Web as the Village's website developer, pending the approval of the Village Attorney.

Second by Trustee Fuhlhage

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

Trustee Fuhlhage made a motion to hire Town Web as the Village's website developer, pending the approval of the Village Attorney.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

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Trustee Patelunas made a motion to add to the agenda approval of Resolution 3 of 2026: Resolution Approving the Purchase of a Certain Parcel of Land Within the Village of Elmira Heights

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

Trustee Patelunas made a motion to approve Resolution 3 of 2026: Resolution Approving the Purchase of a Certain Parcel of Land Within the Village of Elmira Heights

The Village Board of the Village of Elmira Heights, New York (the "Village Board"), duly convened in regular session on April 6, 2026 at 215 Elmwood Avenue, Elmira Heights, New York 14903 does hereby resolve as follows:

WHEREAS, the Village Board is considering the purchase of a certain parcel of land located at 110-112 E. 9th Street, in the Village of Elmira Heights (the "**Village**"), having tax map parcel number 70.06-2-39 (the "**Property**") for the Village's future use;

WHEREAS, in consideration of the purchase of the Property, the Village Board has examined a proposed purchase agreement by and between the Village and Golos Printing, Inc. (the "**Purchase Agreement**") and the addendum to purchase agreement thereto (the "**Addendum**" and together with the Purchase Agreement, the "**Agreement**");

WHEREAS, the Elmira Heights Urban Renewal Agency has authorized the expenditure of Fifty Thousand and 00/100 Dollars (\$50,000.00) for the aforementioned transaction (the "**Contribution Amount**") and the transfer of the Contribution Amount to the Village; and

WHEREAS, the Village Board has determined that it is desirable and in the best interest of the Village for Margaret Smith, in her capacity as Mayor of the Village, to execute any and all documents related to the aforementioned transaction.

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NOW, THEREFORE, BE IT RESOLVED, that the purchase price of the Property pursuant to the Agreement reflects the fair market value of the Property; and

BE IT FURTHER RESOLVED that the Village Board does hereby consent to and approve of the Agreement and the consummation of the aforementioned transaction; and

BE IT FURTHER RESOLVED that the Village Board authorizes any and all expenses associated with the Agreement and the consummation of the aforementioned transaction, including, but not limited to, those lists of closing expenses provided by the Attorneys of the Village; and

BE IT FURTHER RESOLVED that the Mayor and Attorneys of the Village are hereby authorized and directed on behalf of the Village Board to execute and deliver any and all documents deemed necessary to execute the Agreement and consummate the transaction, including, but not limited to, the deed, recording documents, title documents, statements, notes, mortgages, guarantees, and any other documents which may be necessary or appropriate to consummate the transaction contemplated hereby, and to pay all necessary and proper expenses associated with the foregoing transaction and to carry out the intent and accomplish the purpose of these resolutions (this "**Resolution**"); and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye
	Trustee Aiosa	Aye
	Trustee Fuhlhage	Aye
	Trustee Churches	Aye
	Mayor Smith	Aye

Motion Carried.

13. PERSONS RECOGNIZING THE BOARD ON NON-AGENDA ITEMS

No one else from the Public was present.

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14. REMARKS: MAYOR, TRUSTEES

Mayor Smith stated that the Fire Department would like to use the Golos building for training until the Village Board is ready to schedule the demolition. Fire Chief Sabatini stated that the trainings would involve fake smoke, searches, and hoseline placement.

EXECUTIVE SESSION

15. Motion by Trustee Patelunas to go into executive session at 9:27 PM to discuss personnel matters.

Second by Trustee Fuhlhage

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

16. Motion by Trustee Churches to come out of executive session at 10:17 PM.

Second by Trustee Aiosa

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

ADJOURNMENT

17. Motion by Trustee Aiosa to adjourn the April 6, 2026 regular board meeting at 10:17 PM.

Second by Trustee Churches

Roll Call Vote:	Trustee Patelunas	Aye	
	Trustee Aiosa	Aye	
	Trustee Fuhlhage	Aye	
	Trustee Churches	Aye	
	Mayor Smith	Aye	Motion Carried.

Respectfully Submitted By,
Amanda Martone, Village Clerk