

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

The meeting was called to order at 6:00 P.M. by the presiding officer at the Town of Plattsburgh Town Hall, 151 Banker Road.

MEMBERS:	<u>PRESENT</u>	<u>ABSENT</u>
Charles A. Kostyk, Supervisor	X	
Thomas E. Wood, Councilor	X	
Dana M. Isabella, Councilor	X	
Daniel A. Bosely, Councilor	X	
Ilona M. Kelting, Councilor	X	
Jonathan J. White, Town Clerk	X	
Matthew G. Favro, Town Attorney		X

Resolution No. 026-041

Accept Minutes of the Previous Meeting

RESOLVED, that the minutes of **January 15, 2026** and **January 22, 2026** be accepted, and the reading of the minutes be dispensed with.

Motion: Mr. Wood

Seconded by: Mr. Bosley

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				

Public Comment: Mr. Kostyk – Read a statement related to the GSA Building on Idaho, Avenue. Stated that a draft report on Public Use Zoning amendments is very close to completion. Mr. Wood Stated That the town is going to be updated its Comprehensive Land Use plan in the very near future and invited all interested members of the community to be engaged with that process.

The Town Board voted to extend the public comment period to a total of 30 minutes, unanimous voice vote in the affirmative.

Two individuals addressed the Town Board:

Speaker 1: Patricia Barnett

Speaker 2: Glenn Wootres

Statements from both speakers are attached herein.

Public Comment period ended at 6:20pm.

A handwritten signature in blue ink, appearing to be the name 'One' or similar, located in the bottom right corner of the page.

PATRICIA

Good evening. My name is Patricia Barnett. I'm a Cadyville resident, and I'm here tonight to speak in support of a moratorium on new jail facilities and amended jail applications in the Town of Plattsburgh.

I want to start by being very clear about what this moratorium is, and what it is not.

This is not a permanent ban.

It is not a judgment on any specific applicant.

And it is not an attempt to take authority away from this Board or any other board of the Town.

A moratorium is a temporary, lawful planning tool. It is designed to preserve the status quo while a municipality studies and corrects known deficiencies in its zoning and land use regulatory framework before irreversible decisions are made.

And here, those deficiencies are real and already acknowledged.

As the zoning ordinance is currently written, the word "jail" appears only once, under Public Use, and it is not defined at all. There are no standards. No siting criteria. No guidance for how a use with profound implications for public safety, community character, infrastructure, and individual liberty is supposed to be evaluated.

By contrast, the ordinance contains a detailed definition of the word "kennels." That word appears multiple times throughout the ordinance, with clear standards and guardrails governing location, operation, and impacts.

As it stands today, the Town of Plattsburgh's zoning ordinance provides more structure and protection around the detention of animals than it does around the detention of human beings.

That should give us pause.

I understand that the Board considered three possible paths forward:

- waiting for a full comprehensive land-use plan update,
- undertaking a focused study of Public Use zoning, or
- adopting a moratorium.

The Town's choice to study Public Use zoning is not unreasonable, but choosing to do that without a moratorium leaves the Town exposed during that study period.

Even by the Board's own estimates, a Public Use zoning review could take six months to a year. During that entire window, new or amended jail applications can still be submitted, reviewed, and potentially approved under an ordinance the Town already knows is incomplete.

Even a single approval during that window could undermine the very purpose of the study.

Once an approval is granted under an unclear or inadequate framework, the Town's options narrow dramatically. Rights vest. Legal leverage diminishes. And whatever zoning improvements come later may be unable to address the very impacts the Town is trying to study in the first place.

That's not a hypothetical risk; that's how land use law works.

I also want to address the concern that has been raised about "spot zoning."

Respectfully, a jail-specific moratorium would **not** be spot zoning.

Spot zoning refers to singling out a particular parcel or a particular property owner for special treatment that is inconsistent with planning goals. A town-wide, use-based moratorium on jails does neither of those things.

It is not geographic.

It is not owner-specific.

And it is not permanent.

It applies uniformly to a specific land use, across the Town, while the Town determines how, or whether, that use should be regulated going forward.

That is not spot zoning. That is prudent, defensible planning.

I've also heard the concern that because jails currently fall under the broader category of "Public Use," the Town would have to impose a moratorium on all Public Use applications, and that this would be too disruptive.

But jails are not interchangeable with libraries, parks, town facilities, or other civic buildings. Jails raise unique issues: incarceration, security infrastructure, intergovernmental control, transportation of detainees, and long-term community impacts.

Treating jails differently is not arbitrary; it is rational.

And importantly, a moratorium is not permanent zoning. Courts give municipalities broad latitude to temporarily pause specific land uses when they are actively studying how those uses should be defined and regulated.

In fact, the absence of a jail definition in the ordinance is not a reason to avoid a moratorium; it is the reason one is justified.

Without a moratorium, the Town is effectively saying: "We know the rules are unclear, but we're going to keep approving applications anyway and hope the fixes come in time."

That is not the middle of the road. That is a legal risk.

This proposed moratorium would be narrowly tailored. It would not freeze all development. It would not interfere with ordinary government functions. It would simply preserve the status quo while the Town does the careful, deliberate work it has already said needs to be done.

At its core, this is about good governance.

It's about ensuring that decisions with permanent consequences are made with:

- clear definitions,
- meaningful standards,
- and full public participation.

As a resident of this Town, I urge the Board to pair its zoning review with a moratorium, so that the review process is not undermined before it even begins.

Thank you for your time and your service to our community.

GLENN

Good Evening. My name is Glenn Wootres. I am coming to you tonight as both a resident of Plattsburgh and a proud member of this community. I am here to emphasize community support of a Land Use Moratorium to this board.

Before diving into my concerns and requests of the board, I think it's prudent to recap the events that have led us here for all of those in attendance seeking clarity.

Late last year the development plan for a Department of Homeland Security, DHS, Homeland Security Investigations, HSI, temporary holding and investigation facility was approved by the Town Planning Board. This approval was made in stark opposition to the explicit desire of the community.

During these meetings, it was made clear to the community that the HSI facility was approved, at least in part, due to deficiencies within our town's zoning ordinance. Specifically the definition of a jail.

More recently this board was addressed regarding the aforementioned deficiency and elected to begin a study of the Public Use zoning.

I echo Patricia in saying that I agree this is a necessary step. However, this leaves the town vulnerable to further developments that, like the HSI facility, can be detrimental to general public welfare.

Although I agree with Patricia and believe a moratorium is necessary, I can empathise with the board's current position.

I understand the reason for hesitation on a jail specific moratorium is of a legal nature. The specificity of the moratorium, given the recent application and community opposition, could be interpreted as targeted discrimination against the building permit applicant.

Unfortunately, I recognize this hesitation as valid if not still disappointing.

I am no lawyer. However, my career has demanded a significant, and oftentimes unyielding, amount of technical debate surrounding regulatory and industry standard interpretation. In these debates it has been made abundantly clear that perception of intent weighs heavily on the outcome of the discussion.

In the event of a lawsuit regarding a jail specific moratorium, this simple perception of discrimination could impact the odds of success for the town.

With that in mind, I would ask the board to seriously consider a Land Use Moratorium on all Public Land Designations for the duration of the Public Use zoning study. This would temporarily prohibit any new development approval until the already identified jail deficiency and any other deficiencies that may have been previously missed are addressed.

The understandable concern with this approach is that no new developments or expansions of public use property could commence for 6-12 months. This could have a notable impact to the community or no impact to the community at all depending on projects considered but not submitted yet.

I ask the board to review any considered but not submitted public use projects for the next year in order to understand the full scope of what projects the town would have to temporarily delay if a moratorium was adopted. Furthermore, I ask that the board make its findings public so that the community can enter a dialog with the board on an informed decision of delaying community projects.

I would posit that any project that does not address an immediate and significant insufficiency in the community does not rise to the same level of urgency as correcting the known zoning deficiencies now.

In addition, this option gives the town a strong footing to defend itself from any potential perception of discrimination.

Although the catalyst for a moratorium was the approval of the HSI facility in vehement rejection by the community. This corrective action is clearly targeted towards the deficiencies it revealed and not any specific development project.

As Patricia mentioned earlier, a Moratorium is simply a means to preserve the status quo while a deficiency or suspected deficiency is addressed.

As stated in the Land Use Moratoria, Local Government Technical Series provided by the New York Department of State;

“A land use moratorium is a local enactment which temporarily suspends a landowner’s right to obtain development approvals while the community considers and potentially adopts changes to its comprehensive plan and/or its land use regulations to address new circumstances not addressed by its current laws.”

“The enactment of temporary restrictions on development has been held to be a valid exercise of the police power where the restrictions are reasonable and related to public health, safety or general welfare.”

I would submit to the board that a new circumstance that is not addressed by current law has been revealed by the approval of a facility the community views to be in opposition of its general welfare and, given recent national events, its safety.

It is in my humble opinion that the town can survive one year without a new project while maintaining its public properties in order to properly identify and correct these concerning deficiencies within the comprehensive development plan or local laws.

I will reiterate that I and this community are in support of a moratorium at this time and are willing to work with the board to determine and accept the sacrifices necessary, or lack thereof, to see one passed.

I am aware these discussions are difficult but necessary and I hope we can continue working together to find a satisfactory solution for all parties.

Thank you for your time and consideration in this matter.

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-042

Abstract 2A-26

RESOLVED, that the abstract of audited claims **No. 2A-26** for 2025 in the amount of \$355,929.66, **Abstract 2A-26** prepays for 2025 in the amount of \$798.51 and **No. 2A-26** for 2026 in the amount of \$974,783.20, **Abstract 2A-26** prepays for 2026 in the amount of \$2,971,727.49 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

Motion: Mr. Bosley

Seconded by: Ms. Isabella

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				YES	
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				



**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-043

**Request to Purchase One Bobcat
Compact Track Loader for the
Parks and Recreation Department**

WHEREAS, the Town of Plattsburgh Youth Services and Recreation Director, Erin Pangborn, has requested authorization to purchase a new Bobcat Compact Track Loader to replace existing outgrown equipment; and

WHEREAS, in addition to the Compact Track Loader, Ms. Pangborn has requested the purchase of a Brushcat attachment in order to better assist the Parks and Recreation staff in maintaining Town parks more efficiently; and

WHEREAS, Ms. Pangborn has received a quote through Bobcat of Plattsburgh, Plattsburgh, NY, for one (1) T66 T4 Bobcat Compact Track Loader, with Brushcat attachment, the total cost is \$79,058.26; therefore, be it

RESOLVED, that the Town Board hereby authorizes Ms. Pangborn to purchase said Bobcat Compact Track Loader and Brushcat attachment, and that payment for said purchase shall be made payable from the 2026 Park Equipment and Capital Outlay Account #AAA.1620.2000.1000; and be it further

RESOLVED, that a copy of this resolution be given to Ms. Pangborn and a copy be given to the Finance Manager.

Motion: Mr. Wood

Seconded by: Ms. Kelting

Discussion: Mr. Kostyk – Provided a brief explanation.

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-044

**Request for Maintenance of the Pickleball Courts and
Basketball Court at West Plattsburgh Recreation Park**

WHEREAS, the Parks and Recreation Department is responsible for the maintenance of sports courts within the Town of Plattsburgh; and

WHEREAS, in order to maintain the value and usability of our Town Pickleball and Basketball courts, the Department must perform routine maintenance in accordance with an established maintenance schedule; and

WHEREAS, Erin Pangborn, the Youth Services and Recreation Director, has submitted a request to repair and seal the Pickleball courts and to coat and stripe the basketball court at the West Plattsburgh Recreation Park; and

WHEREAS, Ms. Pangborn has solicited quotes from multiple companies and received one response from Advantage Tennis for the proposed work; now, therefore be it

RESOLVED, that the Town Board hereby authorizes the maintenance of the pickleball courts and basketball court at West Plattsburgh Recreation Park in an amount not to exceed \$18,000, with payment to be made from the 2026 Park Field Maintenance Account A1620.4116; and, it is further

RESOLVED, that a copy of this resolution be given to Ms. Pangborn and a copy be given to the Finance Manager.

Motion: Ms. Kelting

Seconded by: Mr. Wood

Discussion: None

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			YES	

Thomas E. Wood	X
Dana M. Isabella	X
Daniel A. Bosely	X
Ilona M. Kelting	X
Charles A. Kostyk	X



**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-045

**Continuation of Lease Agreement for
Automate Sports Field Line Striping Machine**

WHEREAS, Erin Pangborn, Youth and Recreation Services Director, has requested the Town continue its lease agreement with Turf Tank for an automated sports field line striping machine; and

WHEREAS, the original lease agreement was entered into for a three (3) year term, and the Town is entering the final year of said agreement; and

WHEREAS, the lease term for this final year will be for one (1) year at a cost of \$10,996.00, which includes 180 gallons of striping paint; therefore, be it

RESOLVED, that the Town Board hereby authorizes the continuation of the lease agreement with Turf Tank for the automated sports field line striping machine for the final year of the three-year agreement; and, be it further

RESOLVED, that a copy of this resolution be given to Ms. Pangborn and a copy be given to the Finance Manager.

Motion: Ms. Isabella

Seconded by: Ms. Kelting

Discussion: Mr. Bosley – Parks and Rec do an amazing job. I encourage everyone to stop by a town park and see how well taken care of they are. Kudos to Erin and her team.

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
			YES	

Thomas E. Wood	X
Dana M. Isabella	X
Daniel A. Bosely	X
Ilona M. Kelting	X
Charles A. Kostyk	X



**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-046

**Request to Advertise for Bids for Used Boom Mower
for Town of Plattsburgh Highway Department**

WHEREAS, the Town of Plattsburgh Highway Department has identified the need to acquire a used boom mower to support departmental operations; and

WHEREAS, Greg Burnell, Highway Superintendent, has provided the attached list specifications for the requested used boom mower, to include that the mower must be a 2017 John Deere 6120E 4wd Cab tractor, and is requesting to solicit bids; now, therefore, be it

RESOLVED, that the Town Clerk is hereby authorized to advertise for one (1) used boom mower purchase, and that said advertisement shall be placed on the Town Website and the Town Clerk's Bulletin Board; and it is further

RESOLVED, that all sealed bids must be received at the Town of Plattsburgh Town Clerk's Office, located at 151 Banker Road, Plattsburgh, NY 12901, no later than 10:00 AM on Monday, March 9, 2026, at which time and place said bids will be publicly opened and read; and, it is further

RESOLVED, that the Town of Plattsburgh Town Board reserves the right to reject any or all bids offered; and be it further

RESOLVED, that a certified copy of this Resolution be given to the Town Clerk, the Highway Department, and the Finance Manager.

Motion: Mr. Wood

Seconded by: Ms. Isabella

Discussion: Ms. Isabella – We have been renting this equipment for some time. We are limited to using it during the rental period and it is expensive. Financially it is more responsible to own which will also provide us more opportunities to use the needed equipment.

Yes No Absent Carried Tabled

YES

Thomas E. Wood	X
Dana M. Isabella	X
Daniel A. Bosely	X
Ilona M. Kelting	X
Charles A. Kostyk	X





TOWN OF PLATTSBURGH

HIGHWAY DEPARTMENT

151 BANKER ROAD
PLATTSBURGH, NY 12901-7307

WWW.TOWNOFPLATTSBURGH.COM
DEPT. LINE: (518)-562-6880
FAX: (518)-563-8396
TDD: (800)-662-1220

HIGHWAY SUPERINTENDENT
GREG BURNELL

DEP. HIGHWAY SUPERINTENDENT
JASON COOK

HIGHWAY SECRETARY
KAREN PROVOST

January 27, 2026

To: Chuck Kostyk &
Town Board Members

Re: used boom mower

I am requesting a resolution to advertise for bids to purchase a used boom mower for the Highway Department. The mower must be a 2017 John Deere 6120E 4wd Cab tractor as per the attached specifications. Payment will come from the Highway Budget Account #DAA.5130.2000.0000. If you have any questions, please let me know.

Sincerely,

Greg Burnell
Highway Superintendent

Used Boom Mower Bidders Specifications

2017 John Deere 6120E 4wd Cab tractor

Less than 3,100 hours

24F/12R power reverser transmission

Dual rear SCV's

Rotating safety beacon

Telescopic draft links

Sway bar

Mechanical suspension seat

Front tires: 340/85R 24

Rear tires: 460/85R 34

Left rear tire loaded with liquid ballast

Lexan safety glass on right door and side panel

Equipped with a 22ft Diamond mid-mount boom mower – no exceptions

Rear cradle stowage

Electronic/hydraulic lock for boom transport

Hydraulic actuator for 180 degree boom swing – no exceptions

The use of a hydraulic cylinder for boom swing is not acceptable.

Tractor engine driven hydraulic system to operate the boom and the rotary mowing head to include an auxiliary oil cooler, electric cooling fan, pump and grill guard

Hydraulic reservoir to be mounted at the left rear of the tractor

4-function proportional joystick controls for boom and mowing head functions

50" rotary mowing head equipped with (3) swing blades – no exceptions

Fixed mowing blade heads will not be accepted

Include a wheel weight to be mounted on the left rear rim

Any exceptions to these specifications must be noted on a separate document.

Note: The Town reserves the right to reject any and all bids and act in such way that it is deemed to be the most advantageous to the Town and its citizens.

The Town reserves the right to inspect the tractor that is bid for compliance.

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-047

**Setting a Public Hearing for Local Law No. 1 of 2026
a Local Law Providing for the Administration and
Enforcement of the New York State Uniform Fire
Prevention and Building Code**

WHEREAS, proposed Local Law No. 1 of 2026 would provide a Local Law providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, due consideration has been given to the adoption of Proposed Local Law No. 1 of 2026 by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 19th day of February 2026 at 6:05 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, to consider the adoption of Proposed Local Law No. 1 of 2026;

NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 19th day of February 2026 at 6:05 P.M., at the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York, on the question of the enactment of Proposed Local Law No. 1 of 2026; and be it further

RESOLVED, that a Notice of Hearing on Proposed Local Law No. 1 of 2026 shall be published in the Press Republican not less than five (5) days prior to that hearing; and be it further

RESOLVED, pursuant to Part 617 of the implementing regulations to Article 8 (State Environmental Quality Review Act) (“SEQR”), the Town of Plattsburgh Town Board shall determine whether adoption of the proposed Local Law would have a significant effect upon the environment; and be it

RESOLVED, that the Town Clerk shall post that Notice on the bulletin board maintained by the Town Clerk pursuant to Town Law 30(6), and on the Town of Plattsburgh web site, for a period of not less than five (5) days prior to that public hearing.

Motion: Mr. Bosley

Seconded by: Ms. Kelting

Discussion: Mr. Kostyk – This is something we do every five years. We set a public hearing so that the public receives an opportunity to review this important information.

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
				YES	
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				

LOCAL LAW NO. 1 OF THE YEAR 2026
A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT
OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction code (the Energy Code) in the Town of Plattsburgh. This local law is adopted pursuant to Section 10 of the Municipal Home Rule law. Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other section of this local law, all buildings, structures and premises, regardless of use or occupancy, are subject to the provisions of this local law.

SECTION 2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

"Assembly Area" shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including but not limited to, amusement, athletic, entertainment, social, or other recreational functions, patriotic, political, civic, educational, or religious functions; food or drink consumption, awaiting transportation; or similar purposes.

"Building Permit" shall mean a permit issued pursuant to Section 4 of this local law. "Building Permit" shall mean a building permit, construction permit, demolition permit, or other permit that authorized the performance of work. The term 'Building Permit' shall also include a Building permit which is renewed, amended, or extended pursuant to any provision of this local law.

'Certificate of Compliance" shall mean a document issued by the Town stating that work was done in compliance with approved construction documents and the Codes.

"Certificate of Occupancy" shall mean a document issued by the Town certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

"Code Enforcement Personnel" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Codes" shall mean the uniform Code and Energy Code.

"Energy Code" shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

"FCNYS" shall mean the current applicable Fire Code of New York State as currently incorporated by reference in 19 New York Codes, Rules, and Regulations.

'Fire Safety and Property Maintenance Inspection" shall mean an inspection performed to determine compliance with the applicable provisions of 19 New York Codes, Rules, and Regulations and the publications incorporated therein by reference and the applicable provisions of 19 New York Codes, Rules, and Regulations and the publications incorporated therein by reference.

"Hazardous Production Materials" shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard

- c. to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections, inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;
 - d. to issue Stop Work Orders;
 - e. to review and investigate complaints;
 - f. to issue orders pursuant to subdivision)a) of Section 17 (Violations) of this local law;
 - g. to maintain records;
 - h. to collect fees as set by the Town Board of this Town;
 - i. to pursue administrative enforcement actions and proceedings;
 - j. in consultation with this Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and
 - k. to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Office by this local law.
- B. The Code Enforcement Officer shall be appointed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.
- D. One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist to the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- E. The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board of this Town.

SECTION 4. BUILDING PERMITS.

- A. Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town.

- i. inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
 - j. installation, connection, and assembly of factor manufactured buildings and manufactured homes; and
 - k. a final inspection after all work authorized by the Building Permit has been completed.
- C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.
- E. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

- A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
- a. any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - b. any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - c. any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.
- B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor,

- d. if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- e. the use and occupancy classification of the structure;
- f. the type of construction of the structure;
- g. the occupant load of the assembly areas in the structure, if any;
- h. any special conditions imposed in connection with the issuance of the Building Permit; and
- i. the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

SECTION 9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIOS OF IMMINENT DANGER.

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established by Local Law Number 1 of the year 1983, as now in effect or as hereafter amended from time to time.

SECTION 10. OPERATING PERMITS.

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

- e. outdoor events where the planned attendance exceeds 1,000 persons;
- f. facilities that store, handle or use hazardous production materials;
- g. parking garages as defined in subdivision (a) of section 13 of this local law;
- h. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the **Town Board** of this **Town**; and
- i. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the **Town Board** of this **Town**.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (A) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

- B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- C. Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (a) through (g) of subdivision (A) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 11 (Fire Safety and Property Maintenance Inspections) of this local law, and condition assessments are performed in compliance with section 13 (Condition Assessments of Parking Garages) of this local law, as applicable.
- D. Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the **Town** sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.
- E. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (A) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.
- F. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:
 - a. 180 days for tents, special event structures, and other membrane structures;

- c. receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

Provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

- D. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section.

SECTION 12. COMPLAINTS.

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance, or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- a. performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- b. if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;
- c. if appropriate, issuing a Stop Work Order;
- d. if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

A. Definitions. For the purposes of this section:

- a. the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
- b. the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;
- c. the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:
 - i. buildings in which the only level used for parking or storage of motor vehicles is on grade;
 - ii. an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
 - iii. a townhouse unit with attached parking exclusively for such unit;

professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (C) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

- b. If the **Town** becomes aware of any new or increased deterioration which, in the judgment of the **Town**, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (C) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the **Town** to be appropriate.
- F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the **Town** within thirty (30) days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:
- a. an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
 - b. an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
 - c. an evaluation and description of the unsafe conditions;
 - d. an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
 - e. an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
 - f. an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
 - g. the responsible professional engineer's recommendation regarding preventative maintenance;
 - h. except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
 - i. the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

iii. related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (A) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 15. RECORD KEEPING.

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- a. all applications received, reviewed and approved or denied;
- b. all plans, specifications and construction documents approved;
- c. all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- d. all inspections and tests performed;
- e. all statements and reports issued;
- f. all complaints received;
- g. all investigations conducted;
- h. all condition assessment reports received;
- i. all fees charged and collected; and
- j. all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 16. PROGRAM REVIEW AND REPORTING.

A. The Code Enforcement Officer shall annually submit to **Town Board** of this **Town** a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this **Town**, on a form prescribed by the Secretary of State, a report of the activities of this **Town** relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this **Town** is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 17. VIOLATIONS.

Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this **Town**, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the **Town Board** of this **Town**.

- E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 18. FEES.

A fee schedule shall be established by resolution of the **Town Board** of this **Town**. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 19. INTERMUNICIPAL AGREEMENTS.

The **Town Board** of this **Town** may, by resolution, authorize the *Supervisor* of this **Town** to enter into an agreement, in the name of this **Town**, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 20. PARTIAL INVALIDITY.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 21. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-048

Purchase of Water Reading Meters

WHEREAS, Resolution 09-296 authorized the standardization of water reading meters to be Neptune Water Meters, and

WHEREAS, Neptune Technology Group has submitted documentation stating Ti Sales Inc. is the authorized Level I certified distributor for Neptune and is the exclusive supplier of Neptune products in the Upstate New York market area; and

WHEREAS, Ti Sales Inc. as the authorized Level I certified distributor for Neptune and the exclusive supplier of Neptune products in the Upstate New York market area has submitted price quotations for the year 2026; therefore, be it

RESOLVED, the Town Board approve the purchase as requested and that the Water & Wastewater Director is hereby authorized to make incremental purchases not to exceed the total amount of \$50,000.00 in fiscal year 2026; and be it further

RESOLVED, that payment be made payable from the 2026 Water & Wastewater Budget Account # SWC.8340.4170 and that a copy of this Resolution be given to the Water & Wastewater Department and Budget Officer.

Motion: **Mr. Wood**

Seconded by: **Ms. Kelting**

Discussion: **Mr. Kostyk** – This gives the Water Department the authorization to buy water meters throughout the year

Roll Call:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Hona M. Kelting	X				
Charles A. Kostyk	X				



**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-049

**Notice of Public Hearing on Salt Storage
Facility and Immunity from Zoning**

WHEREAS, the Town of Plattsburgh, in partnership with the New York State Department of Health and the NYSDEC, the Town has developed a Drinking Water Source Protection Program for the purposes of studying, understanding, and preserving the Town's drinking water resources; and

WHEREAS, the Town has utilized the services of Hanson Van Vleet, Hydrogeologic Consultants, LLC to produce a hydrogeologic investigation for the purposes of determining the most suitable location for highway salt storage within the Town; and

WHEREAS, the Town Highway Department has been awarded a \$268,968.00 grant through the NYSDEC Water Quality Improvement Program for the purposes of constructing a covered highway salt storage facility; and

WHEREAS, of the two primary locations identified in the Hanson Van Vleet study as ideal for the placement of a covered salt storage facility, the Town has selected a portion of the former Clinton County Airport as most desirable for its centralized location within the service area and for its potential shared services opportunities with the landowner, Clinton County; and

WHEREAS, the proposed location was also selected for its location outside of the Town's primary aquifer area and the limited potential for negative impacts upon it; and

WHEREAS, Clinton County has signed an affidavit and duly authorized the Town of Plattsburgh to pursue an approximately 3-acre subdivision of tax parcel 220.-1-3.1-1 (former Clinton County Airport) located on Fairgrounds Road for the purposes of siting a covered highway salt storage facility; and

WHEREAS, the Town of Plattsburgh's Town Board has determined that the Salt Storage Facility Subdivision and Site Plan collectively are an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA"). Even if the Site Plan and Subdivisions were deemed to be a Type 1 Action pursuant to SEQRA, no potential Involved Agencies under SEQRA were identified so the Town Board would have served by default as Lead Agency for review of that Type 1 action;

NOW, THEREFORE, BE IT RESOLVED, the Town Board acknowledges receipt of the proposed Salt Storage Facility Site Plan and Subdivision, Draft Immunity from Zoning Resolution and Rationale, the accompanying Full EAF part 1, and after review of same finds that the best interests of the community would be served by holding a public hearing to discuss the same; and be it further



RESOLVED, that the Town Clerk is hereby authorized and directed to cause notice of a public hearing on the proposed Salt Storage Facility Site Plan, Subdivision, and Immunity from Zoning Resolution to be published in the Press Republican, in accordance with Town Law; and it is further

RESOLVED, that a public hearing be held on February 19, 2026 at 6:10 p.m. for the purpose of hearing all persons for and against this action to be held at Town of Plattsburgh Town Hall Offices, 151 Banker Road, Plattsburgh, New York 12901; and be it further

RESOLVED, that a copy of this resolution be provided to the Town Clerk, Planning and Community Development Department, and Highway Superintendent.

Motion: Ms. Isabella

Seconded by: Mr. Wood

Discussion: Mr. Kostyk – The Town is not required to do a public hearing, but we think it is important to allow residents within 500 feet of the project site to voice their opinions and concerns. The Town will meet with County officials tomorrow to continue the discussion on this project. Ms. Isabella – Technically this is called a Salt Containment Facility which will protect the environment including preventing ground water contamination.

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				



January 20, 2026

Town of Plattsburgh
Zoning Board of Appeals
151 Banker Road
Plattsburgh, NY 12901

Re: Use Variance Rationale – Public Building/Use - Tax parcel 220.-1-3.1-1

Honorable Members of the Zoning Board of Appeals,

The Town of Plattsburgh Highway Department is requesting authorization to construct a salt containment structure on lands of the former Clinton County Airport. The structure is considered a Public Building/Use which is not currently a permitted in the Medium Density Residential (MDR) district where it is proposed. The Highway Department has been awarded a grant through the NYSDEC Water Quality Improvement Program for the purposes of covering it's stored salt and improving water quality. The Highway Department requests the variance for this specific location because it offers a centralized location for seasonal salt storage and application. More importantly, it is one of two locations specifically identified in a Hydrogeologic Investigation performed by Hanson Van Vleet, Hydrogeologic Consultants, LLC that would be ideal for municipal salt storage given it's unlikely potential for negative impacts on the Town's drinking water sources. The other potential location is at Jennings Road in Cadyville, however; that location is more remote, less centralized, and poses potential environmental challenges due to the presence of a closed landfill. For these reasons the Highway Department has chosen to pursue development at the former airport. The Clinton County Legislature has demonstrated a willingness to cooperate with the development and authorized the Town to proceed with the application. Although the Town proposes to exercise immunity from zoning to construct this important public infrastructure, the following rationale for the issuance of variances by the Town Board is provided herein:

Use Variance Criteria Article XV, Section 15.3 C.

- 1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;***

It should first be noted that in this instance, the applicant and the property owner are both local government entities seeking to conduct a public operation in service to the general

public. No specified return on investment is being pursued other than inherent benefits to taxpayers through the application of shared services to deliver an essential government function (winter road maintenance and water protection). However, in an effort to address the criteria for the issuance of a use variance, the following facts are acknowledged: The portion of the subject property proposed for the salt shed location is Zoned MDR. The following uses are allowed in the MDR District: Condominium, Multifamily Dwelling, Townhouse, Agricultural Structure, Child Day Care Center, Educational Institution, Place of Worship, Solar (Rooftop & Building Integrated). The balance of the property has been for sale by the owner, Clinton County and actively marketed by the IDA for at least 5 years. It is primarily zoned SD and LC with smaller portions of T6, MDR, R1 and NC. To date, development on the property has been located only in the portions zoned SD. These developments include Norsk Titanium, Monaghan Medical, TDC, and CVTEC/BOCES (which does include childcare). A Multifamily housing development was proposed on a portion of property zoned MDR on the Rugar Street extension. Of the available land the County had to offer, the Developer, Regan Development, cited proximity to public water, sewer, and a public road (as well as other local supporting services) as reasons they chose the Rugar parcel and not the MDR property where the salt shed is proposed. The proposed salt shed location is not fronted on a public road and is not currently served with public water and sewer mains along Fairgrounds Road, making residential development more difficult and expensive. The proposed Salt Shed will not use public water nor sewer. The limited scope and scale of the salt shed, and that it doesn't use public utilities, makes it an ideal use and land transaction for the property owner and applicant. The Town and Clinton County Fairgrounds (leased from the County) currently operate under shared services agreements wherein the Town maintains Fairgrounds Road in the winter in exchange for using fairgrounds buildings for equipment storage. Again, this demonstrates an ongoing fiscal benefit to taxpayers by cooperation between government entities.

2. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

Of the approximately 44 square mile Town of Plattsburgh, MDR zoned land accounts for only 167 +/- acres (less than 1%). It is also unique that the property is owned by Clinton County, and was previously an Airport. This parcel was also one of two locations identified in the Hanson Van Vleet Investigation dated December 2, 2024 that was ideal for salt storage based upon the unlikely potential for drinking water contamination. The location, special circumstances, and opportunities presented by this location are unique and do not apply to substantial portions of the district or neighborhood.

3. The requested use variance, if granted, will not alter the essential character of the neighborhood; and

The subject parcel was previously an airport. Although the airport has been relocated for more than a decade, the property has slowly been redeveloped with primarily industrial uses. The location of the proposed salt shed is directly across Fairgrounds Road from the National Guard's approximately 20,000 sf building. The site is also located along the entrance to the Clinton County Fairgrounds, the site of not only the fair, but also public events throughout the year. Although, the salt storage building would be located behind residences on Rte 22, there are existing mature trees and new trees proposed that would provide a visual buffer. The use is also seasonal in nature, with anticipated maximum truck visitation of 5 per day during winter operation, and none when the weather permits safe road conditions. Further, there is no proposed outdoor yard lighting that would disturb adjacent properties. Any lighting will be inside the structure and/or fully shielded, downward facing. The requested use variance, if granted, will not alter the essential character of the neighborhood.

4. The alleged hardship has not been self-created.

Beginning in late 2024, the Town of Plattsburgh in partnership with the New York State Department of Health (NYSDOH) and the New York State Department of Environmental Conservation (NYSDEC) began research and development of the Town Drinking Water Source Protection Plan. This Plan identified the locations and mapped the aquifers that supply the Town's various public water supply wells. This study also identified potential contamination sources throughout the Town, including road salt. The plan recommended protecting stored salt from precipitation to avoid runoff and storing it away from Town wells and over primary aquifers. A subsequent study by Hanson Van Vleet, Hydrogeologic Consultants, LLC identifies the proposed location as one of two ideal locations for salt storage. The subject parcel has been selected as the most ideal due to its central location in Town and proximity to the Town Highway Garage. The proposed use is intended to protect public health and safety and the alleged hardship has not been self-created.

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

Resolution No. 026-050

December 2025 Budget Amendment

WHEREAS, the Town may need to amend the 2025 budget to reflect changes in revenues and expenditures during the year; and

WHEREAS, the budget amendments will be offset from existing fund balance or additional revenues; therefore, be it

RESOLVED, that the Town Board of the Town of Plattsburgh authorize the following budget amendment as attached:

and be it further

RESOLVED, that a copy of this Resolution be given to the Finance Manager.

Motion: Mr. Wood

Seconded by: Mr. Bosley

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosely	X				
Ilona M. Kelting	X				
Charles A. Kostyk	X				





Plattsburgh, NY

Budget Adjustment Register

Adjustment Detail

Packet: GLPKT15439 - Budget Adjustments for Abstract #2A for Year 2025

Adjustment Number **Budget Code** **Description** **Adjustment Date**
 BA0023073 Adopted 2025 Budget Budget Adjustments for Abstract #2A for Year 2025 12/31/2025

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
<u>AAA.1355.4710.0000</u>	LEGAL CONSULTATION	Budget Adjustments for Abstract #2A for Year	51,100.00	-6,200.00	44,900.00
January: -516.67	April: -516.67	July: -516.67	October: -516.67		
February: -516.67	May: -516.67	August: -516.67	November: -516.67		
March: -516.67	June: -516.67	September: -516.67	December: -516.67		
<u>AAA.1355.8500.0000</u>	HOSP MED INS	Budget Adjustments for Abstract #2A for Year	2,300.00	6,200.00	8,500.00
January: 516.67	April: 516.67	July: 516.67	October: 516.67		
February: 516.67	May: 516.67	August: 516.67	November: 516.67		
March: 516.67	June: 516.67	September: 516.67	December: 516.67		
<u>AAA.1610.4130.0000</u>	POSTAGE	Budget Adjustments for Abstract #2A for Year	2,500.00	-100.00	2,400.00
January: -8.33	April: -8.33	July: -8.33	October: -8.33		
February: -8.33	May: -8.33	August: -8.33	November: -8.33		
March: -8.33	June: -8.33	September: -8.33	December: -8.37		
<u>AAA.1610.4200.0000</u>	ELECTRICITY	Budget Adjustments for Abstract #2A for Year	1,400.00	100.00	1,500.00
January: 8.33	April: 8.33	July: 8.33	October: 8.33		
February: 8.33	May: 8.33	August: 8.33	November: 8.33		
March: 8.33	June: 8.33	September: 8.33	December: 8.37		
<u>AAA.1620.4200.0000</u>	ELEC.&HEAT, TN.HALL	Budget Adjustments for Abstract #2A for Year	40,000.00	5,000.00	45,000.00
January: 416.67	April: 416.67	July: 416.67	October: 416.67		
February: 416.67	May: 416.67	August: 416.67	November: 416.67		
March: 416.67	June: 416.67	September: 416.67	December: 416.63		
<u>AAA.1620.4200.1000</u>	PARK ELECTRICITY	Budget Adjustments for Abstract #2A for Year	21,000.00	-5,000.00	16,000.00
January: -416.67	April: -416.67	July: -416.67	October: -416.67		
February: -416.67	May: -416.67	August: -416.67	November: -416.67		
March: -416.67	June: -416.67	September: -416.67	December: -416.63		
<u>AAA.8030.4000.0000</u>	GENERAL RESEARCH	Budget Adjustments for Abstract #2A for Year	86,300.00	-1,000.00	85,300.00
January: -83.33	April: -83.33	July: -83.33	October: -83.33		
February: -83.33	May: -83.33	August: -83.33	November: -83.33		
March: -83.33	June: -83.33	September: -83.33	December: -83.37		
<u>AAA.8810.4000.0000</u>	CONTRACTUAL EXPENDITURE	Budget Adjustments for Abstract #2A for Year	21,200.00	1,000.00	22,200.00
January: 83.33	April: 83.33	July: 83.33	October: 83.33		
February: 83.33	May: 83.33	August: 83.33	November: 83.33		
March: 83.33	June: 83.33	September: 83.33	December: 83.37		
<u>DAA.5130.2000.0000</u>	EQUIP. & CAP. OUTLAY	Budget Adjustments for Abstract #2A for Year	786,000.00	50,000.00	836,000.00
January: 4,166.67	April: 4,166.67	July: 4,166.67	October: 4,166.67		
February: 4,166.67	May: 4,166.67	August: 4,166.67	November: 4,166.67		
March: 4,166.67	June: 4,166.67	September: 4,166.67	December: 4,166.63		
<u>DAA.5130.4400.0000</u>	MISC. SUPPLIES	Budget Adjustments for Abstract #2A for Year	5,000.00	-250.00	4,750.00
January: -20.83	April: -20.83	July: -20.83	October: -20.83		
February: -20.83	May: -20.83	August: -20.83	November: -20.83		
March: -20.83	June: -20.83	September: -20.83	December: -20.87		
<u>DAA.5130.4700.0000</u>	CLEANING SUPPLIES	Budget Adjustments for Abstract #2A for Year	3,000.00	250.00	3,250.00
January: 20.83	April: 20.83	July: 20.83	October: 20.83		
February: 20.83	May: 20.83	August: 20.83	November: 20.83		
March: 20.83	June: 20.83	September: 20.83	December: 20.87		
<u>DAA.5148.4200.0000</u>	SALT	Budget Adjustments for Abstract #2A for Year	100,182.38	-50,000.00	50,182.38
January: -4,166.67	March: -4,166.67	May: -4,166.67	July: -4,166.67		
February: -4,166.67	April: -4,166.67	June: -4,166.67	August: -4,166.67		

Fund Summary

Fund	Before	Adjustment	After
Budget Code:2025 - Adopted 2025 Budget Fiscal: 2025			
AAA	225,800.00	0.00	225,800.00
DAA	894,182.38	0.00	894,182.38
WSA	30,000.00	0.00	30,000.00
Budget Code 2025 Total:	1,149,982.38	0.00	1,149,982.38
Grand Total:	1,149,982.38	0.00	1,149,982.38

Budget Code Summary

Budget	Budget Description	Account	Account Description	Before	Adjustment	After
2025	Adopted 2025 Budget	<u>AAA.1355.4710.0000</u>	LEGAL CONSULTATION	51,100.00	-6,200.00	44,900.00
		<u>AAA.1355.8500.0000</u>	HOSP MED INS	2,300.00	6,200.00	8,500.00
		<u>AAA.1610.4130.0000</u>	POSTAGE	2,500.00	-100.00	2,400.00
		<u>AAA.1610.4200.0000</u>	ELECTRICITY	1,400.00	100.00	1,500.00
		<u>AAA.1620.4200.0000</u>	ELEC.&HEAT, TN.HALL	40,000.00	5,000.00	45,000.00
		<u>AAA.1620.4200.1000</u>	PARK ELECTRICITY	21,000.00	-5,000.00	16,000.00
		<u>AAA.8030.4000.0000</u>	GENERAL RESEARCH	86,300.00	-1,000.00	85,300.00
		<u>AAA.8810.4000.0000</u>	CONTRACTUAL EXPENDITURE	21,200.00	1,000.00	22,200.00
		<u>DAA.5130.2000.0000</u>	EQUIP. & CAP. OUTLAY	786,000.00	50,000.00	836,000.00
		<u>DAA.5130.4400.0000</u>	MISC. SUPPLIES	5,000.00	-250.00	4,750.00
		<u>DAA.5130.4700.0000</u>	CLEANING SUPPLIES	3,000.00	250.00	3,250.00
		<u>DAA.5148.4200.0000</u>	SALT	100,182.38	-50,000.00	50,182.38
		<u>WSA.1610.4500.0000</u>	EQUIP. REPAIRS&SERVICE	20,000.00	1,500.00	21,500.00
		<u>WSA.1610.4530.0000</u>	VEHICLES,REP.&SERV.	10,000.00	-1,500.00	8,500.00
			2025 Total:	1,149,982.38	0.00	1,149,982.38
			Grand Total:	1,149,982.38	0.00	1,149,982.38

Budget Adjustment Register

Packet: GLPKT15439 - Budget Adjustments for Abstract #2A for Year 2025

September: -4,166.67	October: -4,166.67	November: -4,166.67	December: -4,166.63
<u>WSA.1610.4500.0000</u>	EQUIP. REPAIRS&SERVICE	Budget Adjustments for Abstract #2A for Year	20,000.00 1,500.00 21,500.00
January: 125.00	April: 125.00	July: 125.00	October: 125.00
February: 125.00	May: 125.00	August: 125.00	November: 125.00
March: 125.00	June: 125.00	September: 125.00	December: 125.00
<u>WSA.1610.4530.0000</u>	VEHICLES,REP.&SERV.	Budget Adjustments for Abstract #2A for Year	10,000.00 -1,500.00 8,500.00
January: -125.00	April: -125.00	July: -125.00	October: -125.00
February: -125.00	May: -125.00	August: -125.00	November: -125.00
March: -125.00	June: -125.00	September: -125.00	December: -125.00

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
February 5, 2026**

RESOLVED, that this Town Board meeting be adjourned at ...6:46... PM.

Motion by: Ms. Isabella

Seconded by: Mr. Wood

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Carried</u> YES
Thomas E. Wood	X		
Dana M. Isabella	X		
Daniel A. Bosley	X		
Ilona M. Kelting	X		
Charles A. Kostyk	X		

TOWN CLERK, TOWN OF PLATTSBURGH

AM White
2-19-26
(AM)