

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 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.

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

**Resolution No. 026-052**

**Accept Minutes of the Previous Meeting**

**RESOLVED**, that the minutes of **January 29, 2026** be accepted, and the reading of the minutes be dispensed with.

**Motion:** Ms. Isabella

**Seconded by:** Mr. Wood

**Discussion:** Mr. Kostyk – Brief explanation regarding public hearings

	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSENT</u></b>	<b><u>CARRIED</u></b>	<b><u>TABLED</u></b>
<b>Thomas E. Wood</b>	<b>X</b>			<b>YES</b>	
<b>Dana M. Isabella</b>	<b>X</b>				
<b>Daniel A. Bosley</b>			<b>X</b>		
<b>Iona M. Kelting</b>	<b>X</b>				
<b>Charles A. Kostyk</b>	<b>X</b>				

**Public Comment** – Mr. Donald Lee representing the organization Trout Unlimited gave a presentation about their efforts to remove dams and install fish ladders in area rivers to increase the population of Atlantic Salmon. There will be a film presentation on March 7, 2026, at SUNY Hudson Hall about this subject. Mr. Lee encourages the public to attend.

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
PUBLIC HEARING  
February 19, 2026**

**NOTICE** is hereby given that the Town of Plattsburgh Town Board will meet and hold public hearings thereon at the Town Hall located on the Banker Road, in the Town of Plattsburgh, Clinton County, New York on Thursday, February 19, 2026 at 6:05 p.m. prevailing time in relation to Proposed 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.

**1. Acceptance of Written Comments into the Record of the Hearing:**

No Written comments received by the Office of the Supervisor or Town Clerk.

**2. Open Public Hearing to the Floor for Public Comment:**

No Public comments were made.

**Motion to OPEN Public Hearing**

Motion by: Mr. Wood  
Seconded by: Ms. Kelting  
Discussion: None

**Motion to CLOSE Public Hearing**

Motion by: Ms. Kelting  
Seconded by: Mr. Wood  
Discussion: None

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

Time: **6:08 PM**

Time: **6:35 PM**

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
PUBLIC HEARING  
February 19, 2026**

**NOTICE** is hereby given that the Town of Plattsburgh Town Board will meet and hold public hearings thereon at the Town Hall located on the Banker Road, in the Town of Plattsburgh, Clinton County, New York on Thursday, February 19, 2026 at 6:10 p.m. prevailing time in relation to the proposed Salt Storage Facility Site Plan, Subdivision, and Immunity from Zoning Resolution and Rationale.

**1. Acceptance of Written Comments into the Record of the Hearing:**

No Written comments received by the Office of the Supervisor or Town Clerk.

**2. Open Public Hearing to the Floor for Public Comment:**

No Public comments were made.

**Motion to OPEN Public Hearing**

Motion by: Mr. Wood

Seconded by: Ms. Isabella

Discussion: None

**Motion to CLOSE Public Hearing**

Motion by: Ms. Kelting

Seconded by: Ms. Isabella

Discussion: None

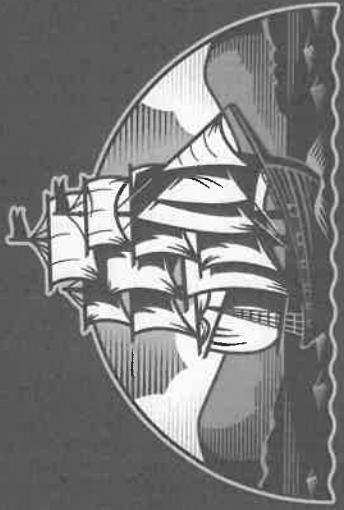
	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
<b>Thomas E. Wood</b>	<b>X</b>		<b>Thomas E. Wood</b>	<b>X</b>	
<b>Dana M. Isabella</b>	<b>X</b>		<b>Dana M. Isabella</b>	<b>X</b>	
<b>Daniel A. Bosley</b>			<b>Daniel A. Bosley</b>		
<b>Ilona M. Kelting</b>	<b>X</b>		<b>Ilona M. Kelting</b>	<b>X</b>	
<b>Charles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

Time: **6:10 PM**

Time: **6:34 PM**

**Public Comment** – Residents (unidentified) from adjoining property made comments against the proposed project. They stated that they walk their grandchildren on the property where the proposed facility would be located. They bought the property in part based on the unobstructed view from their backyard. They are concerned with potential runoff and light pollution.

A presentation was given by the town Planning and Community Development (Trevor Cole and Jessica Kogut), Water and Waste-Water (Scott Stoddard), and Highway (Greg Burnell and Jason Cook) Departments. During the presentation, each town representative addressed the concerns of the adjoining property owner.



TOWN OF  
**PLATTSBURGH**  
NEW YORK

# SALT CONTAINMENT FACILITY

PUBLIC HEARING

WQIP Grant, Drinking Water Protection, Site Plan,  
Subdivision, SEQRA, Immunity from Zoning

# WATER QUALITY IMPROVEMENT PROGRAM GRANT

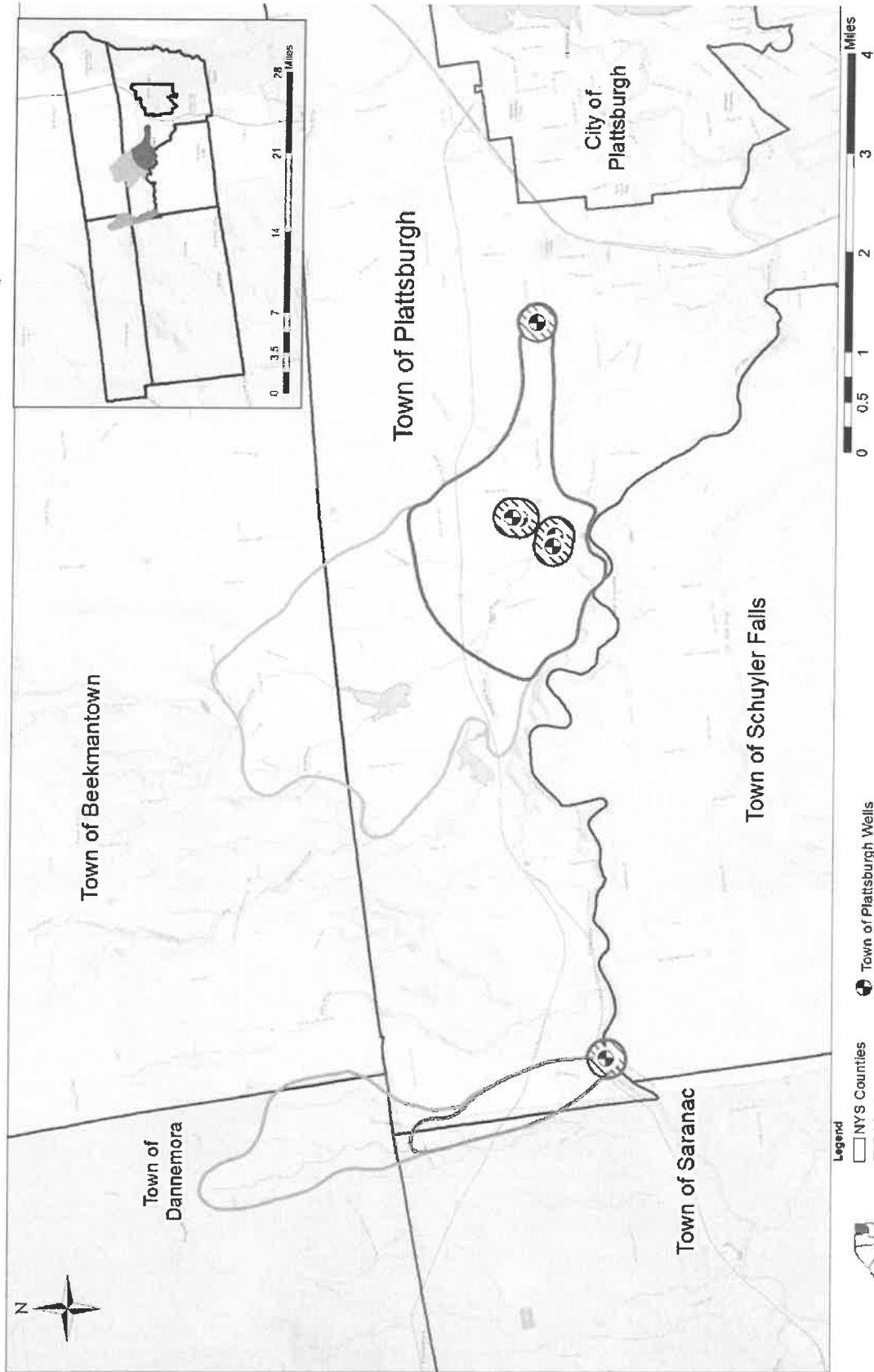
- Awarded in late 2024
- Purpose: Construction of a “salt shed”
- Amount: \$268,968
- Originally proposed at Town Hall
- Town decreasing sand usage
- Town switching more routes to salt-only
- Need covered containment and ease of access
- Currently driving to State Hwy Garage in City= (mileage/fuel, staff time, wear and tear on trucks)

# DRINKING WATER PROTECTION AND STUDY

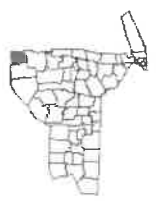


- Town Hall Campus is mostly within the Wellhead Protection Zone
- Town Hall Campus is within the identified boundaries of the drinking water aquifer

# Town of Plattsburgh DWSP2 Overview Map



- Legend**
- NYS Counties
  - Clinton County
  - Municipal Boundary
  - Streams and Rivers
  - Water
  - Town of Plattsburgh Wells
  - Wellhead Protection Overlay District (1,000ft)
  - Cadyville- Critical Area 2 year travel time
  - Cadyville- Extended Source Water Area
  - Plattsburgh- Critical Area 5 year travel time
  - Plattsburgh- Extended Source Water Area



Disclosure: Geographic data represented on this map are based on information from the State of New York Department of Health and other governmental agencies. Such data may contain errors or inaccuracies, and represents a generalized representation of the data. The New York State Department of Health, Bureau of Water Supply Protection GIS. Date: 12/15/2025

**NEW YORK STATE**  
**Department of Health**

# STUDY CTD.

Study identified two suitable locations for Salt Storage to mitigate risk:

1. Jennings Road-Former Town Landfill (not ideal for environmental reasons)
2. Former County Airport/CBIG (area served by public water, close to County Hwy for shared services)



# PROPOSED LOCATION: FAIRGROUNDS ROAD



# PROPOSED LOCATION: FAIRGROUNDS ROAD

## Advantages:

- Proximity to Town Hall (1 mile)
  - Saves time, fuel, wear, emissions (86-89% reduction in diesel, 13-16 mile reduction in trips, 43-55kg reduction in CO2 emissions)
- Proximity to County Highway (less than 1 mile)
  - Shared Services, future needs
- High Traffic, Mixed-Use Neighborhood
  - Decreased likelihood of vandalism
  - Near other commercial businesses (Fair, National Guard)
  - Also provides buffer between homes on 22B and the development of CBIG or the Fair
- County-Owned Lands
  - Work with other government entity rather than private sale
- Overall salt reduction: Salt-Only routes use 75% less salt than the salt and sand mix
- Town already plows Fairgrounds Road

# BUILDING SPECIFICATIONS

Height: ~43ft

Width: 72ft

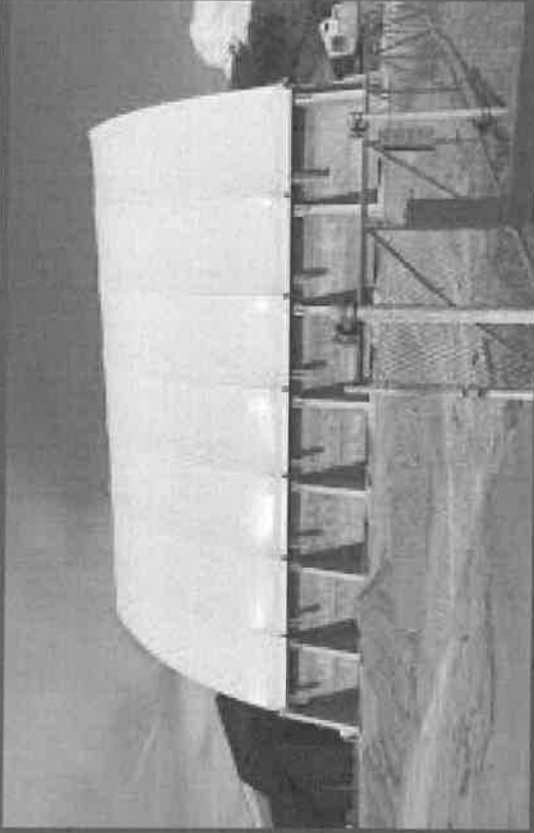
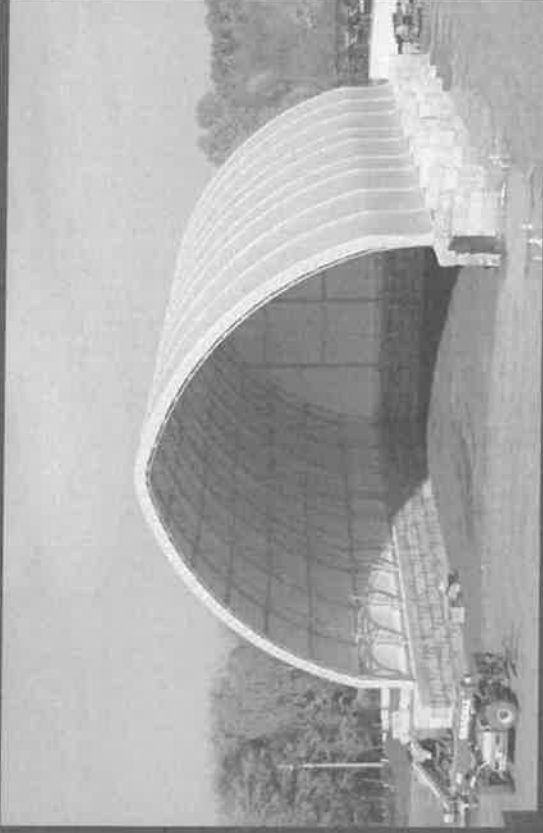
Length: 60ft

9.75' Pre-Cast Concrete Foundation  
Fire Retardant Fabric Cover  
25 Year Warranty

Must face East for our local snow/wind loads

2026 Price: \$331,514.00

Town to cover site work, plumbing,  
electrical, pad, stone, drainage, paving,  
excavation of footers



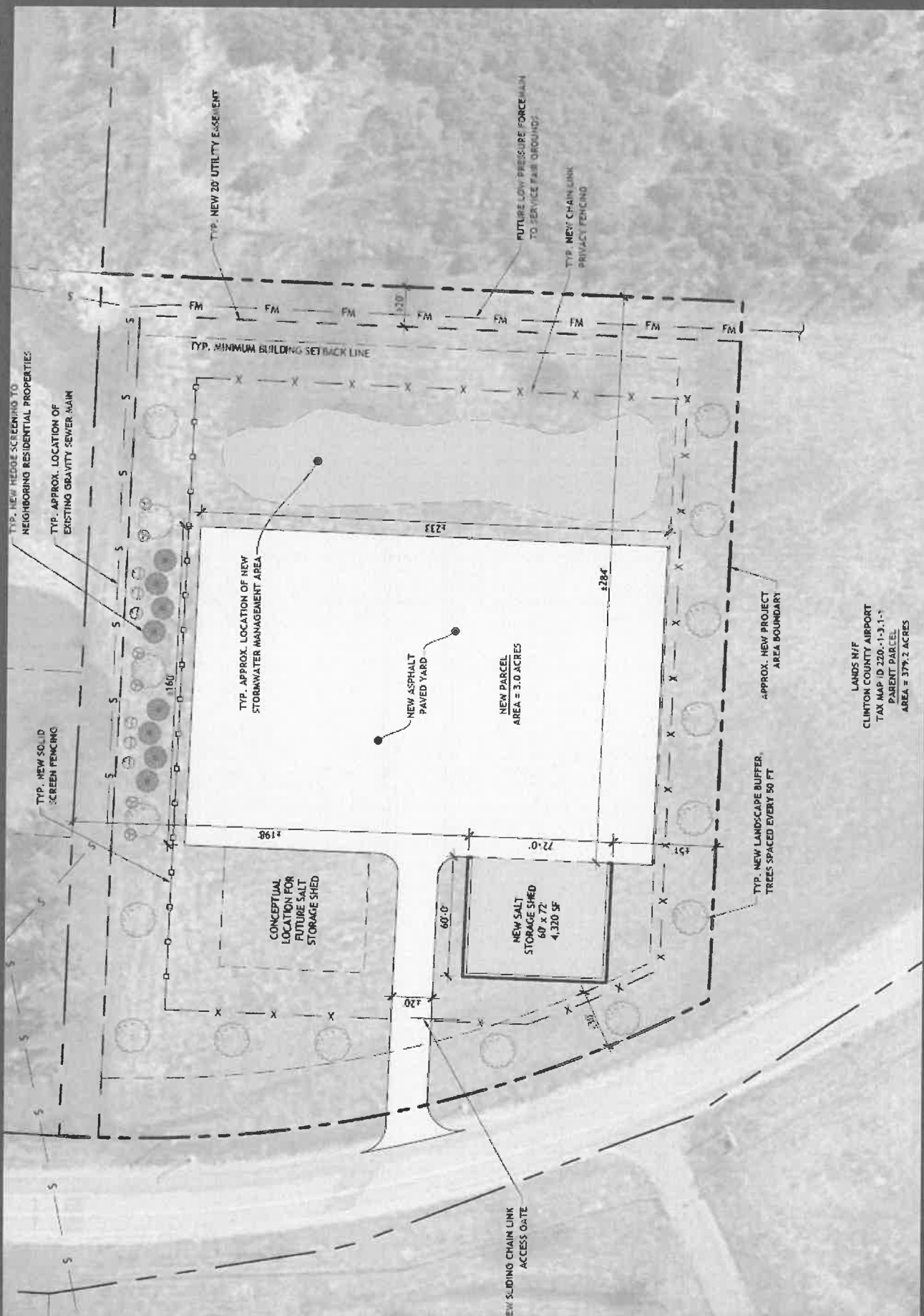
# SITE SPECIFICATIONS

- Parcel: approximately 3 acres
- Yard will be paved
- Stormwater Controls to be installed
- Full Security/Privacy Fencing
- Landscaping: Trees for Screening along North, South, and West Boundaries
- Size of yard is for maneuvering of delivery trucks
- Used only for deliveries and loading in winter
- All loading occurs inside the facility
- Buffer to North Exceeds Zoning

# WHY 'EXEMPTION FROM ZONING?

- Public Building/Use not an allowed use in MDR (Medium Density Residential), but is allowed in every other district [Use Variance]
- Height of peak of structure exceeds height requirement by about 8 ft [Area Variance]
- It is not the purpose of the Zoning Ordinance to require the Town to seek variances from its own laws.
- Town counsel conflict of representing the Town Board and representing the Zoning Board.





TYP. NEW HEDGE SCREENING TO NEIGHBORING RESIDENTIAL PROPERTIES

TYP. APPROX. LOCATION OF EXISTING GRAVITY SEWER MAIN

TYP. NEW SOLID SCREEN FENCING

TYP. MINIMUM BUILDING SETBACK LINE

TYP. NEW 20' UTILITY EASEMENT

FUTURE LOW PRESSURE FORCE MAIN TO SERVICE PAB GROUND

TYP. NEW CHAIN LINK PRIVACY FENCING

TYP. APPROX. LOCATION OF NEW STORKWATER MANAGEMENT AREA

NEW ASPHALT PAVED YARD

NEW PARCEL AREA = 3.0 ACRES

CONCEPTUAL LOCATION FOR FUTURE SALT STORAGE SHED

NEW SALT STORAGE SHED 60 x 72 4,320 SF

APPROX. NEW PROJECT AREA BOUNDARY

TYP. NEW LANDSCAPE BUFFER, TREES SPACED EVERY 50 FT

NEW SLIDING CHAIN LINK ACCESS GATE

LANDS N/F CLINTON COUNTY AIRPORT TAX MAP ID 220-113.1-1 PARENT PARCEL AREA = 379.2 ACRES

**TOWN OF PLATTSBURGH  
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February 19, 2026**

**Resolution No. 026-053**

**Abstract 2B-26**

**RESOLVED**, that the abstract of audited claims **No. 2B-26** for 2025 in the amount of \$171,694.90, **Abstract 2B-26** prepays for 2025 in the amount of \$434.42 and **No. 2B-26** for 2026 in the amount of \$465,354.29, **Abstract 2B-26** prepays for 2026 in the amount of \$475,930.09 be received as reviewed by the Audit Committee and the Supervisor is hereby authorized to pay said abstracts.

**Motion:**           **Ms. Isabella**

**Seconded by:**   **Mr. Wood**

**Discussion:**      **None**

	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSENT</u></b>	<b><u>CARRIED</u></b>	<b><u>TABLED</u></b>
				<b>YES</b>	
<b>Thomas E. Wood</b>	<b>X</b>				
<b>Dana M. Isabella</b>	<b>X</b>				
<b>Daniel A. Bosley</b>			<b>X</b>		
<b>Ilona M. Kelting</b>	<b>X</b>				
<b>Charles A. Kostyk</b>	<b>X</b>				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-054**

**Awarding Carpet Installation at Town of Plattsburgh  
Town Hall to Mark Whitney**

**WHEREAS**, the Town of Plattsburgh recognizes the need to replace the old, existing carpet within the Town Hall building located at 151 Banker Road, Plattsburgh, NY 12901; and

**WHEREAS**, quotes were obtained in accordance with the Town’s procurement policy for the installation of new carpeting in all specified offices at Town Hall; and

**WHEREAS**, Mark Whitney submitted a quote, which has been reviewed and determined to be of the best interest of the Town; therefore, be it

**RESOLVED**, that the Town Board of the Town of Plattsburgh hereby awards the carpet installation for Town Hall to Mark Whitney, in the amount not to exceed \$10,200.00; and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized to execute any and all documents necessary to facilitate the completion of the carpet installation and that payment for said purchase be made payable from the 2026 Building Repairs and Service Account #AAA.1620.4510.0000; and be it further

**RESOLVED**, that a copy of this Resolution be given to the Finance Manager and the Building and Maintenance Supervisor.

**Motion:** Mr. Wood

**Seconded by:** Ms. Kelting

**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. Bosley			X		
Ilona M. Kelting	X				
Charles A. Kostyk	X				

906057

Statement

DATE

1-9-26

TERMS

TO

Town Hall of Plattsburgh

IN ACCOUNT WITH

Mark Whitney

518) 518-5387

flooring install

install all carpet tile \$4800.<sup>00</sup>

patching all room \$1500<sup>00</sup>

patch for all room 500.<sup>00</sup>

rip up and Dispose  
old carpet 1,700

seam sealer for carpet \$300.

Carpet Business office  
remove, patch and  
Install \$9,000

CURRENT

OVER 30 DAYS

OVER 60 DAYS

TOTAL AMOUNT

\$200  
10,200

Colin Quackenbush

Date: 1.30.26

**Project: Town of Plattsburgh carpet tile**

## **Tile Proposal:**

**Furnish and install the following:**

- Johnsonite 4" base in black
- Provided carpet tile and adhesive
- Skim coat of floor patch
- Transitions where necessary
- Cove base adhesive
- All labor for aforementioned materials

**Base material and install price: \$10,950.00**

### **Exclusions/Clarifications:**

No repair or floor prep on existing subfloors other than skim coat  
Carpet tile and adhesive to be provided by the Town of Plattsburgh  
No materials or labor in any other portion of the project other than what is specified in this proposal  
Rip up labor has been included in this proposal  
No relocation of furniture, fixture, appliance or office equipment/computers  
No 3<sup>rd</sup> party moisture testing or moisture blocking systems  
**No tax or bond included in price**

If you need any further clarification or have questions, please reach out. Thank you for this opportunity.

Regards,

Colin Quackenbush  
[Colin@leeappliance.com](mailto:Colin@leeappliance.com)



**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-055**

**Recreation Program Contract of Services  
– Birch Basket Making**

**WHEREAS**, Parks and Recreation utilizes instructional services for programs in the Town of Plattsburgh; and

**WHEREAS**, the Youth Services and Recreation Director recommends contract services for program and said person(s) get a W9; now, therefore be it

**Spring Program Contract:**

Lindsay Going-Swaim                      \$400              Birch Basket Making                      *March 8, 2026*

**RESOLVED**, that the Supervisor is authorized to sign all necessary documents necessary for these short-term contract services.

**Motion:**              **Ms. Kelting**

**Seconded by:**      **Mr. Wood**

**Discussion:**        **None**

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>CARRIED</u> YES	<u>TABLED</u>
<b>Thomas E. Wood</b>	X				
<b>Dana M. Isabella</b>	X				
<b>Daniel A. Bosley</b>			X		
<b>Ilona M. Kelting</b>	X				
<b>Charles A. Kostyk</b>	X				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-056**

**Request to Purchase 2-Ton Hot Box  
Trailer for Highway Department**

**WHEREAS**, the normal use of highway equipment requires periodic replacement and updates to ensure safe and effective road maintenance within the Town of Plattsburgh; and

**WHEREAS**, Greg Burnell, Highway Superintendent, has submitted a request for authorization to purchase a Falcon 2-Ton Hot Box Trailer from SEI Stephenson Equipment, Inc. utilizing Sourcewell contract #050625-FRM pricing, in the amount of \$24,832.00; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of Plattsburgh hereby authorizes Mr. Burnell to order said Falcon 2-Ton Hot Box Trailer and that payment for said purchase be made payable from the 2026 Highway Budget Account #DAA.5130.2000.0000; and be it further

**RESOLVED**, that a copy of this Resolution be given to the Finance Manager and the Highway Superintendent.

**Motion:** Ms. Isabella

**Seconded by:** Mr. Wood

**Discussion:** None

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>CARRIED</u> YES	<u>TABLED</u>
<b>Thomas E. Wood</b>	X				
<b>Dana M. Isabella</b>	X				
<b>Daniel A. Bosley</b>			X		
<b>Ilona M. Kelting</b>	X				
<b>Charles A. Kostyk</b>	X				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-057**

**Receive Draft Zoning Amendments,  
Type the SEQRA Action, Notice Public  
Hearing, Refer Plan to Involved Agencies**

**WHEREAS**, the Town of Plattsburgh’s Zoning Ordinance provides that amendments to Ordinances may be initiated by the Town Board upon its own motion or through the appointment of a committee for the purpose of amending said ordinance, and

**WHEREAS**, by Resolution 026-026 dated January 15, 2026, the Town Board instructed the Town Planning and Community Development Department to conduct research and make recommendations regarding standardized definitions for Public Building/Use and their permitted locations; and

**WHEREAS**, after review and discussion of the Planning & Community Development Department’s February 2026 draft amendments report, the Town Board desires to distribute said report and proposed amendments to the appropriate agencies in accordance with Article XVII, 17.4 of the Town Zoning Ordinance and Section 264 and 265 of New York Town Law as follows:

1. Town Planning Board and Zoning Board; and
2. Clinton County Planning Board; and
3. Adjacent municipalities
4. Regional State Park Commission; and,

**WHEREAS**, New York State Law and the Town’s Zoning Ordinance requires that a public hearing on proposed amendments be held to consider the advisability of amendment to the Town of Plattsburgh Zoning Ordinance; and

**WHEREAS**, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act", Section 8-0113 (SEQRA herein) provides for the review of any "ACTION" to determine the effect of said Action on the environment, along with any related administrative procedures for the implementation, authorization or approval of said Action; and

**WHEREAS**, Part 617.12 (b)-(2) of SEQRA, provides that “the adoption of changes in the allowable uses within any zoning districts affecting 25 or more acres,” mandates the proposed amendments to said Zoning Ordinance and said Zone Map Amendment be defined as a TYPE I ACTION which requires specific acts by the Town of Plattsburgh prior to the adoption or rejection of said proposed amendments; and

**WHEREAS**, determination of the effect of said action on the environment will be necessary to determine whether a Draft Environmental Impact Statement (DEIS) is required; and

**WHEREAS**, the Town of Plattsburgh Town Board is identified as an involved agency in accordance with SEQRA for the purpose of assessing the effect of this Zoning Ordinance Amendment on the environment and whether or not said effect is significant enough to warrant the preparation of a Draft Environmental Impact Statement (DEIS); and

**WHEREAS**, a coordinated review will be conducted, and the Town of Plattsburgh Planning Board shall request to be designated lead Agency; and

**WHEREAS**, the Town Board of Town of Plattsburgh, as the project sponsor, is required to review and use the EAF to determine the significance of said proposed amendments; now, therefore be it

**RESOLVED**, the Town Board does hereby determine that the proposed zoning ordinance changes are a TYPE I ACTION and a coordinated review under SEQRA will be conducted, and, be it further

**RESOLVED**, the Town of Plattsburgh Town Board shall notify all involved or interested agencies of the proposed zoning ordinance & map amendments, and request to be designated lead Agency; and be it further

**RESOLVED**, that the Town of Plattsburgh Town Board does hereby receive and place on file the Draft February 2026 Zoning Ordinance amendments report, SEQRA Part I Long Form EAF and any supplemental analysis and materials; and it is further

**RESOLVED**, that the Town Board shall hold a public hearing in relation to the proposed amendment to the Zoning Ordinance at the Town Hall, at 151 Banker Road, Plattsburgh, New York 12901 on the March 5, 2026 at 6:05 P.M., [Eastern Daylight Savings Time]; and, be it further

**RESOLVED**, that pursuant to the provisions of Article XVII, Section 17.4 of the Town Zoning Ordinance, the Town Clerk shall cause a notice of the time and place of said public hearing to be published in The Press Republican, a paper of general circulation in the Town of Plattsburgh, at least 10 days before the March 5, 2026 with such notice also being posted in the Town Hall and given to necessary adjoining municipalities and the Clinton County Planning Board and such other agencies and parties as required by law; and, be it further

**RESOLVED**, that notice of said Public Hearing and a copy of the February 2026 draft amendments report shall also be posted on the Town's Website; and be it further

**RESOLVED**, the proposed zoning amendments shall be entered into the meeting minutes as per NY Town Law § 265; and be it further

**RESOLVED**, that a copy of this Resolution and attachments be given to the Town Clerk, Planning and Zoning Departments the adjacent municipalities and Clinton County Planning Board and other interested agencies.

**Motion:** Mr. Wood

**Seconded by:** Ms. Isabella

**Discussion:** None

**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. Bosley			X		
Ilona M. Kelting	X				
Charles A. Kostyk	X				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-058**

**Appointment of the Wendy Banker**

**WHEREAS**, the Town Supervisor has recommended the appointment of Wendy Baker to serve as the Town of Plattsburgh’s representative on the JCEO Board of Directors; and

**WHEREAS**, Ms. Wendy Baker has expressed her willingness to serve and has demonstrated a strong commitment to meeting the needs of the community; now, therefore be it

**RESOLVED**, that the Town Board of the Town of Plattsburgh hereby approves the appointment of Wendy Baker to the JCEO Board of Directors; and be it further

**RESOLVED**, that said appointment shall be for a term commencing immediately and expiring in the year 2033.

**Motion:** Ms. Isabella

**Seconded by:** Ms. Kelting

**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. Bosley			X		
Ilona M. Kelting	X				
Charles A. Kostyk	X				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-059**

**Resolution Authorizing Adoption by the Town Board  
of the Town of Plattsburgh of 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**, a resolution was duly adopted by the Town Board of the Town of Plattsburgh for a public hearing to be held by said Governing Body on February 19, 2026 at 6:05pm at the Town of Plattsburgh, 151 Banker Road, Plattsburgh New York to hear all interested parties on a proposed Local Law entitled Local Law No. 1 of 2026 – Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code; and

**WHEREAS**, notice of said public hearing was duly advertised in the Press Republican, the official newspaper of said Town, on February 10, 2026; and

**WHEREAS**, said public hearing was duly held on February 19, 2026 at 6:05pm at 151 Banker Road, Plattsburgh, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Plattsburgh that this is a Type II action and no further review will be and could be processed by other applicable governmental agencies without further regard to SEQRA; and

**WHEREAS**, the Town Board of the Town of Plattsburgh, after due deliberation, finds it in the best interest of said Town to adopt said Local Law; therefore, be it

**RESOLVED**, that the Town Board of the Town of Plattsburgh hereby adopts said Local Law No. 1 of 2026 entitled a Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code, a copy of which is attached hereto and made a part of this resolution; and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Plattsburgh, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

**Motion:** Mr. Wood  
**Seconded by:** Ms. Kelting  
**Discussion:** None

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>CARRIED</u> <u>YES</u>	<u>TABLED</u>
<b>Thomas E. Wood</b>	X				
<b>Dana M. Isabella</b>	X				
<b>Daniel A. Bosley</b>			X		
<b>Ilona M. Kelting</b>	X				
<b>Charles A. Kostyk</b>	X				

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Plattsburgh is considering adoption of a Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code. A public hearing will be held on **Thursday, February 19, 2026 at 6:05 PM EST** at Town Hall located at 151 Banker Rd, Plattsburgh NY concerning the potential Local Law No. 1 of 2026 in the Town of Plattsburgh. At such time and place all persons interested in the subject matter thereof will be heard concerning the same. All interested persons are encouraged to attend. Written and verbal comments and questions can be mailed to the Town Hall address 151 Banker Rd, Plattsburgh, NY 12901. If special accommodations are required for your attendance, please contact 518-562-6830.

**Dated: February 5, 2026**

**By order of /s/ Jonathan J. White**  
**Town Clerk**  
**Town of Plattsburgh**

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

Systems for identification of the hazards of materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

"Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

"Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"Order to Remedy" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this local law.

"Permit Holder" shall mean the Person to whom a Building permit has been issued.

"Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"PMCNYS" shall mean the Property Maintenance Code of New York State as currently incorporated by reference in 19 New York Codes, Rules, and Regulations.

"RCNYS" shall mean the Residential Code of New York State as currently incorporated by reference in 19 New York Codes, Rules, and Regulations.

"Repair" shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

"Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.

"Sugarhouse" shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

"Temporary Certificate of Occupancy" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

"Town" shall mean the Town of Plattsburgh.

"Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

### **SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS**

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement officer shall administer and enforce all the provisions of the uniform Code, the Energy Code, and this local law. The Code Enforcement officer shall have the following powers and duties:

- a. to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;
- b. upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy and Operating Permits;

- 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.

- B. Exemptions. No Building Permit shall be required for work in any of the following categories:
- a. construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
  - b. construction of temporary sets and scenery associated with motion picture, television, and theater uses;
  - c. installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
  - d. installation of partitions or movable cases less than 5'-9" in height;
  - e. painting, wallpapering, tiling, carpeting, or other similar finish work;
  - f. installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
  - g. replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
  - h. repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.
- C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

**SECTION 5. CONSTRUCTION INSPECTIONS.**

- A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.
- B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:
- a. work site prior to the issuance of a Building Permit;
  - b. footing and foundation;
  - c. preparation for concrete slab;
  - d. framing;
  - e. structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
  - f. fire resistant construction;
  - g. fire resistant penetrations;
  - h. solid fuel burning heating appliances, chimneys, flues, or gas vents;

- 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 factory 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,

construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

- D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.
- E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

#### **SECTION 7. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE.**

- A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or sub-classification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.
- B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or sub-classification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:
  - a. a written statement of structural observations and/or a final report of special inspections,
  - b. flood hazard certifications,
  - c. a written statement of the results of tests performed to show compliance with the Energy Code, and
  - d. where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.
- C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:
  - a. the Building Permit number, if any;
  - b. the date of issuance of the Building Permit, if any;
  - c. the name (if any), address and tax map number of the property;

- 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 CONDITIONS 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:

- a. manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;
- b. buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:
  - i. Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;
  - ii. Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
  - iii. Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
  - iv. Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
  - v. Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
  - vi. Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
  - vii. Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
  - viii. Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
  - ix. Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;
  - x. Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270; Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces; and
  - xi. Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies;
- c. energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.
- d. buildings containing one or more assembly areas;

- 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;

- b. 60 days for alternative activities at a sugarhouse;
- c. Three (3) years for the activities, structures, and operations determined per paragraph (i) of subdivision (A) of this section, and
- d. One (1) year for all other activities, structures, and operations identified in subdivision (A) of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

- G. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.
- H. 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 submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

#### **SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS.**

- A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:
  - a. at least once every twelve (12) months for buildings which contain an assembly area;
  - b. at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and
  - c. at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.
- B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections 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 such authorized Inspector that the premises conform 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. 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.
- C. Inspections permitted. In addition to the inspections required by subdivision (A) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:
  - a. the request of the owner of the property to be inspected or an authorized agent of such owner;
  - b. receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

- 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;

- d. the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;
  - e. the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.
  - f. the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and
  - g. the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.
- B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (C) of this section, periodic condition assessments as described in subdivision (D) of this section, and such additional condition assessments as may be required under subdivision (E) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the **Town**, in accordance with the requirements of subdivision (F) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.
- C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:
- a. Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.
  - b. Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:
    - i. if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
    - ii. if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
    - iii. if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.
  - c. Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to six (6) months after the effective date of this local law.
- D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.
- E. Additional Condition Assessments.
- a. If the latest condition assessment report for a parking garage includes a recommendation by the responsible

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.

- G. Review Condition Assessment Reports. The **Town** shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the **Town** shall, by Order to Remedy or such other means of enforcement as the **Town** may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (b) and (c) of subdivision (F). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the **Town** to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.
- H. The **Town** shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the **Town** with a written statement attesting to the fact that he or she has been so engaged, the **Town** shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The **Town** shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.
- I. This section shall not limit or impair the right or the obligation of the **Town**:
  - a. to perform such construction inspections as are required by section 5 (Construction Inspections) of this local law;
  - b. to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this local law; and/or
  - c. to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the **Town** by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

#### **SECTION 14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.**

- A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this **Town** as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:
  - a. design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;
  - b. heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and
  - c. flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
    - i. the accompanying Flood Insurance Rate Map (FIRM);
    - ii. Flood Boundary and Floodway Map (FBFM); and

- 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.**

- A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by \_\_\_\_\_ [specify date], which is ten (10) business days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

- B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.
- C. Penalties. In addition to such other penalties as may be prescribed by State law,
- a. any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$1,000.00 per day of violation, or imprisonment not exceeding six (6) months, or both; and
  - b. any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this **Town**.
- D. Injunctive Relief. An action or proceeding may be instituted in the name of this **Town**, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to

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 SEMI-MONTHLY MEETING  
February 19, 2026**

**Resolution No. 026-060**

**Salt Shed and Immunity SEQRA Determination**

**WHEREAS**, the Town Board has before it a project known as the Town of Plattsburgh Salt Storage Facility-Immunity:

**WHEREAS**, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

**WHEREAS**, said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

**WHEREAS**, public comment opportunity was provided in consideration of this Project on February 19, 2026; and

**WHEREAS**, the Town Board reviewed the Site Plan and SEQRA Part 1 Short EAF; and

**WHEREAS**, the Town Board reviewed the additional information provided by the Planning, Highway, and Water and Wastewater Departments to supplement and clarify the same; and

**WHEREAS**, the Town Board completed and reviewed the SEQRA Part 2 and Part 3 Short EAF on February 19, 2026 and conducted a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

Now, therefore, be it

**RESOLVED**, that the Town Board does hereby determine that the project is an UNLISTED "ACTION" in accordance with said Environmental Review procedures and a coordinated review will not be done; and, be it further

**RESOLVED**, that the Town Board acting as the "Lead Agency" in a SEQRA Review does hereby place on file the Site Plan and completed EAF and other related material submitted; and, be it further

**RESOLVED**, that the Town Board has reviewed the supplemental documents referenced above and does hereby find and determine the following:

- a) The access and traffic proposed in the Project were reviewed by the Town Board and found acceptable; and
- b) The proposed impervious area in the project plan is not significant and will be managed in accordance with NYSDEC and Town regulations; and
- c) The lot coverage and density comply with local zoning regulations; and
- d) The erosion and sedimentation from the development and water quality during such development will be properly controlled by the existing storm water facilities; and it is further

**RESOLVED**, that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large quantities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the Town's current plans or goals for the area where the project is located;
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area; and, *it is further*

**RESOLVED**, that the Town Board of the Town of Plattsburgh after review of the Site Plan and completed EAF, and related materials does hereby determine as “Lead Agency” for the SEQRA

Review process that the "Project" will NOT have a significant effect on the environment. Therefore, the preparation of a DEIS is NOT required; and, be it further

**RESOLVED**, that the Town Board does hereby declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

**RESOLVED**, that a copy of this resolution be forwarded to other involved agencies who may be reviewing the Project for their records and files, and that the attached Negative Declaration Notice of Determination of Non Significance be filed accordingly.

**RESOLVED**, that the Town Board of the Town of Plattsburgh does hereby authorize and direct the Town Supervisor to have prepared and to execute a "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

**RESOLVED**, that the "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the Town of Plattsburgh and all related material shall be maintained on file at the Town Hall Offices and available for Public Inspection.

**Motion:** Ms. Isabella

**Seconded by:** Ms. Kelting

**Discussion:** None

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>CARRIED</u> <u>YES</u>	<u>TABLED</u>
Thomas E. Wood	X				
Dana M. Isabella	X				
Daniel A. Bosley			X		
Ilona M. Kelting	X				
Charles A. Kostyk	X				

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Plattsburgh will hold a public hearing located at Town Hall at 151 Banker Rd, Plattsburgh NY on **Thursday, February 19, 2026, at 6:10 PM, EST** in relation to the proposed Salt Storage Facility Site Plan, Subdivision, and Immunity from Zoning Resolution and Rationale. At such time and place all persons interested in the subject matter thereof will be heard concerning the same. All interested persons are encouraged to attend. Written and verbal comments and questions can be mailed to the Town Hall address 151 Banker Rd, Plattsburgh, NY 12901. If special accommodations are required for your attendance, please contact 518-562-6830.

**Dated: February 5, 2026**

**By order of /s/ Jonathan J. White**  
**Town Clerk**  
**Town of Plattsburgh**

## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

#### Instructions for Completing

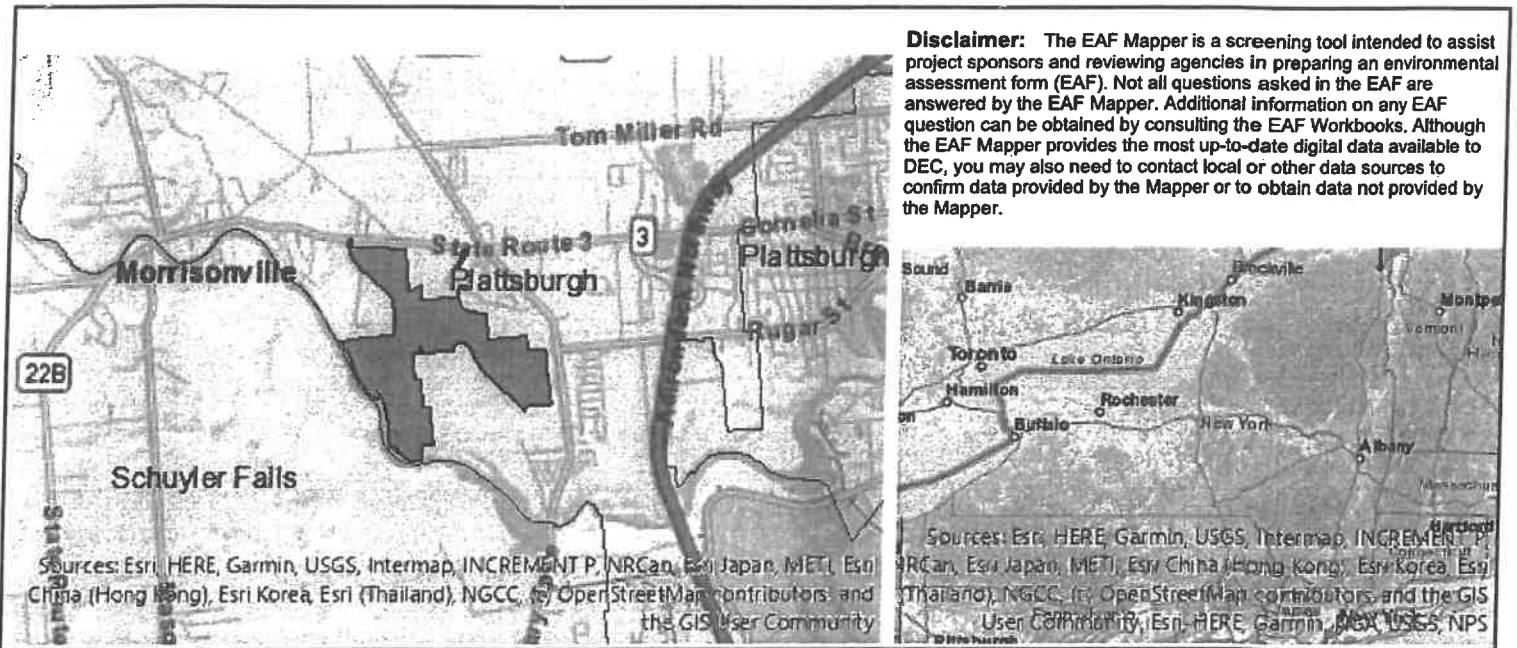
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Town of Plattsburgh Salt and Materials Containment Facility (Salt Shed)			
Project Location (describe, and attach a location map): Fairgrounds Road, Plattsburgh, NY, 12901			
Brief Description of Proposed Action: The Town of Plattsburgh received a NYSDEC WQIP Grant to construct a 72'x60' salt containment facility (known as a salt shed). The Town is proposing to construct the facility on Fairgrounds road, on a portion of lands of the Former Clinton County Airport.			
Name of Applicant or Sponsor: Town of Plattsburgh		Telephone: 518-562-6800	
		E-Mail: trevorc@townofplattsburgh.org	
Address: 151 Banker Road			
City/PO: Plattsburgh		State: NY	Zip Code: 12901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYSDEC			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 3 acres	
b. Total acreage to be physically disturbed?		_____ 2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 3 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          STORMWATER RETENTION AS PART OF A SWPPP</p>	<p>NO  <input type="checkbox"/></p>	<p>YES  <input checked="" type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____</p>	<p>NO  <input checked="" type="checkbox"/></p>	<p>YES  <input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          THE FORMER CLINTON COUNTY AIRPORT IS UNDER A CONSENT ORDER FOR PFAS SOILS THAT HAVE BEEN LOCATED AND CHARACTERIZED.</p>	<p>NO  <input type="checkbox"/></p>	<p>YES  <input checked="" type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: CHARLES KOSTYK</p>		<p>Date: 2/5/2026</p>
<p>Signature: <i>Charles A. Kostyk</i></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

Project: Salt Shed and Related Immunity

Date: 2/18/2026

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Salt Shed and Immunity

Date: 2/18/26

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town Board of the Town of Plattsburgh as project sponsor and lead agent has completed a SEQRA Part 1 EAF Short Form. No significant environmental impacts were identified. Stormwater will be managed according to Town and New York State regulations. Contaminated soils have not been identified on the proposed parcel to be subdivided from the larger former airport parcel. Wetlands have not been identified on the proposed parcel; there are significant pockets of wetlands on the parent parcel. The salt shed project has been identified as a use requiring a variance, because Public Use/Building is not an allowed use in the MDR-Medium Density Residential District. However, the Town is choosing to pursue immunity from its own Zoning Regulations with rationale provided in the attachment which indicates that the impact from Part 2 Question 1 would be considered "small".

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Plattsburgh <sup>Town</sup> ~~Planning~~ Board

Name of Lead Agency

Date  
Chairman

Charles Kostyk  
Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Jessie...  
Signature of Preparer (if different from Responsible Officer)

## **Salt Shed and Zoning Immunity SEQRA Part 3 Supplement**

The Town Board has performed the following balancing analysis required in this matter and finds the following:

**1. The nature and scope of the instrumentality seeking immunity.** The Project involves coordination and cooperation between the Clinton County Government (landowner) and Town of Plattsburgh (local Municipality), as the Project sponsor to undertake the construction of a covered highway salt storage facility on a stand-alone parcel. This Project is limited in scope to approximately 3 acres for the purposes of implementing funding from the NYSDEC to protect the Town's drinking water (aquifer) as identified in the Town's Drinking Water Source Protection Plan.

**2. The encroaching government's legislative grant of authority.** There is no encroaching government. The Town seeks to pursue the Project within the corporate limits of the Town of Plattsburgh. Conversely, in this instance there is coordination among the two government entities.

**3. The kind of function or land use involved.** The recitations above describe the various kind of function or land use involved.

**4. The effect local land use regulation would have upon the enterprise concerned.** The Town's subdivision and site plan regulations require certain frontage, access, landscaping, lighting, and size limitations for subdivided parcels. The project would require Use, height, and 280A variances, though all other aspects of Town regulations would be met by the development plan.

**5. Alternative locations for the facility in less restrictive zoning areas.** There are no viable alternative locations for this site-specific action.

**6. The impact on legitimate local interests.** The Town will mitigate any perceived or real impacts to adjacent properties by incorporating landscaping, and stormwater controls. Any lighting will be compliant with Town lighting regulations. The site will also be seasonal in use (winter) with an anticipated maximum of 5 vehicle trips per day. This Project is proposed in furtherance of the Town's Drinking Water Source Protection Program. Local interests would presumably support the Town's efforts to accomplish these goals.

**7. Alternative methods of providing the proposed improvement.** Due to the unique location of this site and the static location of the Town's drinking water aquifer, there are no other identifiable alternative methods of providing the proposed improvement.

**8. The extent of the public interest to be served by the improvements.** The general public will clearly benefit from the implementation of the Drinking Water Source Protection Plan and the construction of a covered salt storage facility.

**9. Intergovernmental participation in the project development and an opportunity to be heard.** The Town has worked closely with various agencies within New York State to develop and accomplish the various goals of the Drinking Water Source Protection Plan. Other governmental agencies and partners have had opportunities to be heard.

**TOWN OF PLATTSBURGH**  
**TOWN BOARD SEMI-MONTHLY MEETING**  
**February 19, 2026**

**Resolution No. 026-061**

**Salt Storage Facility - Immunity**

**WHEREAS**, the Town of Plattsburgh, in partnership with the New York State Department of Health and the NYSDEC, 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**, 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**, subdivision of the parcel and construction of the salt storage facility would require a NYSGML 280A Variance, Use Variance, and Height Variance; and

**WHEREAS**, the Town Zoning Board of Appeals did approve the 280-A Variance appeal on February 10, 2026; and

**WHEREAS**, on February 19, 2026, the Town of Plattsburgh’s Town Board determined that the Salt Storage Facility Subdivision and, Use and Area Variance, and Site Plan (hereafter “Project”) 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; and

**WHEREAS**, as Lead Agency, the Town Board determined to conduct a comprehensive review of the Salt Storage Shed Site Plan and Subdivisions and reviewed a short environmental

assessment form, with addendum, pursuant to SEQRA and its implementing Regulations set forth at Title 6 of the New York Compilation of Codes, Rules and Regulations (“NYCRR”); and

**WHEREAS**, on February 19, 2026, the Town Board adopted a negative declaration pursuant to SEQRA for the Project ; and

**WHEREAS**, the Town Board has reviewed the subdivision plat titled “Clinton County Subdivision, Fairgrounds Road 2026” prepared by AEDA and the Site Plan titled Town of Plattsburgh Salt Storage Facility, Fairgrounds Road 2026.

**NOW THEREFORE IT IS HEREBY RESOLVED**, that all of the aforementioned “whereas” clauses are hereby incorporated by reference as if fully re-stated herein; and it is further

**RESOLVED**, that an integral component of the Town Board’s SEQRA review included the subdivision of tax parcel 220.-1-3.1-1 (former County Airport), the Use and Area Variances, and the associated Salt Storage Shed Site Plan; and it is further

**RESOLVED**, that no referrals to the Clinton County Planning Board are necessary pursuant to GML § 239-m because there are no new applications before the Town Planning Board or Town Zoning Board of Appeals; and it is further

**RESOLVED**, that from time to time, in consideration of municipally sponsored public projects, the Town Board may perform an analysis set forth by the Court of Appeals in City of Rochester v. County of Monroe, 72 NY2d 338 (1988)—which establishes a balancing test to determine the propriety of governmental immunity from local zoning provisions; and it is further

**RESOLVED**, the Town Board has performed the following balancing analysis required in this matter and finds the following:

1. The nature and scope of the instrumentality seeking immunity. The Project involves coordination and cooperation between the Clinton County Government (landowner) and Town of Plattsburgh (local Municipality), as the Project sponsor to undertake the construction of a covered highway salt storage facility on a stand-alone parcel. This Project is limited in scope to approximately 3 acres for the purposes of implementing funding from the NYSDEC to protect the Town’s drinking water (aquifer) as identified in the Town’s Drinking Water Source Protection Plan.
2. The encroaching government’s legislative grant of authority. There is no encroaching government. The Town seeks to pursue the Project within the corporate limits of the Town of Plattsburgh. Conversely, in this instance there is coordination among the two government entities.
3. The kind of function or land use involved. The recitations above describe the various kind of function or land use involved.

4. The effect local land use regulation would have upon the enterprise concerned. The Town's subdivision and site plan regulations require certain frontage, access, landscaping, lighting, and size limitations for subdivided parcels. The project would require Use, height, and 280A variances, though all other aspects of Town regulations would be met by the development plan.
5. Alternative locations for the facility in less restrictive zoning areas. There are no viable alternative locations for this site-specific action.
6. The impact on legitimate local interests. The Town will mitigate any perceived or real impacts to adjacent properties by incorporating landscaping, and stormwater controls. Any lighting will be compliant with Town lighting regulations. The site will also be seasonal in use (winter) with an anticipated maximum of 5 vehicle trips per day. This Project is proposed in furtherance of the Town's Drinking Water Source Protection Program. Local interests would presumably support the Town's efforts to accomplish these goals.
7. Alternative methods of providing the proposed improvement. Due to the unique location of this site and the static location of the Town's drinking water aquifer, there are no other identifiable alternative methods of providing the proposed improvement.
8. The extent of the public interest to be served by the improvements. The general public will clearly benefit from the implementation of the Drinking Water Source Protection Plan and the construction of a covered salt storage facility.
9. Intergovernmental participation in the project development and an opportunity to be heard. The Town has worked closely with various agencies within New York State to develop and accomplish the various goals of the Drinking Water Source Protection Plan. Other governmental agencies and partners have had opportunities to be heard; now, therefore be it

**RESOLVED**, that based upon the Town Board's analysis of these nine factors, it is determined that the proposed subdivision, variances, and site plan for the Salt Storage Facility to be located on Fairgrounds Road, would not require local planning or zoning board review as they would be exempt from the City's local zoning provisions per the City of Rochester v. County of Monroe balancing test; and it is further

**RESOLVED**, that the Town Board hereby invokes its authority to exempt these Town actions from the Town's Subdivision and Zoning Regulations subject to their completion as per the subdivision and site plans prepared by AEDA; and it is further

**RESOLVED**, that the Town Board grants a Use Variance for the construction of a Public Building/Use in an MDR District, a Height Variance for a 42 foot tall structure where no more than a 35 foot tall structure is permitted; and it is further

**RESOLVED**, that the AEDA Survey may be forthwith recorded in the Clinton County Clerk's Office with the same effect as an approved subdivision plat and the Town Attorney is authorized to prepare and record any deeds, leases or other conveyance documents to be signed by the Supervisor as necessary to effectuate the intent of this Resolution; and it is further

**RESOLVED**, that the Town Board authorizes and directs the Supervisor, Town Clerk, Director of Community Development, Town Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

**Motion:** Ms. Kelting

**Seconded by:** Mr. Wood

**Discussion:** Ms. Kelting – Consideration should be given to the security of the facility.

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>CARRIED</u> <u>YES</u>	<u>TABLED</u>
<b>Thomas E. Wood</b>	X				
<b>Dana M. Isabella</b>	X				
<b>Daniel A. Bosley</b>			X		
<b>Ilona M. Kelting</b>	X				
<b>Charles A. Kostyk</b>	X				

**TOWN OF PLATTSBURGH  
TOWN BOARD SEMI-MONTHLY MEETING  
February 19, 2026**

**Motion to go into Executive Session to discuss.....**

**Motion to come out of Executive Session**

**Motion by: Ms. Isabella  
Seconded by: Ms. Kelting  
Time: 7:05 PM**

**Motion by: Mr. Wood  
Seconded by: Ms. Kelting  
Time: 7:27 PM**

	<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
<b>Thomas E. Wood</b>	X		<b>Thomas E. Wood</b>	X	
<b>Dana M. Isabella</b>	X		<b>Dana M. Isabella</b>	X	
<b>Daniel A. Bosely</b>			<b>Daniel A. Bosely</b>		
<b>Iona M. Kelting</b>	X		<b>Iona M. Kelting</b>	X	
<b>Charles A. Kostyk</b>	X		<b>Charles A. Kostyk</b>	X	

**RESOLVED**, that this Town Board meeting be adjourned at ...**7:27**..... PM.

**Motion by: Mr. Wood**

**Seconded by: Ms. Isabella**

**Discussion: None**

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