

November 6, 2025

The Town Board of the Town of Warwick held a Public Hearing for Introductory Local Law No. 3 of 2025 - Amend Local Law No. 10 of 2024 "a local law, which extended for a further 12 months, Local Law No. 4 of 2023 a six-month moratorium prohibiting the review and approval of clean renewable energy technology businesses devoted to research, education, distribution or application of technological innovation in alternative energy uses in the town of Warwick for an additional fourteen (14) months. Said public hearing was held on Thursday, November 6, 2025 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Dwyer opened the public hearing at 7:18 p.m.

ATTENDANCE: Supervisor Jesse Dwyer
Councilman Russell Kowal
Councilman Floyd DeAngelo
Councilman Kevin Shuback
Councilman Thomas Mattingly

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on October 29, 2025.

(Copy of these legal notices are printed at the end of these minutes.)

SUPERVISOR DWYER- Thank you. The purpose for this public hearing is to extend the moratorium essentially on battery storage facilities. I'm sure everyone is aware that we had two battery storage facility fires back in 2023 and they prompted some serious and extensive consideration on the siting of these facilities in the entire state, if not the country.

We began a code committee review process. We formed a committee from not only members of the board, our professionals, but members of the public, and expanding that even to NYSERDA, to evaluate our current code, evaluate the climate, the situation, and also help us develop the best code possible to not outright prohibit battery storage facilities, which we know are going to be essential components to the state's mandated grid system, but to come up with something that keeps our residents safe in the event that a fire could potentially happen again. So, we have this great committee put together that is carefully reviewing our code and proposing a new code that the Town Board will then review and adopt.

I don't anticipate the process of this code review committee taking more than six months, so although we're extending the moratorium out 18 months, I believe that this code committee will be able to get this done relatively quickly and thoroughly at the same time. So, any comments from the board before we open it up to the public? Any comments from the public? Yes. If you wouldn't mind coming over here.

MELISSA IACHETTA - Hi everyone, my name is Melissa Iachetta. I am the program director at New Yorkers for Clean Power, a statewide campaign to shift to a clean energy economy. I live in Kingston, New York. I'm a Climate Smart Kingston Commissioner and run my local Kingston Repair Cafe. While I'm just here representing my work at NYCP, I

wanted to point out the first time I heard about the Town of Warwick as an environmental leader was in 2018 with Sustainable Warwick's Too Good to Toss event that made news all the way up to Kingston.

Today I wanted to make a statement to the Town Board of Warwick to work expeditiously to lift the moratorium on battery energy storage systems and once again signal you are open to these projects in your town. It is completely understandable that the town took a pause while the technology and safety has advanced. The fire in your town has made headlines and opposition groups have used it as an example to fear monger and tell misinformation on best systems across the Hudson Valley, pushing for moratoria, not for a pause to reflect on how to make the laws better, but to permanently stop these systems from ever having a chance.

I think it's important to remind folks, from what I understand, I actually didn't know about the second fire, only knew about one, that one of the fires did not spread to other units but was contained in one battery container and investigations found no contamination to the air or soil and there were no severe injuries. Of note, more than 900 Best Systems have been deployed nationwide with overwhelmingly majority of them operating safely and reliably. In fact, the best thermal incident is 2.6 times less likely than a commercial airline accident, 117 times less likely than a train accident, and 137 times less likely than a car accident.

It's very unfortunate that Warwick was one of the very rare occurrences, but these statistics show the safety record, one that reflects the rigorous codes and standards that govern the design, installation, and operation of all Best projects. These include international and national fire testing and safety codes, namely the National Fire Protection Association, NFPA 855, and Underwriter Laboratories UL 9540A related to fire and thermal events, which were updated after years of research this past July. Making sure developers only work with manufacturers and vendors that meet these codes and standards is an important step that town can take to make sure that their Best Systems are safe.

Without Best, New Yorkers risk experiencing higher electricity rates and increased likelihood of blackouts that will impact everything from hospitals, schools, businesses, and homes. Best will help keep the lights on when the grid needs it the most. I'm happy to send the board any follow-up information, fact sheets on the new fire safety codes, etc.

I understand there's a community that's working to create a law here in Warwick. New Yorkers for Clean Power hopes you can work expeditiously to put something in place. The rest of the Hudson Valley is watching. It would set a positive example for Warwick to lead on ending the moratorium here as soon as possible and let projects continue or merely be considered. Thank you for your time.

SUPERVISOR DWYER- Great, thank you. As you can see from my statement, not knowing who you were or what you were going to say, we are looking very proactively at trying to get this done quickly. As I said, the moratorium is set for another 18 months.

I hope to have it lifted in six months, the day after we adopt the law. But unfortunately, statewide they might only have a 2% failure, but in the Town of Warwick they had a 100% failure, two out of two. So, we've got a little more concern here locally, and rightfully so.

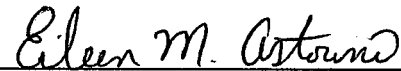
So, the Town Board does recognize the importance that these facilities play. We do understand that they're necessary. I think we've committed ourselves to moving forward and getting past what happened, understanding that it most likely won't happen again, and coming up with a very careful law that can protect our residents as best we can.

So, thank you for coming and sharing that. I hope that you and Michael communicate on how we progress and you put your ideas to work here in Warwick so we can move forward.

MELISSA IACHETTA - Thank you so much.

SUPERVISOR DWYER - Thank you. Any other comments or questions about the moratorium?

CLOSE PUBLIC HEARING: Motion Supervisor Dwyer, seconded Councilman DeAngelo, that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:30 p.m.
11-06-25 EA


Eileen Astorino, Town Clerk

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Warwick will be holding a Public Hearing to consider Proposed Introductory Local Law No. 3 of 2025 entitled, "Amending Local Law No. 10 of 2024 "a Local Law, which extended for a further 12 months, Local Law No. 4 of 2023 a six-month moratorium prohibiting the review and approval of clean renewable energy technology businesses devoted to research, education, distribution or application of technological innovation in alternative energy uses in the Town of Warwick for an additional fourteen (14) months to expire December 31, 2026. Said hearing to be held on Thursday, November 6, 2025, at 7:00 p.m. or soon thereafter may the matter be heard at Town Hall, 132 Kings Highway, Town of Warwick.

A complete copy of the Introductory Local Law is available for inspection in the Clerk's Office and/or the Town of Warwick website, townofwarwick.org.

All interested persons will be given the opportunity to be heard.

DATED: October 29, 2025

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF WARWICK
EILEEN ASTORINO
TOWN CLERK**