

**Economic Development, Planning, Education, Employment, Arts & Agriculture Committee
Regular Meeting Minutes**

DATE & TIME: October 14, 2025 – 6:00 PM
LOCATION(S): Legislative Chambers, 6th Floor, County Office Building, Kingston, NY
Livestreamed at <https://www.youtube.com/@UlsterCountyLegislature/streams>
PRESIDING OFFICER: Chair Sperry
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk & Tyron Rogers, Technical Support Specialist
MEMBERS PRESENT: Legislators Clinton, Corcoran, Hewitt (left at 6:17 PM), Litts, Stewart & Walls
MEMBERS ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Collins & Nolan; Deputy County Executive Amanda LaValle; President Katie Scott-Childress – Ulster County Library Association; Executive Director Jake Wedemeyer – Ulster County Soil & Water Conservation District; Karin & Richard Hubbs – Town of Ulster residents

Complete content of the meeting can be accessed via the Ulster County Legislature’s YouTube channel at <https://www.youtube.com/@UlsterCountyLegislature/streams>

Chair Sperry called the meeting to order at 6:14 PM and asked Legislator Litts to lead everyone in the Pledge of Allegiance.

Chair Sperry recognized UC Library Association President Katie Scott-Childress to make a presentation on the work of the organization and share their 2026 appropriation request (appended to these minutes).

Chair Sperry recognized UC Soil & Water Conservation District Executive Director Jake Wedemeyer to make a presentation on the work of the organization and share their 2026 appropriation request (appended to these minutes).

Motion No. 1: **Motion to Approve the minutes of the August 5, 2025 Regular Meeting**

Motion Made By: Legislator Clinton
Motion Seconded By: Legislator Stewart

Voting in Favor: Legislators Clinton, Corcoran, Litts, Sperry, Stewart & Walls
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Minutes Approved**

Resolutions for the October 21, 2025 Legislative Session:

Resolution No. 447 – Opposing The Development, Construction, And Operation Of Battery Energy Storage Systems (BESS) In Ulster County

Resolution Summary – This Resolution opposes the development, construction, and operation of Battery Storage Systems (BESS) anywhere within the boundaries of Ulster County, NY, urges the New York State Energy Research and Development Authority (NYSERDA), New York State Department of Environmental Conservation (DEC), and other relevant state agencies to prioritize safe alternative energy storage technologies and siting strategies that minimize risks, and supports a moratorium on all BESS projects in Ulster County until such time as regulations are established and the concerns regarding fire safety, environmental impacts, and community impacts are fully addressed.

Chair Sperry advised the members that the resolution was postponed in the Energy, Environment & Sustainability Committee just prior to the meeting and asked that the committee take no action on the Resolution. The members agreed.

Disposition: **No Action Taken**

Resolution No. 455 – Appointing Thomas J. Tango To The Ulster County Planning Board – Town Of Shawangunk

Resolution Summary – This Resolution appoints Thomas J. Tango (Wallkill) to the Ulster County Planning Board for the term Present to December 31, 2025.

Motion No. 2:	Motion to Adopt Resolution No. 455
Motion Made By:	Legislator Litts
Motion Seconded By:	Legislator Clinton

Voting in Favor:	Legislators Clinton, Corcoran, Litts, Sperry, Stewart & Walls
Voting Against:	None
Votes in Favor:	6
Votes Against:	0
Disposition:	Resolution Adopted

New Business

Legislator Stewart advised the members that he spoke on Resolution No. 447 in the Energy, Environment & Sustainability Committee and would be submitting his comments to the committee clerk for inclusion with the minutes (attached).

Old Business - None

Upcoming Meeting

Chair Sperry advised the members that the November meeting falls on Election Day and is therefore being moved to Monday, November 3rd. She added that conversations on the Executive's Proposed 2026 Budget with departments heads under the committee's purview will also take place at that meeting.

Adjournment

Motion Made By: Legislator Litts
Motion Seconded By: Legislator Clinton
Votes in Favor: 6
Votes Against: 0

TIME: 6:55 PM

Respectfully Submitted: Jay Mahler, Deputy Clerk
Adopted: November 3, 2025

Complete content of the meeting can be accessed via the Ulster County Legislature's YouTube channel at <https://www.youtube.com/@UlsterCountyLegislature/streams>

2025-2026

Impact and Services



ULSTER COUNTY

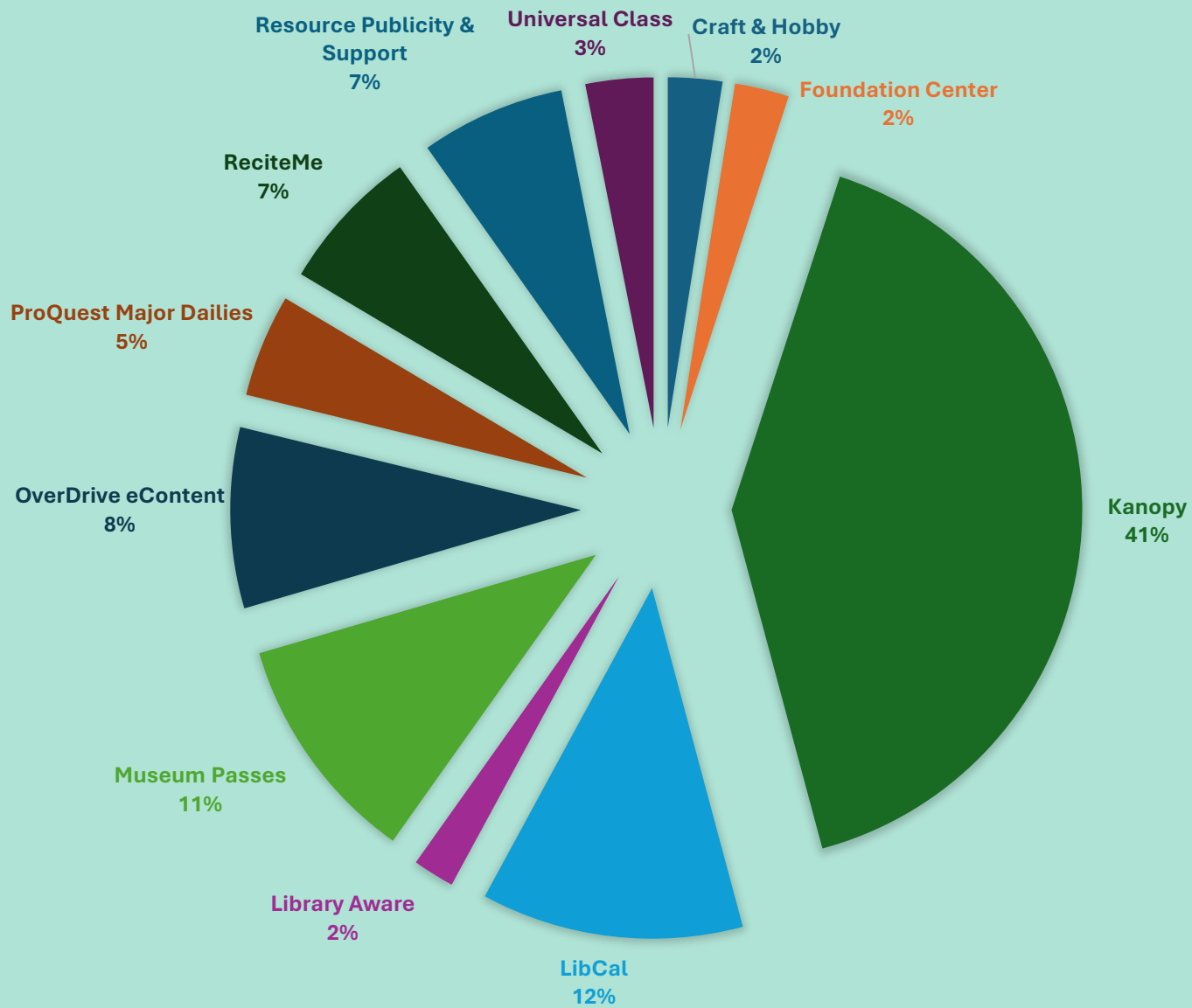
Library

ASSOCIATION



Services Provided to County Residents in 2025 with County Funding

- **Museum & Park Passes**
- **Online daily & historical newspapers**
- **Streaming movies & Great Courses**
- **E-audiobooks**
- **Craft & Hobby videos**
- **Web accessibility tools**
- **Grants database**
- **Library resource publicity**



2025 Budget	
Craft & Hobby	3,000
Foundation Center	3,000
Kanopy	49,000
LibCal	14,500
Library Aware	2,300
Museum Passes	12,775
OverDrive eContent	10,000
ProQuest Major Dailies	5,689
ReciteMe	8,000
Resource Publicity & Support	8,000
Universal Class	3,750
Miscellaneous	587
TOTAL	120,600

Museum Passes

(in order of popularity)

- **Guggenheim**
- **Opus 40**
- **Mass MoCA**
- **Olana**
- **Hudson River Maritime**
- **FDR Museum**
- **Old Rhinebeck Aerodome**
- **Intrepid**
- **Thomas Cole**
- **Bethel Woods**





CATSKILLS
**Borscht Belt
Museum**



VISIT

EXHIBITS

EDUCATION

COMMUNITY



New Museums for 2025

Major Daily Newspapers

- **New York Times**
- **Wall Street Journal**
- **Washington Post**
- **Los Angeles Times**
- **Chicago Tribune**

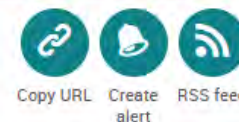
Ulster County residents are enjoying access to the historical newspapers as well as the daily news.





New York Times, Late Edition (East Coast)

New York, N.Y.: New York Times Company



The New York Times

Newspaper

Search within this publication...



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Full text coverage

Jun 1, 1980 - present

Citation/Abstract coverage

Jun 1, 1980 - present, some exceptions

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The New York Times

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2025 ▾



September ▾



Sep 2, 2025 ▾

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Issue contents (latest available): Sep 2, 2025

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[After Her Son's Fentanyl Death, Seeking Solitude, Then Justice: \[National Desk\]](#)

1

Corkery, Michael; Sanders, Dave. **New York Times, Late Edition (East Coast); New York, N.Y.** 02 Sep 2025: A.1.

[Details](#)

[Full text](#)



Full Text



[C.D.C. Left Battling for Its Survival: \[National Desk\]](#)

2

Mandavilli, Apoorva. **New York Times, Late Edition (East Coast); New York, N.Y.** 02 Sep 2025: A.1.



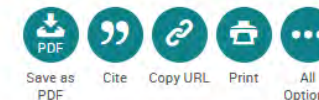
Full Text

◀ Back to issue 2 of 65 Full Text | Newspaper

C.D.C. Left Battling for Its Survival: [National Desk]

Mandavilli, Apoorva. [New York Times](#), Late Edition (East Coast); New York, N.Y.. 02 Sep 2025; A.1.

The New York Times



Full text Details

Full text

Translate ⓘ

🔊 Listen

In the six months since Robert F. Kennedy Jr. took office as the health secretary, the Centers for Disease Control and Prevention has withered, losing thousands of employees, about half of its budget and contracts, and much of its authority over the nation's vaccine policies.

This week, as Mr. Kennedy ousted the agency's new director and precipitated the resignation of four other leaders, experts in public health began asking questions unthinkable just a few months ago: Is the C.D.C. dying? And if so, what does that mean for Americans?

In interviews, a dozen public health experts, along with seven former high-ranking officials, described the C.D.C. as badly wounded and fast losing its legitimacy. It can still be salvaged, they said, but only if Mr. Kennedy listens to scientists and restores some of its crucial functions.

"It's got, like, a heart rhythm that's not viable at the moment," said Dr. Demetre Daskalakis, who led the C.D.C.'s center for respiratory diseases until he resigned this week. "If it's not shocked out of it now, it may not survive."

Some experts acknowledged that the C.D.C. has its faults and needs serious reform. Its reputation was badly damaged during the pandemic, in part by its own missteps and in part because of misinformation spread by detractors.

But Mr. Kennedy "has not been reforming the C.D.C.," said Dr. Ashish Jha, who served as the Covid czar during the Biden administration.

"He has been breaking it, and breaking it in a way that loses pretty much all the good people within it," Dr. Jha said.

Asked for comment, Andrew Nixon, a spokesman for the Department of Health and Human Services, pointed to Mr. Kennedy's message to C.D.C. employees on Thursday night.

"The C.D.C. must once again be the world's leader in communicable disease prevention," Mr. Kennedy said in the email. "Together, we will rebuild this institution into what it was always meant to be: a guardian of America's health and security."

Suggested sources

How a School Nurse Convinced Parents to Vaccinate Their Kids Against Measles

Peetz, Caitlynn. Education Week. (01 Sep 2025)

Briefly Stated: March 12, 2025

Education Week. (11 July 2025)

Briefly Stated: February 5, 2025

Education Week. (01 June 2025)

Impact of high-intensity interval training on lifestyle associated disorders: a literature review

Bulletin of Faculty of Physical Therapy. (01 Dec 2025)

How Trump's Cabinet Picks Could Affect K-12 Schools

Blad, Evie. Education Week. (21 May 2025)

🔍 View all

Search with indexing terms

SUBJECT

- ☐ Influenza
- ☐ Infectious diseases
- ☐ COVID-19 vaccines
- ☐ Immunization

LOCATION

THE CRITERION COLLECTION
FEDERICO FELLINI'S

8½

kanopy

- On-demand streaming video platform that includes Criterion Collection films, TV shows, educational videos and documentaries
- Kanopy Kids read-along and animated storybooks
- The Great Courses



Kanopy now has instructional hobby videos in addition to the great courses

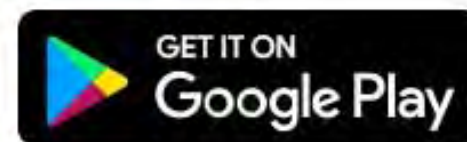


Universal Class

**Over 600
online
classes.
Continuing
education
credits.**



Thousands of ebooks,
audiobooks, magazines &
more, waiting for you in
the Libby app.



The Robert Wood Johnson Foundation

Princeton, NJ, United States | www.rwjf.org | [in](#) | [Who's Who](#) | [+ Contact Info](#)

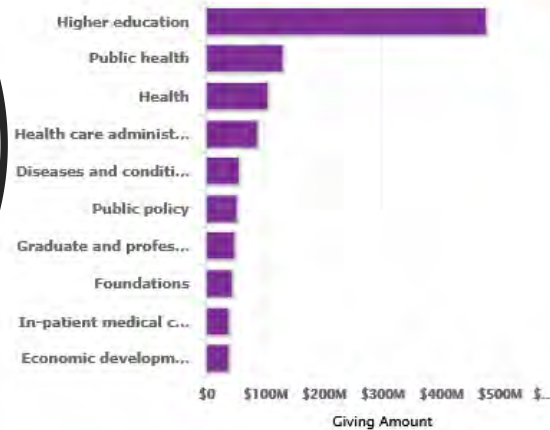
The Robert Wood Johnson Foundation Most Recent 5 Years At A Glance

They've funded 3,739 grants to 1,471 organizations totaling \$2,075,933,869

NEW PROFILE FEATURE

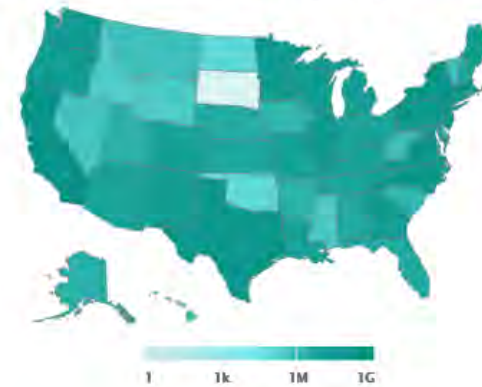
Robust Summary for Each Funder: What, Where and Amount of Funding in 3 Easy to Read Charts

What Is Being Funded?



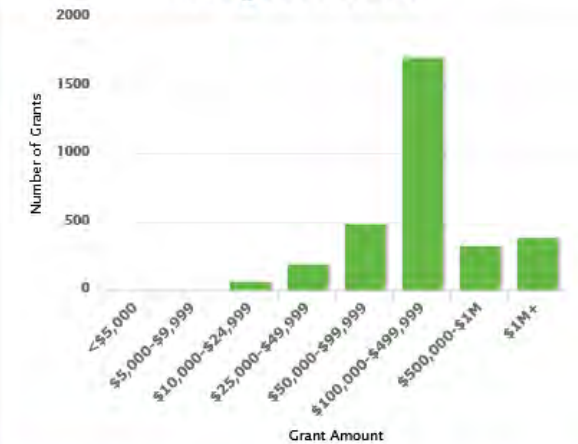
[View Each Subject with More Detail](#)

Where Is The Money Going?



[View Each State with More Detail](#)

How Big Are The Grants?



[View Each Grant with More Detail](#)

[GRANTS](#)

[FUNDING INTERESTS](#)

[ABOUT](#)

[OTHER FUNDERS TO CONSIDER](#)

Based on similar patterns of giving

Grants

MOST COMMON GRANT AMOUNT: \$50,000

Foundation
Center

Supporting
Ulster County's
Non-Profits



LibCal makes borrowing museum and park passes seamless for Ulster residents.

It provides a consistent library calendar experience for patrons and manages registration for activities and events including confirmation emails, and reminders.

Opus 40 Sculpture Park

356 George Sickle Road, Saugerties, New York, 12477 [Map](#)

☎ 845-246-3400

About the Museum: Opus 40 is a large environmental sculpture in Saugerties, New York, created by sculptor and quarryman Harvey Fite. It comprises a sprawling series of dry-stone ramps, pedestals and platforms covering 6.5 acres of a bluestone quarry.

Hours: Weather permitting, open 10:30 AM to 5:00 PM Saturdays and Sundays in late March and April. Fridays and Mondays are added in May. From Memorial Day to Labor Day, open Thursdays through Mondays. As the weather gets cooler, hours are reduced to a shorter week, eventually being open only on weekends, weather permitting, until the Winter Solstice.

Please [check website](#) to confirm the day and time you want to visit.

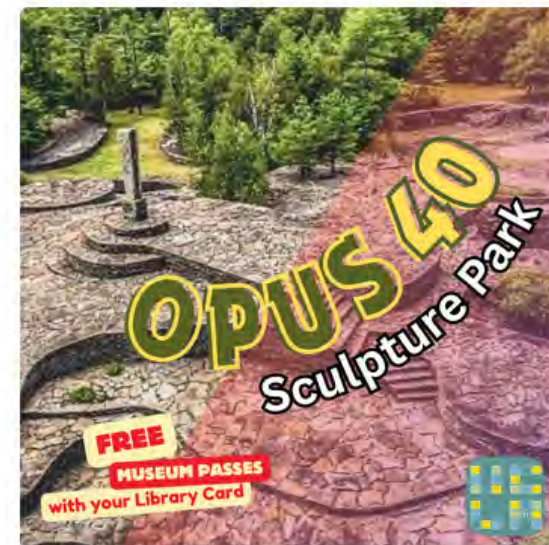
Pass Details: Five tickets for immediate family only. (This means two caregivers of any age or gender and the children they care for in a family unit only. No cousins or friends, etc.) If your group size is larger, purchase additional tickets from the website. Patrons do not need to sign up ahead. Upon arrival, show the Library's Opus 40 Pass (printed or digital on phone) and your library card. Picnics are welcome. View the map online at the website. Printed maps are available.

Restrictions: Hours change seasonally. Please check website before reserving passes.

See events on the website, which require reservations and full price ticketing, as member discounts to events do not include the Library's pass.

Please note: when prompted for a Username and Password, please use your library card number and PIN

[Visit Website](#)



Passes Availability

Digital (downloadable via email) passes are available. Select your desired visit date from the calendar below.



September 2025

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9	10	11	12	13

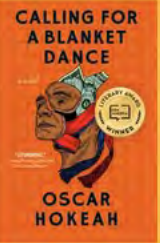
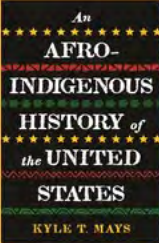
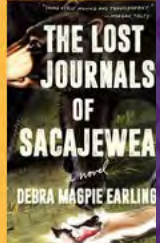
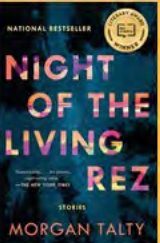
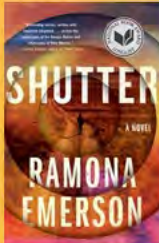
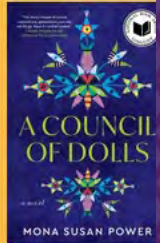
Library Aware

Promoting library collections, events, and library e-news



**NOVEMBER IS
NATIVE AMERICAN
HERITAGE MONTH**

Celebrate with these reads by indigenous American authors.

 CALLING FOR A BLANKET DANCE OSCAR HOKEAH	 AN AFRO-INDIGENOUS HISTORY OF THE UNITED STATES KYLE T. MAYS	 LOVE AFTER THE END	 THE LOST JOURNALS OF SACAJEWEA DEBRA MAGPIE EARLING
 NIGHT OF THE LIVING REZ MORGAN TALTY	 EVERY DROP IS A MAN'S NIGHTMARE Morgan Kousser Nakimula	 SHUTTER RAMONA EMERSON	 A COUNCIL OF DOLLS MONA SUSAN POWER

For more recommendations, ask a librarian.

Halloween Storytime

Join us for a ghoulish good time!

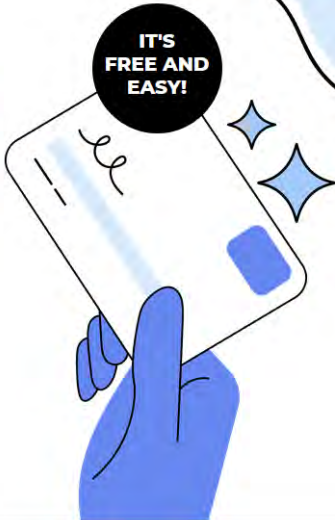


Mondays
Fridays at
10:00 a.m.
in October

SEPTEMBER 1-30

LIBRARY CARD SIGN-UP MONTH

IT'S FREE AND EASY!



UP TODAY!

BANNED BOOKS WEEK

September 22-28

fight for your right to read



New for 2026

Mid-Hudson Discovery Museum Passes



Early Learning Junction

A dynamic early learning space for children ages 0-4

[LEARN MORE](#)

Science Revealed!

Explore motion, air, forces, fluids and magnetism

[LEARN MORE](#)

The Science Center @ MHDM

A learning space dedicated to early STEM education (Science, Technology, Engineering & Math)

[LEARN MORE](#)

Rivertown

Imaginative play that helps children develop creativity

[LEARN MORE](#)

The Children's Garden @ MHDM

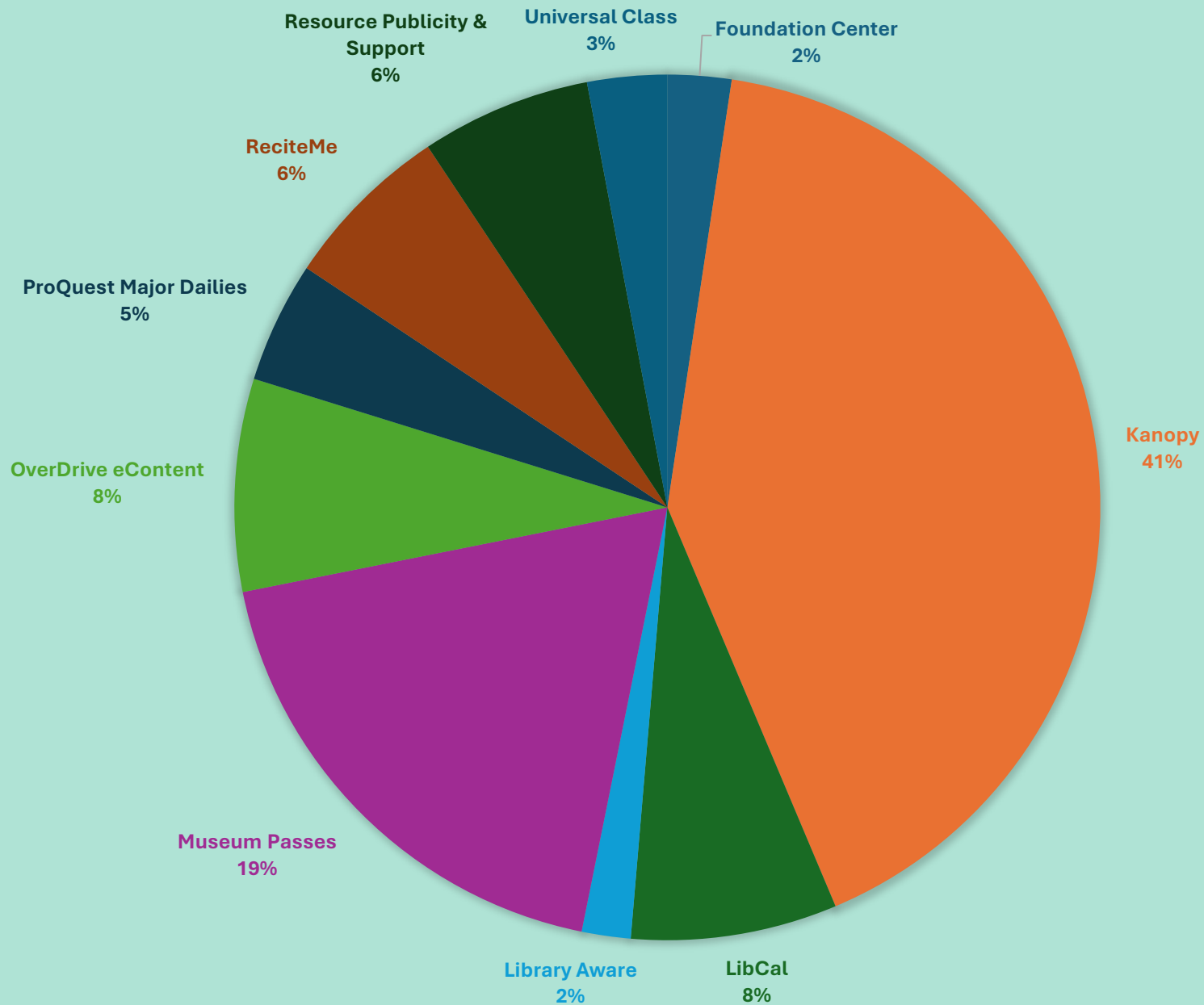
For those with a budding interest in plants and a passion for how things grow

[LEARN MORE](#)

Imagination Station

Open-end fun that encourages self-expression

[LEARN MORE](#)



2026 Budget	
Foundation Center	3,000
Kanopy	52,000
LibCal	9,700
Library Aware	2,300
Museum Passes	23,550
OverDrive eContent	10,000
ProQuest Major Dailies	5,700
ReciteMe	8,000
Resource Publicity & Support	8,000
Universal Class	3,750
Total Budget	126,000

Thank you!



Ulster County Economic Development Legislative Committee Meeting

October 14, 2025



Soil and Water Conservation District
5 Park Lane
Highland, New York 12528
(845) 883-7162

Jake Wedemeyer
Executive Director, UCSWCD

OUR STAFF

Chris DeGroodt
Program Assistant

Jake Wedemeyer
Executive Director, CCA, CPESC

Travis Ferry
*District Technician, CCA,
NYSESCCP*

Cooper Hernsdorf
*Junior Technician, Certified
Arborist*

Max Garfinkle
AWSMP Project Manager

Bobby Taylor
CSBI Program Coordinator

Allison Lent
*Stream Assessment Coordinator,
NYSESCCP*

Mark Tollefson
Watershed Technician

Gabe Bonse
Watershed Technician

Who We Are

USDA NRCS (Partners)

Oscar Velez-Juarbe
*District
Conservationist*

Sam Roberts
Soil Conservationist

Eleanor Richard
Civil Engineer

BOARD OF DIRECTORS

Leonard Tantillo
Chair – Farm Bureau Representative

Fred Wilklow
Member – At-Large

James Delaune
Member-At-Large

Sarah Van Nostrand
*Secretary/Treasurer Grange Bureau
Representative*

Robert Davenport
Member-At-Large

Herbert Litts, III
Legislative Representative

Kathy Nolan
Legislative Representative

Agricultural Environmental Management Program

- Agricultural Best Management Practices for water quality and soil health improvement
- 8 Farms in contract for \$199,706 through AEM Round 18
- 2026-2029 AEM Round 19 will have \$300,000 available for agricultural projects



Agricultural Environmental Management Program

- Engineered access road
- A natural seep was addressed as part of access road construction
- Runoff of sediment and nutrient laden water was eliminated
- Herd health and farm operations improved by installing an appropriate multi use access road





Agricultural Best Management Practices in Progress

Two Rotational Grazing Systems





Irrigation Water Efficiency



Barnyard Heavy Use Area Protection



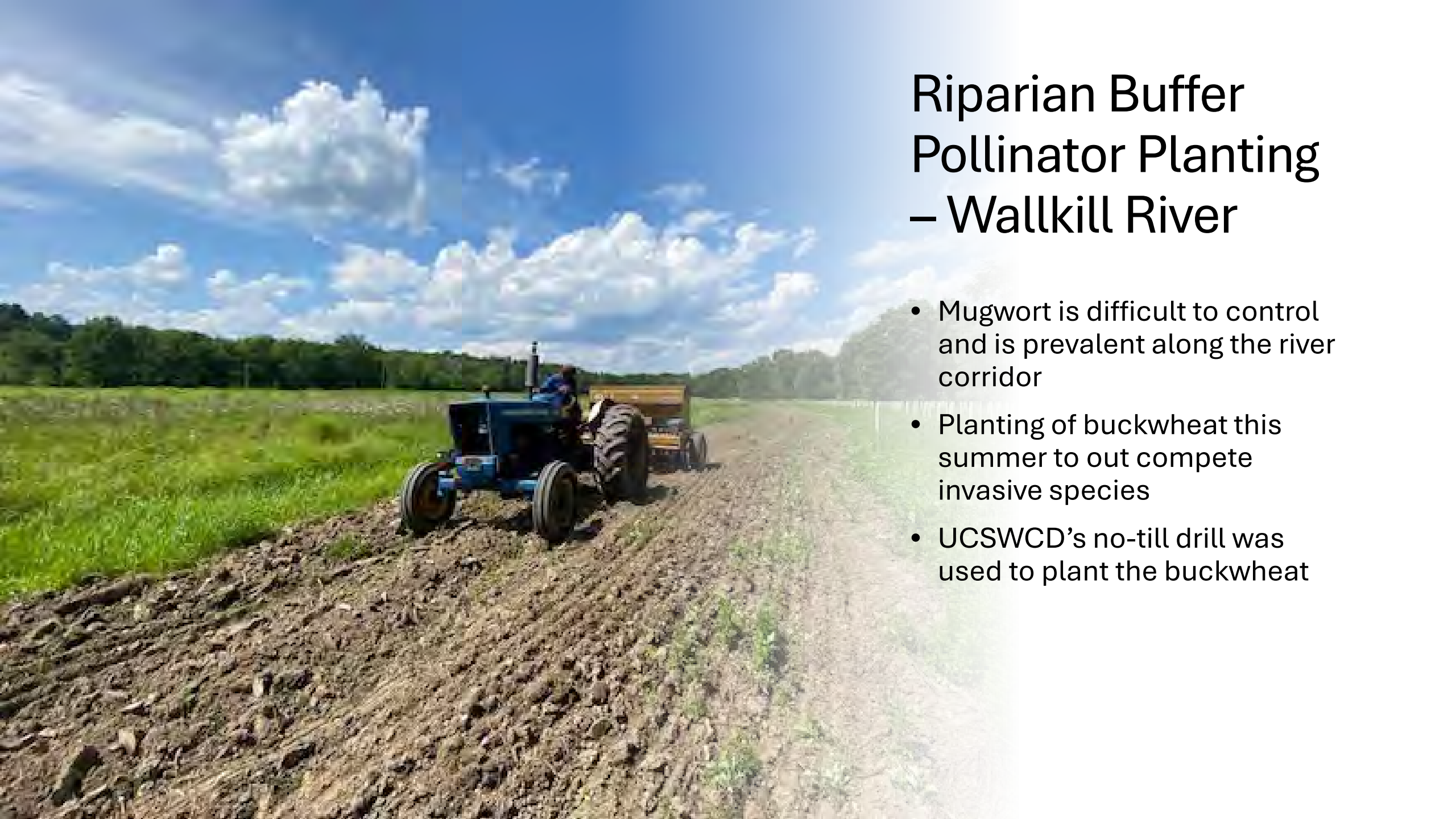
3 On Farm Secondary Containment Facilities



Agricultural Best Management Practices in Progress

Riparian Buffer Pollinator Planting – Wallkill River

- Mugwort is difficult to control and is prevalent along the river corridor
- Planting of buckwheat this summer to out compete invasive species
- UCSWCD's no-till drill was used to plant the buckwheat



Riparian Buffer Pollinator Planting – Wallkill River

- Buckwheat is outcompeting the mugwort
- Buckwheat will be terminated by mowing after flowering
- Buckwheat will be no till drilled again this summer and terminated by mowing after flowering
- Riparian pollinator mix will be planted in the fall



Town of Marbletown Water Quality Study

- 6 month water quality sampling program on the Lower Esopus Creek
- Sample locations downstream of the Ashokan Dam to the Marbletown Town Park
- UCSWCD is working with the Town and assisting the consulting firm with monthly sampling
- Goal is to ascertain if fecal coliforms are from humans, wildlife or livestock
- Develop strategies to remediate
- UCSWCD is providing \$5,000 in in-kind services



Trees for Tribs Riparian Planting Project – Wallkill River



- Collaborative effort with the **Orange County Land Trust, NYS DEC Trees for Tribs Program** and **volunteers**
- 800 linear feet of 385 native trees were planted in the spring
- An additional 800 linear feet of native trees will be planted in the fall

Trees for Tribes Riparian Planting Project – Wallkill River



Additional Riparian Plantings Along the Wallkill River, Late Fall 2024

- One planting addressed a historic ice scour/erosion site and the riparian buffer was enhanced along 300 linear feet.
- Willow stakes were installed along the west bank of the Wallkill for erosion control and toe of bank protection.
- \$6,000 in State funding specifically for conservation districts



Hudson Highlands Storm Water Management Project

- County owns the parcel due to delinquent taxes
- Storm water detention pond not engineered by original developer
- No defined spillway
- Private wells affected
- Direct runoff into Hudson River



Hudson Highlands Storm Water Management Project

- UCSWCD received \$14,023 from the Ulster County to build a defined spillway
- UCSWCD did the design and construction oversight in-house
- Storm water runoff from pond overflow was controlled
- Private property and domestic wells were protected



Local Cover Crop Program



- Most of Ulster County's productive agricultural lands are along river corridors
- Cover crops take up excess soil nutrients
- Cover crops hold the soil in place during significant rain and runoff events
- When the snow melts, the soil stays in place
- 930 acres of cover crop were certified and cost shared in 2024
- Participation and acreage in our local cover crop program have nearly doubled since 2022



Soil Health Equipment Rental Program

- Newly Acquired Row Mulcher
- ARPA funds were a 50% match for the Climate Resilient Farming Round 8 Grant



Soil Health Equipment Rental Program

- Newly Acquired 12' no-till drill
- ARPA funds were a 50% match for the Climate Resilient Farming Round 8 Grant
- No-till acreage doubled from 134.7 acres in 2023 to 277.5 acres in 2024
- 126 acres of no till so far before the fall cover crop planting season



Soil Health Equipment Rental Program

- Newly Acquired Lime Spreader
- ARPA funds paid 100 %
- This low cost rental is critical for soil health and farm economic viability



Assistance to Residents and Municipalities

- 154 residents assisted for drainage, agricultural feasibility, agricultural district inclusion, stream bank erosion, critical area seeding, erosion control, pond site enhancement, regulatory permits and mini-grant enrollment in 2024.
- 2 Municipalities assisted with Arbor Day initiative for 2024, this includes delivery and reimbursement of trees and mulch. Partnership with the UC Dept. of Environment.
- 24 municipal requests for technical assistance in 2024.
- District involvement with updating the Ulster County Farmland Protection Plan.
- District is a member of the Water Quality Coordinating Committee.
- District partnered with CCE of Ulster County for the 2025 Soil Health Twilight Meeting – to promote soil health and low cost no till and soil health equipment rental program.
- Participation and assistance with the Lower Esopus Stream Management Plan.
- Technical and cost share assistance to 41 agricultural producers for 2024.
- 58 Soils Group Worksheets for Ag. Value Assessment encompassing 1,675 acres of agricultural land in 2024.

2025 Funding Sources

• County	\$181,500
• NYC DEP	\$80,000 (est)
• NYS Technical Reimbursement (funding is used for projects and District overhead)	\$297,280
• Sales and Services	\$13,300 (est)
• AEM Program	\$65,000 (est)
• Storm Water Services	\$8,500 (est)
• Round 27 Ag Non-Point Source and CRF Grants Technical Reimbursement	\$7,000 (est)

Grand Total	\$652,580
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Project Funding Brought into Ulster County from District Programs

• NYS Part B Funding – Riparian Buffer Enhancement on Agricultural Lands	\$6,000
• ARPA Funding for Soil Health in Ulster County	\$99,164
• NYS Eligible Expenditures Reimbursement	\$60,000
• NYS Performance Measures Funding	\$231,280
• AEM Program for Agricultural Best Management Practices (8 projects)	\$199,894
• NYS Ag Non-Point Source Grant (3 projects)	\$231,746
• Climate Resilient Farming Grant Round 8 (5 farms)	\$166,400
• Broad Street Hollow Stream Restoration Project (NYC DEP funded)	\$1,600,000 (est)
• Bridge Street Bridge Replacement Project, Phoenicia (DEC and DEP funded)	\$8,000,000
• Catskill Stream Buffer Initiative Riparian Planting Projects (NYC DEP funded)	\$45,000
Grand Total	\$10,639,484

There is a 59:1 Rate of Return with the current Ulster County Annual Funding Appropriation

Where are We Heading????

- Expanded services with the County No-Till Drills, Row Mulcher, Lime Spreader and Soil Health Programs.
- Increased cost share funding with the Part C Mini-Grant Program to serve farms and communities (cover crops, riparian buffers, climate resiliency projects, water quality improvement projects, etc.).
- Expand the Agricultural Environmental Management (AEM) program to provide technical and cost share assistance to Ulster County farmers (two Certified Crop Advisors and one Certified Arborist on Staff).
- AEM State non-competitive funding to assist Ulster County agricultural producers increased from \$100,000 to \$200,000 for the 2024-2025 contract cycle, \$300,000 for 2026-2029 contract cycle.
- The UCSWCD was awarded for the Climate Resilient Farming Round 8 State Grant, \$166,400 in cost share assistance to five Ulster County farms, ARPA funds covered 50% of the equipment purchases.
- Increased technical assistance to Ulster County Residents.
- Increased storm water services and District trainings (four certified erosion and sediment control professionals on staff).
- Continue NYC DEP partnership for stream restoration projects, in contract for next 5 year agreement, awarded \$17,185,795 contract for 2025 through 2030.
- **3% increase request for County appropriation to cover 14% health insurance increase - \$187,000.**

Thank You



Ulster County Legislature

Eric Stewart

Legislator, District No. 18

Towns of Hurley & Marbletown



P.O. Box 1800
Kingston, NY 12402
Telephone: 845 340-3900
FAX: 845 340-3651

To begin, I must state that I represent portions of the neighboring Town of Hurley as well as Marbletown in the Ulster County Legislature and not the Town of Ulster in which this proposed lithium battery storage facility would be located. I also must state that generally I am very much in favor of efforts and technologies to end our reliance on fossil fuels, as I believe that our dependence on these outdated energy sources is literally killing the planet and disrupting the climate worldwide. It is because of this, that I find myself in the unusual position of opposing the siting of the proposed lithium-ion battery storage facility at the former Coleman High School on Lucas Avenue.

When that property came up for sale after the school was closed, I was hoping that Ulster County would be able to purchase that property and build affordable workforce and/or senior housing at that location. To me, this seemed like a no-brainer. The site is perfect for such a usage, and Ulster County is experiencing a very real and very serious housing crisis. Unfortunately, for whatever reasons, the Archdiocese of New York was unwilling to sell that property to the county. That was unfortunate. Instead, they sold to a company out of Florida to create a mixed-use development with a hotel, retail and market-rate housing. This seemed like a totally appropriate usage. That deal fell through, and now a San Diego-based renewable energy company, Terra-Gen, wants to open a 250MW lithium-ion battery storage facility on this 15-acre parcel instead. Terra-Gen is owned by a deep-pocketed parent company that is based in the UAE. This facility would include building the site's own electrical substation less than 30' from a neighboring residential property as well as large water storage tanks, a fire command center, and around 300 14'-tall lithium battery storage containers that would cover approximately 12 of the parcel's 15 acres. Please note that such facilities are a known fire risk, and that a similar facility in California owned by the same company has seen two fires in recent years. One of these required residents within ¼ mile to be evacuated from their homes and those within ½ mile to stay indoors due to toxins in the smoke.

While being a proponent of renewable energy, I simply believe that an industrial facility such as this would be out of place sandwiched between residential neighborhoods and a large apartment complex. Part of the parcel itself is currently zoned residential, with the remainder as office and manufacturing. I personally will find it surprising if this makes it through the town's planning board and its zoning board as well as County Planning Board, which would be required to sign off on the deal. That said, stranger things have happened. Given the real risks of fire and possible threats to groundwater and nearby wetlands, it seems that such a facility would better-suited for an appropriately zoned industrial area—perhaps a brownfield site—elsewhere in the county, and instead reserve this parcel for residential usage. It should also be noted that the reason this site

was selected is due to its nearness to a large electrical substation located across Hurley Avenue from the former high school that is out of sight to most passing by. I would encourage the county to work with Terra-Gen to find a more appropriate site within Ulster County for this facility and not one that would so radically alter the character of the surrounding residential neighborhoods or threaten its many neighbors with such environmental and safety concerns.

Best regards,

A handwritten signature in black ink, appearing to read "E. Stewart", with a long horizontal flourish extending to the right.

Eric Stewart
Ulster County Legislator, Dist. 18
845-616-0764

NY Municipalities with BESS Moratoriums or Bans

Municipality	Status	Dates	Notes
Babylon	Moratorium	Extended July 2025	Town extended BESS moratorium July 2025
New Castle	Moratorium	Mar 2025	6-month moratorium enacted
Harrison	Moratorium	Mar 2025	6-month moratorium enacted
Oyster Bay	Ban	Sept 2025	Extended multiple times
Islip	Moratorium	Sept 30, 2026	Extended through 2026
Southold	Moratorium	Apr 2025	Extended April 2025
Duanesburg	Ban	2025	Local Law No. 3 of 2025
Putnam Valley	Moratorium	2024–2025	Adopted 2024, extended 2025
Kent	Moratorium	2024–2025	Local Law No. 1 of 2024; reaffirmed 2025
Mount Kisco	Ban	Aug 2025	Village voted ban
Rotterdam	Moratorium	2023–2024	Adopted 2023, extended 2024
Whitehall	Moratorium	2024	Local Law #4 of 2024
Veteran	Moratorium	2024–2025	LL #4 of 2024; BESS code 2025
Glen Cove	Moratorium	May 2025	1-year moratorium
North Hempstead	Ban	Dec 2024–Aug 2025	1-year ban
Southampton	Moratorium	2024–2025	Extended; new BESS code June 2025
Carmel	Ban	Oct 2024	Zoning amended
Plattekill	Moratorium	Dec 2024–2025	Adopted Dec 2024, extended 2025
Batavia (Town)	Moratorium	Aug 20, 2025	Adopted moratorium
Poughkeepsie (Town)	Moratorium	Feb 2024–2025	Adopted moratorium, extended/considered 2025
Gardiner	Moratorium	Jul 8, 2025	6-month moratorium
Claverack	Moratorium	2024	LL #6 of 2024
Bedford	Moratorium	2024–2025	Moratorium and extension Aug 2025
Yonkers	Moratorium	Jul 2024–Jun 2025	Extended June 2025
Pound Ridge	Moratorium	Feb 2025–Sept 2025	Extension noticed Sept 2025
Beekman	Moratorium	Oct 2024–Jul 2025	Adopted Oct 2024; extended June & July 2025
Yorktown	Ban	May 28, 2025	Ban on Tier 2 BESS
Cortlandt	Moratorium	2024–2025	Moratorium with 2025 extension

Battery Energy Storage System (BESS) Fire Incidents — 2022 to 2025 Summary

Prepared for Ulster County Legislature — Resolution 447 (October 2025)

This summary illustrates the continued pattern of large-scale Battery Energy Storage System (BESS) fire events, averaging three to four major incidents per year. These incidents underscore that even modern, highly regulated lithium-ion systems remain vulnerable to catastrophic thermal events despite adherence to newer standards such as NFPA 855 and UL 9540A. They highlight that safety assurances based on newer technology are not sufficient to eliminate systemic risk.

Date	Location / Project	Scale / Details	Impact / Notes
Jan 16, 2025	Moss Landing, CA (~300 MW Phase I, Vistra)	Large-scale utility BESS	Fire destroyed ~80% of units; 24-hour evacuation; Hwy 1 closure (LA Times, Jan 2025)
Aug 30, 2025	California Flats, CA (Arevon)	Solar + Storage hybrid	Thermal event in several units; local evacuation radius established (Energy-Storage.News, 2025)
Sept 26, 2025	Boulder City, NV (Tesla Megapack)	Utility-scale BESS	Two Tesla Megapacks ignited; multi-agency emergency response (Electrek, 2025)
May 2024	Otay Mesa, CA (Gateway Energy Storage, LS Power)	250 MW modern system	Fire lasted five days with reignitions; local evacuations; modern system failure (Wikipedia)
Sept 2022	Elkhorn / Moss Landing, CA (PG&E / Tesla)	Elkhorn BESS Project	Single Megapack fire; system shutdown; no injuries (Wikipedia)

Key Observations & Trends:

- High-profile BESS fires continue to occur despite technological advancements and updated safety codes.
- The *Moss Landing 2025 fire* demonstrates that large-scale systems remain prone to catastrophic failure and require mass evacuations.
- The *Otay Mesa 2024 fire* underscores that even recently commissioned facilities face prolonged reignition and containment issues.
- The *Boulder City 2025 Tesla Megapack fire* reveals that modern lithium-ion designs still carry inherent risks of thermal runaway.
- Average of three to four large BESS fire incidents per year in the United States since 2022.
- Each event carries substantial local emergency-response and environmental remediation costs often borne by municipalities.

These recurring incidents reinforce the need for precautionary local regulation before siting large-scale BESS projects near homes, schools, or environmentally sensitive areas. Until proven containment and response standards exist, a moratorium or prohibition represents a prudent safeguard for public health and fiscal responsibility.

Prepared October 2025 by Concerned Residents of Ulster County.

LOCAL LAW NO. 3 OF 2025 OF THE TOWN OF HURLEY

A LOCAL LAW TO IMPOSE A TEMPORARY MORATORIUM ON LARGE SCALE BATTERY ENERGY STORAGE SYSTEM (BESS) FACILITIES

BE IT ENACTED by the Town Board of the Town of Hurley, New York, as follows:

§ 1. SHORT TITLE.

This Local Law shall be known and cited as the "2025 Battery Energy Storage System Facilities Moratorium Law of the Town of Hurley."

§ 2. PURPOSE, INTENT, AND FINDINGS.

The Town Board of Town of Hurley (the "Town Board") is concerned with the impact of large scale battery energy storage systems ("BESS") on, among other things, surrounding properties, neighborhoods, the environment, and public health and safety. Understanding the impacts of BESS and implementing appropriate regulations for the installation and use of BESS that mitigate or avoid negative impacts is necessary to protect public health, safety, and quality of life in the Town of Hurley (the "Town"). The Town Board desires that Town staff and consultants conduct a study of BESS for this purpose.

Town Board finds it imperative that the Town undertake a thorough examination of these systems to identify any possible threats to public health, safety and welfare as well as evaluate the potential for environmental degradation and other potentially significant planning concerns associated with BESS facilities that may affect the quality of life of town residents.

Thus, the Town Board finds that a temporary moratorium is specifically determined to be necessary (i) to provide adequate time for the Town to conduct an appropriate study of BESS, (ii) to prepare recommendations related to BESS, including additions or amendments to the Town Zoning Code, (iii) for the Town Board and other involved boards and agencies, and the public to fully and carefully consider these recommendations, and (iv) if applicable, for the Town Board to enact these recommendations. Notably, the Town of Hurley Code does not currently provide for the regulation of BESS.

Additionally, the Town Board is aware of the rights of property owners to utilize their properties in accordance with existing laws and is sensitive to the protection of these rights.

§ 3. AUTHORITY

This moratorium is enacted by the Town Board of the Town of Hurley pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

§ 4. MORATORIUM

In order to enact appropriate legislation to address the concerns set forth herein, the Town shall establish a committee to provide the Town Board with a comprehensive plan as to how to appropriately regulate BESS including a plan as to where, within the Town BESS may be permitted, and whether limiting the number of such facilities to insure that businesses of this nature can operate, with a minimum of detrimental cumulative impacts to the community. The Town Board has found further that unless reasonable measures are taken for an interim period to protect the public interest pending the completion of the necessary studies, meetings, and required public hearings, BESS may occur within the Town which would frustrate the plan that the Town Board may wish to enact. In light of the fact that the characteristics of BESS may have a detrimental impact on the community if not reasonably regulated, including regulating the locations where BESS may operate, and regulating the size and physical characteristics of BESS at permitted locations, the Town Board has determined that a thorough examination of these issues, including zoning regulations with respect to BESS, is necessary in order to protect the future health, safety, and welfare of present and future residents of the Town. This review will likely culminate in amendments to Chapter 210 "Zoning" and possibly other sections of the Town Code.

The Town requires time to accomplish the technical aspects of its review and to enact any required amendments. Since it would be improper for development to proceed in a manner potentially contrary to Chapter 210 and other sections of the Town Code as they may ultimately be amended, a moratorium is necessary and appropriate to protect the health, safety, and welfare of the present and future residents and property owners of the Town as well as the greater community. The Town Board find that same will be best served by implementing a moratorium on the development of BESS, for a short period of time to permit the Town Board, together with staff and consultants retained by the Town, including the Town Engineer, Town Attorney, Town Planner, and Building Inspector, to complete their review of BESS within the Town, and to act on the important recommendations of such persons. Accordingly, the Town Board hereby enacts a temporary, limited moratorium on BESS whereby no approval for, permitting, or including BESS shall be granted by the Town, including but not limited to any approval of a zoning change, variance, subdivision, site plan, special use permit, building permit, demolition permit, or sign permit.

The Town Board finds that the necessary, temporary action proposed by this local law consisting of deliberative information collection as part of the continuing administration and management of the Town constitutes a Type II action under the New York State Environmental Quality Review Act and therefore requires no further environmental review.

§ 4. REGULATIONS.

A. Except as otherwise provided herein, effective on the effective date of this Local Law and continuing for a period of six (6) months after the effective date of this Local Law, unless the Town Board by resolution, establishes an earlier date, no building permit, special permit, preliminary or final site plan review, variance, certificate of occupancy, or other permit or approval relating to construction, alteration, modification, conversion, or change of use with

respect to BESS may be issued, except in the event of an emergency as determined by the Building Inspector. Nor shall any application be accepted with respect to any property for which the use of same for a BESS is contemplated, nor shall any business begin to operate as a BESS during this moratorium period.

B. This moratorium may be extended by a period of up to six (6) months by resolution of the Town Board upon a finding of the necessity for such extension.

§ 5. APPEALS / APPLICATIONS FOR RELIEF.

A person or entity with standing may appeal to the Town Board for relief from the provisions of this moratorium upon a showing that such relief is necessary to avoid unnecessary financial hardship or a taking of private property beyond what is permissible by valid regulation. The Town Board shall have the power to, and may, grant appropriate relief from this Local Law subject to whatever conditions are deemed necessary to protect the public. Applications for such relief shall be by verified petition to the Town Board and shall be supported by competent financial evidence. The Town Board shall hold a hearing on any such petition within thirty (30) days and decide such applications within fifteen (15) days after the closing of such hearing. The default of the Town Board in acting on such application shall not result in a default granting of such relief, but shall permit the applicant to seek such relief pursuant to Article 78 of the CPLR to grant such relief or so much relief as determined by the Town Board to be necessary and appropriate, as it relates to this moratorium. The decision of the Town Board on any such application for relief shall be final.

§ 6. PENALTIES FOR OFFENSES.

Any person, firm, entity, or corporation that shall construct, erect, enlarge, convert or otherwise add to any building or structure in violation of the provisions of this Local Law shall be subject to penalties as otherwise provided by law or ordinance of the Town for such violation.

§ 7. SEVERABILITY.

If any section, subsection, clause, phrase or other portion of this ordinance is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the ordinance declared to be invalid will be deemed a separate, distinct, and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

The invalidity of any word, section, clause, paragraph, sentence part or provision of this Local Law shall not affect the validity of any part of this Local Law which shall be given effect without such invalid part or parts.

§ 8. REPEAL OF EXISTING LAWS.

All ordinances, local laws, or parts thereof in conflict with the provisions of this Local

Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes, amends and takes precedence over any inconsistent provisions of New York State Town Law, the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261- 285 inclusive and any other provisions of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specify any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provisions had it been apparent.

§ 9. EFFECTIVE DATE AND TERM.

The moratorium provided for by this ordinance shall be effective immediately, shall remain in effect for a period of six (6) months, and may be extended for an additional period of up to six (6) months by resolution of the Town Board upon a finding that same is deemed necessary by the Town Board to complete the purpose and intent of the moratorium set forth herein.

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.

Dated: September 30, 2025, Town of Hurley

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HURLEY
LYNNE BAILEY, TOWN CLERK