

Town of Forestburgh

RESOLUTION

ADOPTING LOCAL LAW NO. 1 OF 2026 – “Battery Energy Storage Systems Law of the Town of Forestburgh”

Dated: January 8, 2026

At a meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at the Town Hall, 332 King Road, Forestburgh, N.Y., on the ____ day of January, 2026, there were:

Supervisor Daniel S. Hogue, Jr.	Present / Not Present
Councilmember Steven Budofsky	Present / Not Present
Councilmember Susan Parks-Landis	Present / Not Present
Councilmember Vincent Galligan	Present / Not Present
Councilmember Robert J. Sipos	Present / Not Present

Councilperson _____ offered the following resolution and moved for its adoption:

WHEREAS, the Town Board of the Town of Forestburgh, Sullivan County, New York (the “Town Board”), previously introduced a proposed local law entitled “*Battery Energy Storage System Law of the Town of Forestburgh*” (the “Local Law”), which amends the Code of the Town of Forestburgh to establish regulations governing the siting, construction, operation, safety, and decommissioning of battery energy storage systems; and

WHEREAS, the Town Board scheduled and conducted a duly noticed public hearing on the proposed Local Law on November 6, 2025, at which time all persons wishing to be heard were given an opportunity to comment, and the public hearing was thereafter closed; and

WHEREAS, the proposed Local Law was referred to the Sullivan County Planning Department pursuant to General Municipal Law § 239-m for review and recommendation, and the Town Board has duly considered the County’s response, or the expiration of the applicable statutory review period; and

WHEREAS, the Town Board has reviewed the proposed Local Law and finds that it is in the best interests of the Town to adopt clear and comprehensive regulations governing battery energy storage systems in order to protect the public health, safety, and welfare of the Town and its residents; and

WHEREAS, the Town Board has classified the adoption of the Local Law as an **Unlisted Action** under the State Environmental Quality Review Act (“SEQRA”); and

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WHEREAS, by separate resolution adopted contemporaneously herewith, the Town Board issued a Negative Declaration determining that the adoption of the Local Law will not have a significant adverse impact on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Forestburgh hereby **adopts Local Law No. 1 of 2025**, entitled *“Battery Energy Storage System Law of the Town of Forestburgh,”* in the form presented to the Town Board attached hereto; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to certify the Local Law, affix the Town Seal, and file the Local Law with the New York Secretary of State in accordance with the Municipal Home Rule Law; and

BE IT FURTHER RESOLVED, that the Local Law shall take effect immediately upon filing with the Secretary of State.

On a motion by Councilperson _____, seconded by _____, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Daniel S. Hogue, Jr.	Aye – Nay – Abstain
Councilmember Steven Budofsky	Aye – Nay – Abstain
Councilmember Susan Parks-Landis	Aye – Nay – Abstain
Councilmember Vincent Galligan	Aye – Nay – Abstain
Councilmember Robert J. Sipos	Aye – Nay – Abstain

Adopted this __ day of January 2026.

**By Order of the Forestburgh Town Board
Teresa Collins, Town Clerk**

I, **TERESA COLLINS**, Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on **January __, 2026** and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk’s office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Forestburgh this _ day of January 2026.

Teresa Collins, Town Clerk

TOWN SEAL