

RESOLUTION No. 023
HARPERSFIELD TOWN BOARD

**RESOLUTION SCHEDULING A PUBLIC HEARING ON PROPOSED LOCAL LAW TO ENACT A
TEMPORARY MORATORIUM ON THE PROCESSING OF APPLICATIONS FOR, AND THE
ISSUANCE OF ANY APPROVALS OR PERMITS FOR
BATTERY ENERGY STORAGE SYSTEMS**

DATE: October 14, 2026

WHEREAS, The Town Board of the Town of Harpersfield ("Town Board") intends to draft comprehensive local law to regulate Battery Energy Storage System ("BESS") in the Town of Harpersfield. The Town Board believes it is in the public interest to maintain the status quo while this work progresses. Without a moratorium, applications could be submitted and approved without specific or effective standards that are tailored to the Town of Harpersfield, creating vested rights and irreversible land use impacts. This moratorium is necessary to preserve the status quo and allow sufficient time to adopt proper regulations; and

WHEREAS, the Town Board has introduced a proposed local law entitled "A Local Law to Enact a Temporary Moratorium on Battery Energy Storage Systems (BESS)" which would enact a temporary moratorium prohibiting any Town board or official from accepting, processing, reviewing or approving any application for a BESS in the Town.

NOW, THEREFORE, BE IT RESOLVED, that said Town Board shall hold Public Hearing at the Harpersfield Town Hall, located at 25399 NY- 23, New York, on November 11, 2026 at 7:00 P.M., to hear all persons interested in the matter of the adoption of the proposed local law introduced on October 14, 2026, and be it

FURTHER RESOLVED, the proposed local law is classified as a Type II action, exempt from review under SEQRA, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish notice of said public hearing in the newspaper, and to post copies of such notice in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby authorized and directed to refer the proposed local law and/or Notice of Public Hearing to the appropriate agencies for their review and recommendations.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Harpersfield:

The motion was moved by Erik Reeve.

The motion was seconded by Dwayne C. Hill.

The vote was as follows:

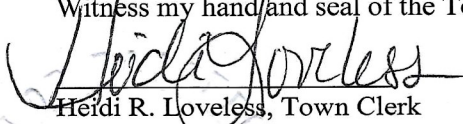
AYE:5
NO: 0
ABSENT:0

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

STATE OF NEW YORK }
COUNTY OF DELAWARE }
TOWN OF HARPERSFIELD }

I Heidi R. Loveless, Town Clerk of the Town of Harpersfield have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of the Town of Harpersfield at a regular meeting held on the 14th day of October, 2026, and I DO HEREBY CERTIFY the same to be correct transcript there from and of the whole of the original.

Witness my hand and seal of the Town of Harpersfield, this 15th day of October, 2026.



Heidi R. Loveless, Town Clerk

Town of Harpersfield

