

**REGULAR MEETING
APRIL 17, 2025**

A Public Hearing and the Regular Meeting of the Town Board of the Town of Hampton, County of Washington and the State of New York was held at the Town Hall, 2629 State Route 22A, Hampton, New York, on the 17th day of April 2025.

PRESENT: David K. O'Brien-----Supervisor
Donald Sady-----Councilman
Tamme Taran-----Councilwoman
Michael Pietryka-----Councilman
Andrea Kugler-----Councilwoman - absent
Rebecca Jones-----Town Clerk
Camilla Shaw-----Deputy Town Clerk
Tyler McClure-----Highway Superintendent

Planning Board Member (s):... Bonnie Hawley, Chair and Matthew Pratt
Others present at the Town Hall: EJ Conzola (NYVT Media Reporter), Artie Pratt and Leonard Reed.

The Public Hearing was called to order by Supervisor O'Brien at 7:16pm

Town Clerk Rebecca Jones read the Legal Notice of Public Hearing (copy attached), which was published on 4/03/25 in the Sentinel-Times to discuss the proposed Local Law imposing a Moratorium on locating Battery Energy Storage Systems in the Town of Hampton.

Some of the Planning Board members attended a training titled "All Things Solar: An Informative Presentation" presented by Washington County Real Property on April 14th, 2025 at the Washington County Municipal Center. Received information on Battery Energy Storage.

Supervisor O'Brien asked three times for any further comments or questions. Hearing none, the Public Hearing was closed at 7:25pm

REGULAR MEETING

The Regular Meeting was called to order by Supervisor O'Brien at 7:30pm, followed by the Pledge of Allegiance. Location of Fire Exits was given. Quorum of board members present.

Supervisor O'Brien asked for a moment of silence in memory of Dolores Shardella and Robert "Sam" Starks.

RESOLUTION NO. 38-2025

APPROVAL OF THE MINUTES

On a motion of Councilman Pietryka, seconded by Councilman Sady, the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED, the Regular Town Board Meeting Minutes for March 20, 2025 are approved.

Dog Control Officer....no report

Tax Collector Report....March/April 2025 report attached. A check for \$1630.40 was paid to Town Supervisor for Penalties/Interest and Mailing fees. The remainder of \$74,029.81 was paid to the Washington County Treasurer. The Tax Collector checkbook has a zero balance. The Town Clerk/Collector had Board Members review and sign bank reconciliation statements for the Tax Collector Account dated March 31st, 2025.

Bonnie Hawley, Chair Planning Board....Planning Board Meeting was held April 9th, 2025, copy of the minutes is attached. Next meeting will be May 14th, 2025 @7:00 at the Town Hall. Following Bonnie's report in which she stated that Dianne Sofia was interested in the Alternate position on the Planning Board, the following resolution was introduced:

RESOLUTION NO. 39-2025

APPOINTMENT OF ALTERNATE FOR PLANNING BOARD

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED to, appoint Dianne Sofia as the Alternate member of the Hampton Town Planning Board.

Tyler McClure, Highway Superintendent...submitted his report, copy of which is attached. Following Tyler's report, the following resolutions were introduced.

RESOLUTION NO. 40-2025

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

On a motion of Councilman Pietryka, seconded by Councilman Sady, the following resolution was ADOPTED:

By Roll Call Vote:	Supervisor O'Brien	AYE
	Councilman Sady	AYE
	Councilman Pietryka	AYE
	Councilwoman Taran	AYE
	Councilwoman Kugler	ABSENT

RESOLVED, to accept the "Agreement to Spend Town Highway Funds" as submitted by the Highway Superintendent (copy is attached).

RESOLUTION NO. 41-2025

COUNTY ROADSIDE MOWING CONTRACT

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED that, Tyler McClure, Highway Superintendent is authorized to sign the Washington County Roadside Mowing Contract for 2025.

SUPERVISOR'S REPORT/COUNTY UPDATES/COMMUNICATIONS

RESOLUTION NO. 42-2025

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

On a motion of Councilman Pietryka, seconded by Councilwoman Taran, the following resolution was ADOPTED:

AYES 4 O'Brien, Sady, Pietryka, Taran
NAYS 0
ABSENT 1 Kugler

RESOLVED that, the Supervisor's Monthly report be accepted as submitted for **MARCH**.

<u>ACCOUNT</u>	<u>03/01/25</u>	<u>Receipts</u>	<u>Disbursed</u>	<u>03/31/25</u>
Citizens Cemetery	\$ 3,029.09	\$.13	\$.00	\$ 3,029.22
Citizens Total	\$ 3,029.09	\$.13	\$.00	\$ 3,029.22
GFNB Fire, Trust & Agency	\$ 1,000.82	\$ 0.00	\$ 0.00	\$ 1,000.82
GFNB Fire, Trust & Agency ICS	\$ 66,718.00	\$ 0.00	\$ 0.00	\$ 66,718.00
GFNB Health Insurance	\$ 2,591.23	\$	\$	\$ 2,591.23
GFNB Trust & Agency	\$ 8,198.23	\$ 4,805.21	\$ 6,665.87	\$ 6,337.57
GFNB General Fund	\$ 20,269.01	\$ 6,811.64	\$ 19,246.41	\$ 7,834.24
GFNB General Fund ICS	\$ 67,917.66	\$ 468.25	\$ 5,000.00	\$ 63,385.91
GFNB Total	\$166,694.95	\$ 12,085.10	\$ 30,912.28	\$147,867.77
GFNB Highway Fund	\$ 24,564.37	\$ 23,000.00	\$ 25,805.76	\$ 21,758.61
GFNB Highway Fund ICS	\$ 374,767.04	\$ 1,270.61	\$ 23,000.00	\$353,037.65
GFNB Capital Reserve	\$ 1,005.02	\$ 00.00	\$ 00.00	\$ 1,005.02
GFNB Capital Reserve ICS	\$ 137,263.09	\$ 495.81	\$	\$137,758.90
GFNB Total	\$ 537,599.52	\$ 24,766.42	\$ 48,805.76	\$513,560.18
TOTALS	\$707,323.56	\$ 36,851.65	\$ 79,718.04	\$664,457.17

All Board Members present signed Supervisor's Report.

OLD BUSINESS

- **BATTERY STORAGE MORATORIUM....**

RESOLUTION NO. 43-2025

MOTION BY: COUNCILMAN DONALD SADY
SECONDED BY: COUNCILMAN MICHAEL PIETRYKA

**RESOLUTION ADOPTING PROPOSED LOCAL LAW
IMPOSING A MORATORIUM ON LOCATING BATTERY
ENERGY STORAGE SYSTEMS IN THE TOWN OF HAMPTON**

WHEREAS, pursuant to Section 10 of the NYS Municipal Home Rule Law and Sections 64, 264, and 274-a of the NYS Town Law, the Town Board of the Town of Hampton (the "Town") has the authority to adopt local laws amending the Site Plan Review Local Law of the Town of Hampton and to enact land use regulations governing the Town of Hampton in furtherance of the health, safety and welfare of its residents; and

WHEREAS, a sudden increase in developmental pressures within Washington County and the Town of Hampton with respect to development of large scale solar energy generating facilities and the related battery energy storage systems have raised the prospect that the existing Site Plan Review Local Law may not be adequate for the review of the impacts and mitigation of the consequences of such uses and the approval thereof; and

WHEREAS, a proposed local law enacting a moratorium on locating battery energy storage systems in the Town of Hampton has been prepared; and

WHEREAS, the Town Board scheduled a public hearing to be held before the Town Board on April 17, 2025, to hear all interested parties regarding the adoption of a proposed Local Law imposing a moratorium on locating battery energy storage systems in the Town of Hampton; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Town, pursuant to and in conformance with Section 20 of the Municipal Home Rule Law and Section 264 of Town Law; and

WHEREAS, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law; and

WHEREAS, the proposed Local Law, is a Type II action pursuant to the State Environmental Quality Review Act ("SEQRA"), as codified under 6 NYCRR Part 617 et. seq.

NOW, THEREFORE BE IT

RESOLVED, the Town Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Town and protects the public health, safety and welfare. The proposed Local Law is limited in its duration and scope to evaluate the efficacy of the existing site plan review law as they relate to battery energy storage systems; and be it further

RESOLVED, the proposed Local Law is hereby adopted, copies of which are attached hereto and made a part hereof; and be it further

RESOLVED, the Clerk is hereby instructed to file a certified copy of the Local Law in the Office of the Secretary of State; and be it further

RESOLVED, this resolution shall take effect immediately.

- **BOND RESOLUTION**....Same as January 2025 (there was an issue in getting it published within the 10-day timeframe)

RESOLUTION NO. 44-2025

MOTION BY: COUNCILMAN DONALD SADY
SECONDED BY: COUNCILWOMAN TAMME TARAN

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF
\$334,025.00.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OR
STATUTORY INSTALLMENT BONDS OF THE TOWN OF HAMPTON TO PAY THE
COSTS ASSOCIATED WITH THE PURCHASE OF A 2025 WESTERN STAR 49X
TANDEM AXLE TRUCK AND AUTHORIZING THE ISSUANCE OF BOND
ANTICIPATION NOTES OR STATUTORY INSTALLMENT BONDS OF THE TOWN
OF HAMPTON FOR THE AFORESAID PURPOSES AND IN CONNECTION
THEREWITH**

WHEREAS, the Town Board (the "Board") of the Town of Hampton determined that the purchase of a new 2025 Western Star 49X tandem axle truck with hydraulics, plow, dump body, and related equipment in accordance with the October 9, 2024 quote from Tenco Industries, is in the public interest and that the health, safety and welfare of the residents of the Town would be benefited by said purchase where the Town would like to use for future Town public purposes (the "Project"); and

WHEREAS, the total contract price for the purchase of a new 2025 Western Star 49X tandem axle truck with hydraulics, plow, dump body, and related equipment is Three Hundred Thirty-Four Thousand Twenty-Five and 00/100 U.S. Dollars (\$334,025.00) all of which is the responsibility of the Town of Hampton; and

WHEREAS, in order to further finance the costs associated with the Project, the Town desires to issue serial bonds or a statutory installment bond, in lieu of serial bonds (the "Bonds") in the aggregate principal amount Three Hundred Thirty-Four Thousand Twenty-Five and 00/100 U.S. Dollars (\$334,025.00); and

WHEREAS, no bond anticipation notes have been previously authorized or issued in anticipation of the issuance of Bonds authorized by this resolution and the bond anticipation notes authorized by this resolution will not serve to renew any other existing bond anticipation notes.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Town as follows:

Section 1. The specific object and/or purpose of the Project for which the obligations authorized by this Resolution is the purchase of 2025 Western Star 49X tandem axle truck with hydraulics, plow, dump body, and related equipment, is Three Hundred Thirty Four Thousand Twenty Five and 00/100 U.S. Dollars (\$334,025.00) and the Town desires to issue Three Hundred-Thirty Four Thousand Twenty Five and 00/100 U.S. Dollars (\$334,025.00) in serial bonds or statutory installment bonds of the Town of Hampton.

Section 2. The financing of the Project shall be undertaken by the Town through the issuance of a bond anticipation note or notes in accordance with and pursuant to the Local Finance Law of the State of New York in an amount not to exceed Three Hundred Thirty Four Thousand Twenty Five and 00/100 U.S. Dollars (\$334,025.00). The Town hereby authorizes any bonds, including a statutory installment bond, in lieu of serial bonds, to be issued for this Project in an amount not to exceed Three Hundred Thirty-Four Thousand Twenty-Five and 00/100 U.S. Dollars (\$334,025.00).

Section 3. The Town hereby authorizes the Supervisor of the Town (the "Supervisor") to utilize funds held within the Fund and within the Budget for the purpose of physical public betterment or improvement and the payment of services rendered in connection with the Project and further authorizes the Supervisor to repay any funds expended from the Fund with funds borrowed in connection with any bond anticipation note or bonds, including statutory installment bonds, issued pursuant to and authorized by and through this bond resolution.

Section 4. There are hereby authorized to be issued bond anticipation notes ("Notes"), including the renewal of such Notes, for the aforesaid specific objects or purposes in amounts up to but not exceeding the maximum amount of the Bonds herein authorized. Any such Notes issued shall be approved as to form and executed by the Supervisor and issued in anticipation of the sale of the Bonds herein authorized.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is five (5) years pursuant to Section 11.00(a)(32) of the Local Finance Law.

Section 6. The full faith and credit of the Town is hereby irrevocably pledged for the payment of the principal of and interest on any Bonds or Notes issued in connection with this bond resolution, as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of, and any interest, if applicable, on the Bonds or Notes becoming due and payable in such years.

Section 7. The maximum maturity of the Bonds shall not exceed the periods of probable usefulness set forth above and shall mature on or before the date of the expiration of the aforesaid periods of probable usefulness as measured from the date of the Bonds or from the date of the first bond anticipation note or statutory installment bond issued in anticipation of the sale of such bonds, whichever date is earlier. If deemed necessary by the Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, the Bonds or Notes to be issued hereunder may be issued in two or more separate series. The maturity of the Bonds issued in connection with this bond resolution will not exceed five (5) years.

Section 8. Any Notes or Bonds issued hereunder shall be payable from the proceeds derived from the issuance and or sale of the Bonds authorized herein or otherwise redeemed in the manner provided by Section 23.00 or Section 62.10 of the Local Finance Law.

Section 9. There are no bond anticipation notes or Bonds outstanding for this Project.

Section 10. Subject to the provisions of the Local Finance Law, the power to issue and sell the Bonds and/or Notes, including all powers and duties pertaining or incidental thereto, is hereby delegated to the Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, of the Town, except as herein provided. The Bonds and/or Notes shall be of such terms, form and content, and shall be sold in such manner, whether by public or private sale, as may be determined by the Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, pursuant to Local Finance Law, this resolution and any further resolution which the Board may hereafter adopt. The Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this resolution, including any resolutions, contracts or authorizations necessary to secure any Federal or State issued grant(s) or loan(s).

Section 11. The exact date of issue of the Bonds and/or Notes and the exact date upon which the same shall become due and payable shall be fixed and determined by the Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, provided however, that the maturity of said Notes or renewals thereof shall not exceed one year from the Note's or renewal's date of issue except as permitted by the Local Finance Law.

Section 12. The Supervisor, or in the absence of the Supervisor, the Deputy Supervisor, shall prepare, or cause to be prepared, such Bonds and/or Notes and sell the same in accordance with the applicable provisions of the Local Finance Law, and at such sale shall determine the interest rate to be borne by such Bonds and/or Notes, whether fixed or variable.

Section 13. The proceeds of the sale of the Bonds and/or Notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Supervisor and the power to invest in any instruments described in the said Section 165.00 is expressly granted.

Section 14. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Issuer hereby designates the Bonds and/or Notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Issuer hereby covenants that it will (i) take all actions on its part necessary to cause interest on the Bonds and/or Notes be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the Bonds and/or Notes to be included in gross income for purposes of Federal income taxes.

Section 15. The validity of such Bonds and/or Notes (collectively "Obligations") may be contested only if:

- (1) Such Obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with twenty (20) days after the date of such publication, or
- (3) Such Obligations are authorized in violation of the provisions of the constitution.

Section 16. This resolution, or a summary hereof, shall be published in full in the newspapers Granville Sentinel and Whitehall Times, which have been designated as the official newspapers of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 17. Pursuant to Section 33.00(a), this resolution shall be adopted by at least two-thirds (2/3) vote of the voting strength of the Town Board.

Section 18. The adoption of this Resolution is considered an action under the New York State Environmental Quality Review Act (SEQRA). The Town hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5 (25), and hereby declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 19. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote by roll call, which resulted as follows:

<u>Voting:</u>	<u>Ayes:</u>	<u>Nays:</u>	<u>Abstain:</u>	<u>Absent:</u>
David O'Brien, Supervisor	<u>X</u>	___	___	
Tamme Taran, Councilwoman	<u>X</u>	___	___	
Andrea Kugler, Councilwoman	___	___	___	<u>X</u>
Donald Sady, Councilman	<u>X</u>	___	___	
Michael Pietryka, Councilman	<u>X</u>	___	___	

The foregoing resolution was thereupon declared duly adopted.

[Seal]

Rebecca S. Jones, Town Clerk
Town of Hampton

RESOLUTION NO. 45-2025
TOWN HALL USE

On a motion of Councilwoman Taran, seconded by Councilman Pietryka, the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED, to approve the request of Rebecca Jones to use the Town Hall on Saturday, May 3rd, 2025 from 4 to 8 pm for Board Game Night.

RESOLUTION NO. 46-2025

AUDIT OF CLAIMS

On a motion of Councilwoman Taran, seconded by Councilman Sady the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED that the bills have been reviewed by the Town Board and are authorized for payment in the following amounts.

General Fund	No. 42 through No 50	\$ 2,006.70
Highway Fund	No. 38 through No.55	<u>\$ 12,992.90</u>
Total both funds		\$ 14,999.60

The Town Clerk's report for March 2025 was submitted to the Board. The Town Clerk had Board Members review and sign bank reconciliation statements for the Town Clerk Account and Special Town Clerk Account dated March 31st, 2025.

RESOLUTION NO. 47-2025

MEETING ADJOURNED

On a motion of Councilman Pietryka, seconded by Councilwoman Taran the following resolution was ADOPTED:

AYES	4	O'Brien, Sady, Pietryka, Taran
NAYS	0	
ABSENT	1	Kugler

RESOLVED that the meeting adjourned at 8:16pm.

Respectfully submitted,

Rebecca S. Jones, RMC
Town Clerk

MEETING ATTENDANCE SIGN-IN

Meeting Date:

April 17, 2025

Town Board:

Public Hearing + Regular Monthly Meeting

Please **PRINT** your name and address clearly to assure the correct spelling in the minutes of this meeting.

1. Seamus Reek
2. Ernie Henley
3. Matthew Pratt
4. ES Gonzalez - NYVT Reporter
5. Antie Pratt
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

TOWN OF HAMPTON, NEW YORK NOTICE OF PUBLIC HEARING

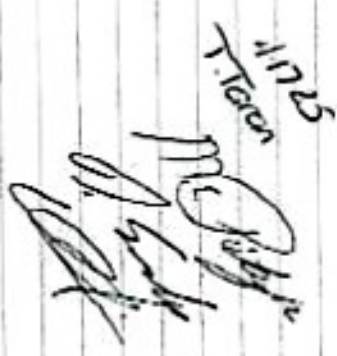
PLEASE TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Hampton on March 20th, 2025, a Public Hearing will be held by said Town Board on April 17th, 2025 at 7:15pm at the Offices of the Town of Hampton, 2629 State Route 22A, Hampton, New York to discuss the proposed Local Law imposing a Moratorium on locating Battery Energy Storage Systems in the Town of Hampton.

Following the Public Hearing the Town Board will hold the Regular Town Board Meeting and may adopt the above Local Law.

By order of the Town Board of the Town of Hampton, NY

Rebecca S. Jones, RMC/Town Clerk
Town of Hampton

Hampton Tax Collector		Dated April 17, 2025		Checkbook Balance	119,908.78
March Report 2025				brought forward from Feb.	
Deposits					
	3/3/2025		2176.37		
	3/3/2025		4775.89		
	3/7/2025		9309.56		
	3/8/2025		306.79		
	3/14/2025		3898.08		
	3/17/2025		10803.68		
	3/22/2025		14332.95		
	3/28/2025		18816.47		
	3/29/2025		21849.86		
	3/31/2025		1597.65		
Returned Check by the bank			-12112.13		
TOTAL			75755.17		75,755.17
Disbursements (March)					
Washington County Treasurer	3/3/2025	Check # 1090	119,477.14		
David O'Brien, Supervisor	3/3/2025	Check # 1091	431.64		
TOTAL			119,908.78		-119,908.78
Disbursements (April)					
Washington County Treasurer	4/15/2025	check # 1093	74,029.81		
David O'Brien, Supervisor	4/15/2025	check # 1094	1,630.40		
REFUND DISBURSEMENT					
Jerome Glicksten	4/7/2025	check # 1092	94.96		
TOTAL			75755.17		75,755.17
Respectfully submitted,				Checkbook Balance	0.00
Rebecca S. Jones					

4/17/25
 T. Jones


Planning Board Report to the Hampton Town Board on April 17. , 2026

The Planning Board met on April 9th at 7pm. Present were Renee Rountree, Matthew Pratt, Richard Cole, Bonnie Hawley, and Dianne Sofia (guest)

Approval of the Meeting Minutes of March 12, 2025 motion by Matt and second by Richard, approved by all.

Dianne Sofia was introduced to the Planning Board Members. She is interested in joining the Board as the Alternate. We hope the Town Board will appoint her at their next meeting. She had served on our Board in the past.

The Planning Board received communications from Pamela Landi, Washington County Planning Dept in reference to training on April 14th at County Offices. Subject is All things solar and training on solar energy storage batteries. Decided that we would have some members attend.

We continued discussion on the Informational brochure. We will be putting together what we want it to include to determine the number of pages needed. Bonnie will be contacting Julie Fedler of media NY/VT on the cost for the pages needed.

No report on the 250th Anniversary of the Revolutionary War as we haven't heard anything from the County.

Comprehensive Town Plan: We are looking at all the data we need to collect and what is needed for a comprehensive plan. We did decide we need to have an informational meeting to get ideas and information from the citizens of Hampton. We need to decide on some dates and it is recommended we do two.

We need to get a sense of the vision people have for Hampton. The Town Board needs to be involved. Without a vision it is really hard to do a plan for the future.

Hampton Harvest building on RT 4 is coming along good. They are working outside and inside now.

Nothing else new.

Submitted by Bonnie Hawley, Chair

*Next meeting
May 14th 2025*

Highway Superintendent's Report

4/17/24

The past month we have completed Spring sweeping and various other spring cleanup tasks, the big task has been cutting trees and chipping brush on Hickey Road on the section of highway we will be Reclaiming this year. There is much work to be done in coming weeks, There is 10 culverts that need replacing (Rotted Metal Tubes)The cost for the plastic replacements is \$5,529.80 . If we wish to do the culvert replacements we will need to rent a Excavator. We also have extensive shoulder cutting and ditching to complete. We will need more stone and dust to mix in the road during reclaiming .

The Highway Dept. was issued a Nuisance Beaver Permit by D.E.C to handle the current beaver situation on Staso lane. They have been plugging the Culvert and backing up the water towards the road

I will be Taking next week off 4/21-4/25. The following week we will start grading our dirt roads and patching the Blacktops and start working on Cemetery's

Respectfully Submitted



Tyler S. McClure T/O Hampton Superintendent Of Highways

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT between the Town Superintendent of the Town of Hampton,
Washington County, New York, and the undersigned members of the Town Board. Pursuant to
the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the
Town for the repair and improvement of highways, and received from the State for State Aid for the
repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 50,000.00 shall be set aside to be expended for primary work and
general repairs upon 0.9 miles of town highways, including sluices, culverts and bridges having
a span of less than five feet and boardwalks or renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the
permanent improvement of Town highways: (a) On the road commencing at Base of Halsey Hill
leading to 322 Halsey Rd., a distance of 0.9 miles, there shall be expended not over the
sum of \$ 127,000.00.

Type Reclaim
Width of traveled surface 20'
Thickness —
Subbase —

(b) On the road commencing at _____ and leading to _____, a distance of
_____ miles, there shall be expended not over the sum of \$ _____.

Type _____
Width of traveled surface _____
Thickness _____
Subbase _____

Executed in duplicate this 17th day of April, 2025

[Signature]
Supervisor

Councilman

Councilman

[Signature]
Councilman

[Signature]
Councilman

[Signature]
Councilman

[Signature]
Town Superintendent of Highways

Note: This agreement should be signed in duplicate by a majority of the members of the Town Board
and by the Town Superintendent.

**TOWN OF HAMPTON
COUNTY OF WASHINGTON, STATE OF NEW YORK
Local Law No. 1 of 2025**

**A LOCAL LAW IMPOSING A MORATORIUM
ON LOCATING BATTERY ENERGY STORAGE SYSTEMS
IN THE TOWN OF HAMPTON**

Be it enacted by the Town Board of the Town of Hampton ("Town"), County of Washington, State of New York ("State") as follows:

Section 1. Legislative Intent.

The purpose of this local law is to protect the public health, safety and welfare by restricting the development of battery energy storage systems within the Town of Hampton for a limited period of time in order to further develop and revise the applicable local laws specific to the development of battery energy storage systems.

Section 2. Findings.

The State of New York has, as a matter of public policy, undertaken a policy to encourage the development of facilities for the generation of renewable energy and energy storage facilities. As a result, there has been a sudden increase in developmental pressures within Washington County and increased interest in the Town of Hampton with respect to development of renewable energy generating facilities and battery energy storage facilities. The Town Board is therefore concerned that the existing Site Plan Review Law of the Town of Hampton may not be adequate for the review of the impacts and mitigation of the consequences of such uses and the approval thereof.

Additionally, the State of New York has identified fire and safety risks associated with battery energy storage systems. The Town Board is desirous of implementing a moratorium in order to obtain additional information and assurances about the safety of these types of facilities, including, but not limited to, ensuring the technology and availability of equipment necessary for local fire districts to be able to suppress or appropriately respond to a fire should one occur, taking necessary precautions related to air emissions and deterring any necessary fire suppression chemicals from impacting surface and groundwater, and creating standards for siting these facilities.

Therefore, it is necessary and appropriate to implement a temporary and limited moratorium with respect to the development of battery energy storage systems in the Town of Hampton. Doing so shall preserve the status quo while the Town Board completes an evaluation and formulates revisions in the Site Plan Review Local Law, the potential enactment of other local laws, and to provide for an effective process to regulate, review, and, where appropriate, approve applications for battery energy storage systems, and to develop policies and procedures in accordance therewith.

Section 3. Moratorium Imposed.

- A. **Battery Energy Storage Systems Temporarily Prohibited.** For a period of one (1) year following the date of adoption of this local law, no site plan applications shall be accepted, reviewed, or approved by the Planning Board, nor any permit(s) shall for such applications be issued by the Town of Hampton or Washington County with respect to battery energy storage systems, hereby defined as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system includes those classified as either Tier 1 or Tier 2 Battery Energy Storage System differentiated as follows: (1) Tier 1 Battery Energy Storage Systems having an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology; and (2) Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.
- B. **Evaluation and Revision of Existing Regulations.** During the period of the moratorium established by this local law, the Town Board shall endeavor to evaluate and adopt revisions to the Town's local law(s) to address the use and regulation of battery energy storage systems.

Section 4. Extension of Moratorium.

This moratorium may be extended for up to two (2) additional periods not exceeding six (6) months each by resolution of the Town Board upon a finding of necessity for such extension.

Section 5. Relief From Requirements.

The Town Board reserves to itself the right and sole discretion to vary or adapt the strict application of this local law in the case of unusual hardship or circumstances that would deprive a property owner of the reasonable use of lands affected by this local law. Accordingly, by duly adopted resolution, the Town Board may authorize the Planning Board to review and consider for approval or disapproval a site plan application, the review of which is otherwise precluded by this local law, or the Enforcement Officer to issue the requisite permits otherwise precluded by this local law, subject to the regular review process for such special use and site plan, or building permit, under circumstances where:

- A. An application for a variance is filed, in writing, with the Town Clerk, together with a filing fee in the sum of \$250.00. The application shall specifically identify the land involved, recite the nature and scope of the proposed development, provide a narrative description and a sketch plan of the proposed development. The applicant shall further describe the following:
1. The reasons for which the variance is requested and the grounds upon which it is sought to be approved, including all facts and circumstances upon which hardship is claimed.
 2. The potential fire and safety risks associated with the proposed development, including, but not limited to: the location of the proposed development in relating to habitable structures and firefighting facilities, response time, sources of fire fighting water or chemicals; the management of fire fighting in the area of the

proposed development relative to preventing brush and structure fires; the sufficiency of any plans for evacuation, air monitoring and testing and any other measures deemed necessary by the Town Board for addressing the concerns arising out of battery energy storage system fires; and the environmental significance, if any, of the applicant's parcel and surrounding parcels and the proposed development's impact on the environment.

- B. All costs incurred by the Town in connection with the consideration of the application for a variance are paid by the applicant, including but not limited to, all professional consulting fees such as attorneys, engineers, and planners.
- C. The applicant demonstrates that this local law has resulted in unnecessary hardship in that: the applicant has been deprived of substantially all economic use or benefit from the property in question, which must be established by competent financial evidence; the alleged hardship is unique to the applicant's property and does not apply to a substantial portion of other properties in the areas of the Town to which this local law applies; and the variance, if granted, will not pose a present or future risk to the health, safety and welfare of the residents in the vicinity of the proposed development and the Town at large.
- D. The Town Board may refer any applications for a variance hereunder to the Planning Board, any other Town board, committee or department, and/or its professional consultants for their advice and recommendations. Nevertheless, all decisions as to the granting or denying of such variances shall be made by the Town Board in its sole and absolute discretion after determining whether the requested variance is compatible with protection of the environment and any contemplated revisions to the Town's local law(s). No variance shall be granted unless the Town Board determines the requested variance is compatible therewith.
- E. The Town Board shall conduct a public hearing on any request for a variance within forty-five (45) days after it determines that a complete application has been submitted to it. The Town Board shall render its determination upon any application for a variance within sixty-two (62) days after the conclusion of the public hearing.
- F. The granting of a variance by the Town Board does not preclude or otherwise restrict the Planning Board's review and jurisdiction of the site plan application pursuant to the Site Plan Review Law.

Section 6. Conflict With Other Laws.

This local law is enacted pursuant to the provisions of the Town Law and the Municipal Home Rule Law and, during the time it is in effect, it specifically supersedes and shall take precedence over any contrary laws, ordinances and provisions, including but not limited to §267, §267-a, §267-b, §274-a and §274-b of the Town Law of the State of New York, or local laws of the Town of Hampton.

Section 7. Penalties for Offenses and Enforcement.

Any person who shall develop or erect or install improvements upon land in violation of this local law, or break ground for the purpose thereof, shall be guilty of a violation and subject to a fine not to exceed \$1,000.00 or thirty (30) days in jail, or both. Each week a violation continues shall be considered a separate and distinct violation. This local law shall be enforced by the Enforcement Officer of the Town of Hampton who is hereby granted authority to issue appearance tickets for the purpose thereof. Upon authorization by the Town Board, this local law may also be enforced by civil action brought in the name of the Town for the purpose of obtaining injunctive relief and recovering civil penalties of \$950.00 for each week a violation of the local law continues.

Section 8. Effect of Invalidity.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjusted finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or any part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

Section 9. Effective Date.

This local law shall take effect immediately upon adoption.