

Minutes of the Public Hearing on the Proposed Six-month Moratorium on Commercial Battery Storage Facilities and the Regular Putnam Town Board Meeting held on March 12, 2026, 7:00 pm  
~Putnam Town Hall, 14 Putnam Center Road~ ZOOM

**7:00 pm Public Hearing called to order**

**Town Board Members present:**

Supervisor	Darlene Kerr
Councilwoman	Carole Schneider
Councilman	Rick Bezio
Councilman	Mark Karlson
Councilman	Charles Bain, Sr.

**Others present:** May Drinkwine-Shiell (Resident, 439 County Route 3), Larry Shiell (Resident, 439 County Route 3), Kay Greenough (Resident, 427 County Route 3), Jean Trudeau (Resident, 300 Pulpit Point Road), Gary Treadway (Highway Superintendent), Nancy L. Treadway (Putnam Town Clerk), Glen Brownstein (2300 Black Point Road) Wayne Busby (Resident, 11 Charter Brook Lane), Charles Koehler (Resident, 2214 Black Point Road), Paula Wilson (Resident, 15 County Rte. 3), Chris Navitsky (Lake George Waterkeeper), Alex Portal (Reporter, The Post-Star), Galen Seerup (Resident, 17360 State Rte. 22), Jocelyn McRae (Resident, 606 Gull Bay Road), Mary Jane Dedrick (Deputy Clerk), Tom Jenkin (Resident, 627 Gull Bay Road), Kathleen Coffman (488 Gull Bay Road), Alex Coffman (488 Gull Bay Road)

\*\* ZOOM Participants are noted as they appeared on the screen, or if a participant spoke and identified themselves.

**Present via ZOOM:** Hilary Gorenstein, Cynthia Floor, Cee McKenzie, Nancy Wolf-Fisher, Dr. Ohly, Corey, Joe Fisher, Robert Winn (Town Attorney), EJ, Candace Hyatt, Bill Brown, 917-886-3391, Bob Maletta, Theresa Devlin, iPad

Supervisor Kerr opened the Public Hearing at 7:00 pm, noting that the Regular Town Board meeting would follow immediately afterward. She explained that the purpose of the hearing was to consider a six-month moratorium on commercial lithium-ion battery storage facilities.

She provided a brief background:

- On January 22, the Adirondack Park Agency (APA) approved a lithium-ion battery storage facility in the Adirondack Park.
- This approval set a precedent, and the Town seeks to proactively establish a moratorium while developing a local law to regulate such facilities.
- The moratorium would apply only to commercial-scale battery storage operations.

Supervisor Kerr then invited public comments.

## **Public Comment**

### Galen Seerup

- Asked whether anyone had indicated interest in putting such a facility in Putnam.
- Supervisor Kerr responded that no proposals have been made to the Town of Putnam; the moratorium is preemptive. One facility has been approved in Northampton, possibly covering approximately 80 acres, though she cautioned that the acreage figure may not be exact.

### Charles Koehler

- Asked what type of storage facility was being discussed—used batteries, new batteries, or something else.
- Supervisor Kerr clarified that these are commercial lithium-ion battery systems designed to store energy, potentially enough to power approximately 4,000 households.
- Mr. Koehler later asked whether such a facility would serve as an emergency power source.
- Supervisor Kerr commented that she had not seen that described in any literature; her understanding is that such facilities typically store energy generated from wind or solar sources.

### Robert Winn, Town Attorney

- Explained that the proposed moratorium includes exemptions for residential-scale battery systems serving a single-family dwelling with capacity under 30 kWh and portable consumer battery products.
- Emphasized that the moratorium targets commercial operations only, not residential use.

### Jocelyn McRae

- Asked whether the purpose of the moratorium is to prevent installation of commercial-scale lithium-ion battery storage facilities and questioned what such facilities would be used for. She also expressed her concern about restricting something that might be beneficial in emergencies.
- Supervisor Kerr clarified that these facilities store energy for the grid and are not used for disposal or “dump” sites.
- Supervisor Kerr responded that her primary concern is public safety, citing:
  - Risk of large-scale explosions
  - Re-ignition potential
  - Hazardous gases
  - Need for specialized firefighting resources
- Supervisor Kerr also commented that the Putnam Fire Department recently received specialized training on lithium-ion battery fires and could provide more detailed information if anyone had questions.

### Bob Maletta

- Spoke about safety concerns based on his experience as a New York City resident.
- Cited numerous fires caused by lithium-ion batteries in scooters and other devices.
- Noted that such batteries are heavily regulated in transportation due to fire risk.

- Expressed concern that local firefighting resources would be insufficient to manage a large-scale commercial battery fire and was also concerned about the toxicity of fumes released during such fires.

Councilwoman Schneider

- Noted that residents in Raquette Lake opposed a similar proposed facility due to fire hazards and proximity to water.

Supervisor Kerr asked multiple times for additional comments from both in-person attendees and Zoom participants. No other participants commented, and the Public Hearing closed at 7:10 PM.

**7:10 pm Regular Town Board Meeting called to order by Supervisor Kerr**

Councilman Charles Bain, Sr. led the Pledge of Allegiance

**Resolution #17**

**Accept the minutes of the February 12, 2026 Public Hearing to consider the repeal of Local Law #1 of 2020 & Regular Town Board Meeting with correction**

*The correction was that David Manchester should have been on the Zoom participant list*

On motion of Councilwoman Carole Schneider, seconded by Councilman Rick Bezio; all in favor. Resolution unanimously adopted.

**Resolution #18**

**Accept the Financial Reports for the month of February 2026**

On motion of Councilman Rick Bezio; seconded by Councilwoman Carole Schneider; all in favor. Resolution unanimously adopted.

**Resolution #19**

**Accept the Town Clerk's Report for the month of February 2026**

On motion of Councilman Charles Bain, Sr., Seconded by Councilman Mark Karlson; all in favor. Resolution unanimously adopted.

**Resolution #20**

**Accept the Town Justice Report for the month of February 2026**

On motion of Councilwoman Carole Schneider, Seconded by Councilman Charles Bain, Sr.; all in favor. Resolution unanimously adopted.

**Resolution #21**

**Pay Bills as audited**

On motion of Councilman Rick Bezio, Seconded by Councilwoman Carole Schneider; all in favor. Resolution unanimously adopted.

Resolved, the bills on the following are paid as audited.

General Fund	#38-59	\$ 184,454.00
Highway Fund	#18-30	\$ 23,463.08
Royal Anchorage Sewer District	#1	\$ 425.00
Black Point Sewer District	#2	\$ 8,121.20

### Correspondence

#### **Budget Officer resignation**

Supervisor Kerr reported that she had received a resignation letter from the Budget Officer, Cee McKenzie effective March 1, 2026. She clarified that under Town Law, the Budget Officer position is assigned to the Town Supervisor unless delegated, so she will assume the duties of Budget Officer. The position had previously been delegated due to the prior Supervisor's outside employment.

- Discussion included:
  - Councilman Karlson:
    - Raised concern regarding separation of duties.
    - Suggested exploring interest from other qualified residents.
  - Supervisor Kerr:
    - Reaffirmed that the Budget Officer position is part of the Supervisor's job.
  - Cee McKenzie:
    - Also confirmed that under Town Law the Supervisor serves as Budget Officer unless an appointment of another person is made.
  - Jocelyn McCrea:
    - Questioned if there is any oversight.
  - Supervisor Kerr:
    - Oversight provided collectively by the Town Board.
- Additional clarification:
  - A salary adjustment was acknowledged, as the prior budget allocation removed funds from the Supervisor's salary when the position was delegated.

#### **NYS DEC Floodplain Mapping and Compliance**

- Supervisor Kerr discussed the correspondence from NYS DEC regarding updated floodplain maps.
- Key points discussed:
  - Adoption required for continued eligibility for residents in federal flood insurance programs.
  - Failure to adopt would result in residents being unable to obtain flood insurance.
  - A draft local law is required to be submitted to NYS DEC for review by April 22, 2026 (review could take up to 2-3 weeks).

- Town Attorney Robert Winn provided further information:
  - Upon the Town Board’s approval, a draft floodplain local law will be prepared and submitted to NYS DEC for review. Once the Town hears back from them, any feedback would need to be incorporated prior to its adoption.
  - There is a requirement for a designated Floodplain Administrator, and it’s been proposed to utilize Washington County Code Enforcement. However, after a discussion with John Graham at the County, there's a concern over not having enough staff to be dedicated to this. There’s a Public Safety Commission Meeting on March 31<sup>st</sup> where this topic will be discussed.

**Resolution #22**

**Authorize the Town Attorney to submit a draft Local Law to NYS DEC**

On motion of Supervisor Darlene Kerr, Seconded by Councilwoman Carole Schneider; all in favor.  
Resolution unanimously adopted.

**Moratorium on Commercial Battery Energy Storage Facilities**

The prior discussions during the Public Hearing were acknowledged, and no further comments were made.

**Resolution #23**

**Enact a Six-Month Moratorium on Commercial Battery Energy Storage Facilities**

On motion of Supervisor Darlene Kerr, Seconded by Councilman Rick Bezio; all in favor. Resolution unanimously adopted.

**Chris Navitsky (Lake George Waterkeeper) - Septic replacement funding**

- Overview of initiative:
  - Requesting \$3,000,000 in state funding
  - Funding to support septic system replacement programs that would be allocated across Warren County, Washington County and Essex County.
  - Estimated costs:
    - \$20,000–\$30,000 per system replacement
  - Environmental impact:
    - Significant benefit to water quality protection
- Additional details:
  - There are around 6,000 septic systems in the Lake George Basin
  - ~2,300 currently in inspection program
  - Failure rate estimated at ~25%
- Discussion took place about the challenges for residents with the high costs for replacement, and support for the initiative was expressed. Kathleen Coffman commented that she had been approved for assistance with a replacement. Chris explained he was hoping to get support from the Town Board for approval to have Supervisor Kerr join the letter of support that will be sent to Governor Hochul.

## Resolution #24

### Authorize Supervisor Darlene Kerr to join the letter of support for septic replacement funding to Governor Hochul

On motion of Councilman Mark Karlson, Seconded by Councilman Charles Bain, Sr.; all in favor.  
Resolution unanimously adopted.

### Courtesy of the Floor

#### Nancy Wolf Fisher

- Read her letter that was submitted to the Town Board (attached to minutes).

#### Chris Navitsky

- Stated that there is another grant program for stormwater projects for up to \$10,000 for residents within the Lake George basin. There's more information on the Lake George Association website, and they are also hoping to create a flyer.

#### Charles Koehler

- Commented that he felt the conduct and decorum at last month's meeting was disgraceful.
- Has continued concern over protecting the environment and believes a SEQRA review is a smart move.
- Also commented that if last month's meeting was held between June and October there would have been more people participating. He hopes the Board will reconsider their decision about the Planning Board.

#### Gaylen Seerup

- Inquired about the meeting agendas and when they are made for the meetings. Supervisor Kerr commented that the current timing is at the beginning of the meeting week. The challenge is with last minute submissions but that establishing deadlines and adoption of clearer procedural rules (Robert's Rules reference) could be done.
- Gaylen followed up on a comment by Nancy Wolfe-Fisher about the last meeting minutes and how the resolution appeared to have changed from what was supposed to be discussed about the Planning Board. Supervisor Kerr clarified a change would have been made after the Public Hearing.

#### Tom Jenkin

- Discussion took place about why he received a notice about the February Public Hearing when he never received other notices about meetings.
- Supervisor Kerr clarified that the Town does not mail notices for Public Hearings and that the letter must have been sent from someone else. She then asked if anyone from the Town sent the letter, which no one stated they did. The requirements are to post the notice in the newspaper, the Town Clerk's board on the outside of the main door and also at the Putnam Post Office.

After no further discussions, Supervisor Kerr closed the courtesy of the floor period.

## **Supervisor's Report**

Supervisor Kerr gave updates on her meetings at the County and activities that she will be participating in.

- Activities:
  - Scheduled Meals on Wheels ride-along (March 27)
  - Planned tour of the County jail kitchen where the meals are prepared for the Meals on Wheels program.
- Financial update:
  - At the February County audit, the total expenditures were \$6,140,131.50 (for the entire County), and the majority were attributed to social services expenditures.
- Public safety reminders:
  - Reminder to everyone that with the time change it's also a good time to test or replace smoke detectors and check your first aid kits.
  - There is an opportunity to get free smoke detectors through County programs for those that cannot afford them
- County updates:
  - Staffing shortages across departments:
    - Sheriff's Office
    - Dispatch (noted critical staffing levels)
    - DMV
    - District Attorney's Office
    - Highway Department
  - Economic development:
    - Low-interest business loans (up to \$200,000; ~6% rate)
    - Workforce housing rehabilitation loans
  - Agricultural programs:
    - Grants for food systems, processing, and storage
    - Special emphasis on meat processing facilities
  - Veteran services:
    - Assistance for housing, food, and medical transport

## **Highway Report**

Highway Superintendent Gary Treadway explained the need for the NYS DOT Annual Highway Work Permit which is required for work within the state right-of-way. The NYS DOT is requesting that the Town Board accept the Undertaking Agreement and then send the Town Board Resolution to them.

Highway Superintendent Treadway also stated that the road weight limit signs have been posted (6-ton restriction) and will be effective until the frost is out, which is generally around mid-April.

**Resolution #25**

**To accept and authorize the Highway Superintendent to sign the Undertaking Agreement with NYS DOT**

On motion of Councilman Mark Karlson, seconded by Supervisor Darlene Kerr; all in favor. Resolution unanimously adopted.

**Old Business**

**Local Law #1 of 2026**

- Town Attorney recommendations:
  - Conduct SEQRA review to ensure procedural compliance
  - Delay vote to mitigate legal risk
  - Requirement that final law be available to Board for at least 7 days prior to adoption
- Councilman Karlson:
  - Highlighted loss of Planning Board expertise
  - Emphasized need for training if responsibilities shift to the Town Board
  - Examples of SEQRA reviews on projects at the Planning Board level were discussed

**Resolution #26**

**To move the vote on Local Law #1 of 2026 to the Town Board Meeting on April 9, 2026**

On motion by Supervisor Darlene Kerr, seconded Councilman Rick Bezio. Supervisor Kerr asked if there was any discussion. Councilman Charles Bain, Sr. Commented that he feels the same way as he did at last month's meeting and believes it should be thought out more before a decision is made. Councilman Karlson agrees. Supervisor Kerr asked again if all in favor of moving the vote; all in favor. Resolution unanimously adopted.

Rob Winn mentioned that the SEQRA will take place next month immediately before the vote. Supervisor Kerr inquired what should be done about next month's Planning Board Meeting, and if there would be one. Rob stated that the Planning Board is still in existence as the law has not yet been filed with the Secretary of State, so it would be up to the Planning Board if they would hold a meeting or not.

**Flood Plain Map**

Supervisor Kerr commented that the Town needs to accept the DEC Flood Plain Map so that residents will be eligible for flood insurance.

**Resolution #27**

**To accept the DEC Flood Plain Map**

On motion by Supervisor Darlene Kerr, seconded by Councilwoman Carole Schneider; all in favor. Resolution unanimously adopted.

Supervisor Kerr also would like to schedule a Public Hearing for April on the Flood Plain Map as it's part of the proposed Local Law.

**Resolution #28**

**To set a Public Hearing on April 9, 2026 for the proposed Local Law on Flood Damage Protection**

On motion of Supervisor Darlene Kerr, seconded by Councilman Rick Bezio; all in favor. Resolution unanimously adopted.

**New Business**

**Town Health Officer Vacancy**

- Position currently vacant
- One interested candidate identified: Dr. Ohly
- Discussion limited due to personnel considerations

**Board of Assessment Review Vacancy**

- One open position
- Recruitment is ongoing; no responses to date
- The position requires training (April)
- The Board can function with a quorum if a vacancy remains

**Proposed Local Law on Blasting and Hillside Excavation**

- Discussion held:
  - Focus areas:
    - Black Point area
    - Shoreline properties along Lake George and Lake Champlain
  - Concerns raised:
    - Soil instability (sandy conditions)
    - History of landslides (including 1982 incident)
    - Risk to life, structures, and infrastructure
- Policy considerations:
  - Full prohibition vs. regulated allowance
  - Use of variances and engineering requirements

The Town Attorney will review and revise the draft proposed Local Law, and it was suggested to have a Public Hearing in May to accommodate time for his review.

**Resolution #29**

**To set a Public Hearing on the Proposed Local Law to Prohibit Blasting and Restrict Hillside Excavation within the Lake George Shoreline and Lake Champlain Shoreline for May 14, 2026**

On motion by Supervisor Darlene Kerr, seconded by Councilwoman Schneider; all in favor. Resolution unanimously adopted.

**Resolution #30**

**To adjourn the Regular Meeting of the Putnam Town Board at 8:27 pm**

On motion by Supervisor Darlene Kerr, seconded by Councilwoman Carole Schneider; all in favor.  
Resolution unanimously adopted

Respectfully submitted,  
Nancy L. Treadway  
Putnam Town Clerk

Darlene Kerr \_\_\_\_\_ Supervisor

Carole Schneider \_\_\_\_\_ Councilwoman

Rick Bezio \_\_\_\_\_ Councilman

Charles Bain, Sr. \_\_\_\_\_ Councilman

Mark Karlson \_\_\_\_\_ Councilman



Darlene Kerr &lt;supervisor.kerr@townofputnamny.com&gt;

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**Budget Officer Resignation**

2 messages

**Cee McKenzie** <ceemck22@gmail.com>

Fri, Feb 27, 2026 at 4:19 PM

To: Darlene Kerr &lt;supervisor.kerr@townofputnamny.com&gt;, "Nancy L. Treadway" &lt;townclerk@townofputnamny.com&gt;

Putnam Town Council -

This is to notify you of my resignation as Budget Officer effective March 1, 2026. I find that current living arrangements make staying up-to-date with town events challenging.

I hope the board will continue its diligence and consideration in keeping tax rates as low as possible for all it's residents.

Thank you for your support these past few years.

Cee McKenzie

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**Darlene Kerr** <supervisor.kerr@townofputnamny.com>

Mon, Mar 2, 2026 at 1:25 PM

To: Cee McKenzie &lt;ceemck22@gmail.com&gt;

Cc: "Nancy L. Treadway" &lt;townclerk@townofputnamny.com&gt;

Cee,

We are saddened by this news but it is totally understandable. Traveling between homes must be cumbersome.

Thank you for your dedication in the Budget Officer position. We are definitely in a better place due to your hard work and diligence. Because of you, we have a solid foundation to build on.

You will be missed.

If we can do anything for you in the future please reach out.

Good luck in your future endeavors!

Thank you for your service.

Darlene

[Quoted text hidden]

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Flood Protection and Dam Safety  
625 Broadway, Albany, New York 12233-3504  
P: (518) 402-8185 | F: (518) 402-9029  
www.dec.ny.gov

February 11, 2025

The Honorable Darrell Wilson  
Town Supervisor, Town of Putnam  
88 County Route 3  
Putnam Station, NY 12861

Re: **National Flood Insurance Program  
Flood Insurance Study & Mapping  
Washington County**

Dear Supervisor Wilson:

In reference to the Town of Putnam and its participation in the National Flood Insurance Program (NFIP), as the State Coordinating Agency for the National Flood Insurance Program, we would like to ensure that your community maintains continued program eligibility.

An updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) establishing base flood elevations (BFEs) for the Town of Putnam have recently been completed by the Federal Emergency Management Agency (FEMA). To maintain eligibility in the NFIP, you will need to adopt these new regulatory products into the community's floodplain management regulations to meet the standards of Section 60.3(c) of the NFIP regulations (44 CFR) by **July 21, 2026**.

To avoid any possibility of program suspension, please submit a draft local law for review by **April 22, 2026**, so that we may review to ensure it meets all necessary NFIP requirements. Please allow two (2) to three (3) weeks for us to review your local law. Once we have reviewed the local law, we will inform you of our findings.

Failure to enact required regulations on time will result in program suspension. A community that is suspended from the program faces the following sanctions:

1. No resident will be able to purchase a federally backed flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA;
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. this includes policies written by FHA, VA, and others.



Department of  
Environmental  
Conservation

To meet this deadline, the final local law should be passed and submitted by no later than **June 21, 2026**, along with the New York State Department of State filing forms and filing acknowledgement letter.

If FEMA does not have an approved local law one month prior to the map's effective date, your community will receive a letter indicating that your community is eligible for suspension from the NFIP, which will occur on the map's effective date - should the law not be enacted by that time.

We strongly recommend replacement of existing floodplain management regulations by repealing your existing local law and enacting the enclosed new model local law. Our records indicate your current local law for Flood Damage Prevention is LL 1 of 1990, which designates the Town Board or Designee as the Floodplain Administrator. However, the Uniform Code provisions, including floodplain management requirements of your program, may be administered and enforced by the Washington County Code Enforcement Office.

The enclosed model has been updated to include federal and state program changes made since the adoption of your existing regulations. Please complete the enclosed model local law per the instructions. Note that part of Section 3.2 has already been completed to correctly reference the revised Flood Insurance Rate Map panel(s); you will still need to provide the physical street address where the Flood Insurance Study and map panels will be kept on file for public access.

The new FIRM maps may be enforced as soon as your new local law is enacted. You should receive final maps prior to their effective date. The model local law reflects minimum NFIP regulatory standards. We are also providing optional language that you may wish to include in your law to increase overall community resistance to flooding events. Additionally, FEMA offers a program - the Community Rating System (CRS), that provides discounts to all flood insurance policy holders in communities that go beyond the minimum NFIP requirements for floodplain management. For more information on how to apply for the CRS, contact our office.

Please note that should the Town of Putnam elect to designate another entity (e.g. the Washington County Code Enforcement Office) to act as their Local Administrator, an *Intermunicipal Floodplain Management Agreement* (see enclosure), or equivalent, will need to be completed and reviewed by our office prior to approval by FEMA.

To summarize, the key dates in the map adoption process are:

Letter of Final Determination starting the legal Map Adoption Process:	<b>January 21, 2026</b>	181 days prior to effective date
Final Draft Local Law Submitted to DEC for Review:	<b>April 22, 2026</b>	90 days prior to effective date
Deadline for the Local Law to be adopted by the Community to prevent <b>suspension eligibility</b> :	<b>June 21, 2026</b>	30 days prior to effective date
Deadline for Local Law be adopted by community and approved by DEC & FEMA to avoid <b>suspension</b> :	<b>July 21, 2026</b>	Effective date of maps
FEMA Suspension Date if Local Law is not adopted by community and approved by DEC& FEMA:	<b>July 22, 2026</b>	Suspension date

Should you have questions concerning adoption of this regulation or any of the included requirements, please do not hesitate to contact me directly.

Sincerely,






**Brad Wenskoski, CFM**

Environmental Program Specialist II - Floodplain Management  
Bureau of Flood Protection and Dam Safety, Division of Water

**New York State Department of Environmental Conservation**

625 Broadway, Albany, NY 12233-3504

P: (518) 402-8280 | F: (518) 402-9029 | [brad.wenskoski@dec.ny.gov](mailto:brad.wenskoski@dec.ny.gov)

[www.dec.ny.gov](http://www.dec.ny.gov) |   

Enclosures: FEMA Letter contain final map information  
NYSDEC Local Law for Flood Damage Prevention and Instructions  
Intermunicipal Floodplain Management Agreement  
Optional Additional Language

Cc w/o enclosures: Darlene Kerr, Clerk Tax Collector  
Danielle Drinkwine-Holman, Washington County Code Enforcement  
Ecc: Kelli Higgins-Roche, P.E., CFM, NFIP Coordinator, NYSDEC  
Danielle Grega, P.E., NYSDEC Region 5  
Marianne Luhrs, FEMA Region II  
Jonathan Smith, FEMA Region II

**TOWN OF PUTNAM**

**LOCAL LAW NO. \_\_\_\_\_ OF 2026**

**A Local Law Establishing a Temporary Moratorium on Battery Energy Storage Systems**

**Section 1. Title.**

This Local Law shall be known as the  
**“Six-Month Moratorium on Commercial Battery Energy Storage Facilities”**

**Section 2. Authority.**

This Local Law is adopted pursuant to:

- Municipal Home Rule Law § 10
- Town Law §§ 64 and 130
- The Town’s police powers to protect public health, safety, and welfare

**Section 3. Legislative Findings and Purpose.**

The Town Board of the Town of Putnam hereby finds:

1. The Town contains shoreline and watershed areas tributary to **Lake George**, a resource of statewide environmental, economic, and ecological significance.
2. Battery Energy Storage Systems (“BESS”), including lithium-ion battery facilities, present evolving fire, explosion, toxic release, and groundwater contamination risks.
3. Nationally reported incidents have demonstrated that lithium-ion battery fires may:
  - burn for extended periods,
  - reignite after suppression,
  - emit hazardous gases,
  - require specialized firefighting resources.

4. The Town's emergency services infrastructure is primarily volunteer-based and may lack specialized equipment or training necessary to respond to large-scale battery storage incidents.
5. The Town presently has no comprehensive regulatory framework addressing the siting, construction, operation, or decommissioning of Battery Energy Storage Systems.
6. The Town Board requires a reasonable period of time to:
  - o study land use, environmental, and fire safety impacts,
  - o consult with emergency services providers,
  - o evaluate watershed protection concerns,
  - o consider adoption of appropriate local regulations.

Accordingly, the Town Board determines that a temporary moratorium is necessary to preserve the status quo and protect public health and safety while such study and review are undertaken.

#### **Section 4. Definitions.**

For purposes of this Local Law:

**Battery Energy Storage System (BESS)** shall mean one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, including but not limited to lithium-ion battery systems, whether stand-alone or accessory to another use.

This definition shall not include:

- Residential-scale battery systems serving a single-family dwelling and having a capacity of less than 30kWh; or
- Portable consumer battery products.

#### **Section 5. Moratorium Imposed.**

A. For a period of six (6) months from the effective date of this Local Law, no application shall be accepted, processed, approved, or issued for:

- The construction,

- Installation,
- Siting,
- Expansion, or
- Operation

of any Battery Energy Storage System within the Town of Putnam.

B. No person or entity shall commence construction or installation of a BESS during the moratorium period.

### **Section 6. Pending Applications.**

Any application for a BESS pending as of the effective date of this Local Law shall be suspended for the duration of the moratorium.

### **Section 7. Exceptions.**

The Town Board may, upon written application and after public hearing, grant a hardship exemption upon finding that:

1. The applicant will suffer substantial hardship unique to the property;
2. The proposed system will not adversely affect public safety, environmental resources, or emergency response capabilities; and
3. The exemption is consistent with the purposes of this Local Law.

The burden shall be upon the applicant to demonstrate entitlement to such exemption.

### **Section 8. Enforcement.**

Violation of this Local Law shall constitute a violation under Town Law § 268 and shall be subject to:

- Injunctive relief,
- Civil penalties,
- Stop work orders,
- Any other remedy available at law or equity.

Each week of continued violation shall constitute a separate offense.

**Section 9. Duration.**

This moratorium shall expire six (6) months from its effective date unless extended by further local law duly adopted by the Town Board following public hearing.

**Section 10. Severability.**

If any provision of this Local Law is held invalid, such invalidity shall not affect remaining provisions.

**Section 11. Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State.



March 10, 2026

The Honorable Kathy Hochul  
Governor, State of New York  
NYS State Capitol  
Albany, NY

Dear Governor Hochul,

Across the Lake George region, families have cared for Lake George for generations. They notice subtle changes in its waters, volunteer during Clean Up Day, plant native shoreline buffers, and depend on a thriving tourism economy sustained by the lake's clarity and beauty. Ensuring these residents can continue to afford to live here – while serving as dedicated stewards of this extraordinary resource – must remain central to our environmental policy decisions.

One of the most pressing and least visible challenges facing Lake George is aging and failing septic infrastructure. Beneath lawns and seasonal camps, outdated systems release nutrients that travel through groundwater and tributaries into the lake. These nutrients fuel harmful algal blooms and threaten the clarity that defines Lake George.

The state's Harmful Algal Bloom Action Plan for Lake George identifies failing septic systems as a priority source of nutrient pollution. Addressing this issue is not simply about compliance – it is about prevention. Your administration exhibited strong leadership on this when the Lake George Park Commission adopted the first basin-wide mandatory septic inspection program in 2022. It is about protecting drinking water, safeguarding local economies, and preserving a lake that is globally recognized for its water quality.

The data collected by the Lake George Park Commission underscore the urgency. In the first three years of its mandatory septic inspection program, 968 systems were evaluated:

- 389 - 40% passed
- 215 - 22% required repairs
- 155 - 16% were substandard
- 209 - 22% were failing



**We Protect Lake George, Together!**

Nearly six in ten systems required intervention. **LGA estimates the currently required replacement and repairs around Lake George amount to over \$7 million in financial need.** These numbers represent real homes, real families, and real financial burdens.

For many year-round residents — including retirees, small business owners, and working families — the expense of repairing or replacing a septic system can be overwhelming and make this area less affordable. Without adequate assistance, required upgrades can strain household budgets and, in some cases, threaten the ability of families to remain in their homes and continue contributing to the fabric of their communities.

Recognizing this, the Lake George Association, with support from the Lake Champlain Basin Program and the Wright Family Foundation, has committed \$370,000 to assist families demonstrating financial need with septic repairs and replacements. This funding reflects a shared commitment — environmental protection must be paired with economic fairness. Protecting Lake George cannot come at the expense of the people who live here and care for it every day.

Yet county-level septic grant programs in Warren, Washington, and Essex Counties are currently facing a backlog of applications awaiting funding. Inspections have identified the need. Property owners are prepared to act. The limiting factor is available state support.

**We respectfully urge the State of New York to direct an additional \$3 million total to Warren (consistent with their \$1.5 million request), Washington, and Essex Counties (\$750,000 each) for septic repair and replacement grants.**

This investment would:

- Accelerate implementation of the Lake George HAB Action Plan
- Reduce phosphorus and nitrogen inputs at their source
- Provide direct relief to working families and retirees living here in New York
- Help ensure year-round residents can remain in their homes
- Strengthen the long-term stewardship capacity of the Adirondack region

Supporting septic upgrades is not simply an environmental action — it is a community investment. When families can afford to comply with modern wastewater standards, they remain rooted in place. They continue volunteering, serving on local boards and fire departments, supporting small businesses, and acting as daily guardians of the lake.

Lake George has long served as a model for science-driven freshwater protection. With inspection data in hand and nonprofit support already mobilized, the state has an opportunity to demonstrate how environmental protection and community stability can advance together.



**We Protect Lake George, Together!**

We stand ready to partner with your offices and with the Department of Environmental Conservation to ensure that additional funding is deployed efficiently and equitably to achieve measurable water quality outcomes.

By investing in both infrastructure and people, New York can protect Lake George while preserving the communities that make the Adirondacks such a remarkable place to live, work, and visit.

Thank you for your continued leadership in safeguarding New York's waters and the families who call this region home.

Sincerely,

Dr. Brendan Wiltse  
President & CEO  
Lake George Association  
bwiltse@lakegeorgeassociation.org

Chris Navitsky, PE  
Lake George Waterkeeper  
Lake George Association  
cnavitsky@lakegeorgewaterkeeper.org



**We Protect Lake George, Together!**

PO Box 408, Lake George, NY 12845  
LakeGeorgeAssociation.org ● (518) 668-9700



PO Box 351, Lake George, NY 12845  
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March 12, 2026

Hon. Darlene Kerr, Supervisor and Town Board members  
**Town of Putnam Town Board**  
123 Lower Road  
Putnam Station, NY 12861

**Re: Town of Putnam – Local Law #1 - 2026  
SEQRA Compliance**

Dear Supervisor Kerr and Town Board members:

I would like to commend the Putnam Town Board, and especially Supervisor Kerr, for the professional and fair manner that the public hearing was held on February 12, 2026. Public hearings when residents and elected officials speak with passion regarding an issue can become emotional sometimes by sacrificing professional courtesy and meeting protocols. That was not experienced that evening.

I am writing to express concern that the Lake George Association (“LGA”) and the Lake George Waterkeeper have regarding the adoption of Local Law #1 of 2026 by the Putnam Town Board to disband the Planning Board and transfer all responsibilities to the Town Board. Specifically, this is regarding compliance with the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617.

This action associated with Local Law #1 should be considered a discretionary action by a local agency that may affect the environment, as it alters the land-use planning and approval structure of the Town. Under New York Town Law §271, town boards have the authority to create and dissolve planning boards. However, the abolishment of such a board and the transfer of its duties to another board, such as the town board, requires environmental review because it changes how future land-use decisions, which have environmental impacts, are made. In that context, the Town Board should consider the impact on the community character as well as adverse environmental impacts that may be because of this action.

We are requesting that you allow us to discuss this matter with your counsel. One of the issues that we would like to discuss with your attorney is the importance of following the law as it pertains to land-use development and project review. As you fulfill the role of the Planning Board, you will learn that one of the most prominent tools required of boards reviewing projects is to make sure that they have complied with the procedural and substantive requirements of Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA). That law requires careful consideration of the potential impacts of proposed projects and activities that are considered unlisted





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actions. Because the resolution that was adopted at the last meeting is considered an unlisted action, the Town Board should have conducted a preliminary review under SEQRA to explore whether there are any significant adverse impacts associated with the action. We are hoping that the Town Board will rescind its prior resolution and reconsider its position after it follows the procedural requirements of SEQRA. After following those requirements, the Town Board can reconsider your vote. Although this may not change the outcome of your vote, it will be important to establish precedent for complying with this important law.

This letter is not meant to be adversarial. Rather, the LGA and Lake George Waterkeeper look forward to working with the Town of Putnam Town Board to defend the natural resources of Lake George and its watershed. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads 'Chris Navitsky'.

Christopher Navitsky, PE  
Lake George Waterkeeper

3/6/2026

To The Town of Putnam Board Members,

We live in both a democracy and a republic (a representative democracy) in that certain laws are voted upon by all the citizens registered to vote (a democracy) and others are voted upon by those who were elected to represent the citizens (a republic). At the February Town Board meeting the Town Board failed in its duty to represent the citizens for which they were elected.

More importantly there were several irregularities and violations of New York Open Meeting Laws, regulations regarding Adopting Local Laws in New York, and the absence of SEQRA.

First violation: The January 8, 2026 meeting minutes have "Resolution # 7 as Rescind the Site Plan Review Law. However, the Public Notice states *"to consider the repeal of Local Law #1 of 2020 entitled "Site Plan Review" and to consider the abolishment of Planning Board created under Section 271 of the Town Law."* This public notice does not match the resolution passed at the January 8, 2026 meeting.

Second violation: Section 103 (e) Open Meeting Law requires ANY *"proposed resolution, law, rule, regulation, policy or any amendment thereto, that is scheduled to be the subject of discussion by a public body during an open meeting shall be made available, upon request therefor, to the extent practicable at least twenty-four hours prior to the meeting..."* This was not done. Not even (all) the Town Board members had a copy of the proposed law.

Third violation: Adopting Local Laws in New York State Public Hearings (page 14) Step VII states *"The municipal attorney may be*

*required to amend or redraft the proposed law based on the input from local residents at the public hearing. If so, the procedure will start over at Step II and follow the same time frame as the original draft."*

Step II - Step V is the drafting of the proposed law, presenting the proposed law and having it introduced by a member, publishing the notice of a Public Hearing, and holding the Public Hearing. This was violated in several ways in that neither a proposed law matching Resolution #7 (rescind the Site Plan Review Law) nor a proposed law matching the Public Hearing notice (repeal the Site Plan Review Law and abolish the Planning Board) were presented. Instead, a law matching a newly mentioned motion "to keep the Site Plan Review Law but dissolve the Planning Board and transferring its responsibilities to the Town Board" was screen shared and voted on.

Fourth violation: No SEQRA was done regarding the effects of (1) rescinding the Site Plan Review Law. Since the original resolution from the January meeting was to rescind the Site Plan Review Law, thus changing environmental protections the "*SEQR requires all local, regional, and state government agencies to equally examine the environmental impacts along with the social and economic considerations for a certain project, or action, during their discretionary review. Agencies must follow the multi-step SEQR Decision Process, which requires them to assess the environmental significance of all actions they have the power to approve, fund, or directly assume.*"

Let's also address mistruths that have been stated (and included in the minutes). I have reviewed the minutes of the Town Board going back to January 2019. There is ONE mention (June 2024) of a petition regarding abolishing the Planning Board. (Minutes from 2/2026 state "this is the third time in 6 years this has been brought to the table")

September 2024 minutes have Attorney Winn stating a referendum is not appropriate, but a survey could be done (but not part of the election process). No public hearing, on the topic of abolishing the Planning Board, was held during 2024. No survey was ever done. Considering the aforementioned petition was more than 20 months ago, and any signatures from that petition predate the public hearing notice for the February 12, 2026 meeting, those signatures should not be part of any current conversation regarding the Planning Board. Those people chose not to speak at this time. The current viewpoints, as expressed at the Public Hearing on February 12, 2026, should be the only items entered into the public record.

A second mistruth in regards to the February 12, 2026 meeting. It was stated "someone would need to be a registered voter and have their main residence in the Town of Putnam". Being a registered voter is not part of Section 3 Qualifications for Holding a Public Office (Public Officers Chapter 47 Article 2).

The citizens and property owners of Putnam deserve to have these irregularities and violations addressed.

Sincerely,  
Nancy Wolf-Fisher  
5183 Sagamore Road  
Putnam Station, NY 12861

## Local Law No. \_\_\_ of the Year 202X

### A Local Law to Prohibit Blasting and Restrict Hillside Excavation within the Lake George Shoreline, & Lake Champlain Shoreline

#### Section 1. Legislative Intent and Purpose

The Town Board finds that the steep slopes and hillsides surrounding Lake George are composed of fragile soils and bedrock. Blasting and excessive excavation in these areas increase the risk of:

1. **Water Quality Degradation:** Siltation and nutrient runoff (phosphorus/nitrogen) into Lake George.
2. **Structural Hazards:** Landslides, slope failure, and damage to neighboring foundations or wells.
3. **Aesthetic Loss:** Permanent scarring of the "Queen of American Lakes" viewshed, which is vital to the local economy.

#### Section 2. Definitions

- **Blasting:** The use of explosives to break or move rock, soil, or other materials.
- **Shoreline Overlay District:** All lands located within 5280 feet of the mean high-water mark of Lake George, & Lake Champlain
- **Steep Slope:** Any land area with a natural grade of 15% or greater.
- **Excavation:** Any man-made cut, cavity, or trench in the earth's surface formed by the removal of earth, rock, or other materials.

#### Section 3. Prohibited Acts

1. **Prohibition on Blasting:** Within the Shoreline, ~~Overlay~~, the use of explosives or blasting for the purpose of residential development, or site preparation is strictly prohibited.
2. **Prohibited Excavation on Steep Slopes:** No person shall perform excavation, grading, or filling on any "Steep Slope" (as defined herein) within the Shoreline ~~Overlay District~~ that results in a vertical cut of more than 4 feet except for the purpose of a public safety emergency.

#### Section 4. Exceptions and Permitting

- **Non-Explosive Rock Removal:** The use of mechanical means (e.g., hydraulic hammers, rock saws) is permitted but requires a **Special Use Permit** and an

approved **Stormwater Management Plan** <sup>with</sup> ~~consistent with~~ Lake George Park Commission ~~standards.~~ <sup>approval</sup>

- **Public Safety:** This law does not apply to essential repairs of public infrastructure or emergency stabilization of a slope deemed hazardous by the Town.

#### **Section 5. Penalties for Offenses**

- **Fines:** Any person, firm, or corporation violating this law shall be subject to a fine of not less than **\$2,500** nor more than **\$10,000** per day of violation.
- **Restoration:** The Town may require the violator to restore the hillside to its original grade and vegetative state at the violator's sole expense.

#### **Section 6. Severability and Effective Date**

If any clause of this law is held invalid, the remainder shall remain in effect. This law shall take effect immediately upon filing with the Secretary of State.

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#### **Important Implementation Steps:**

- **The "Host Benefit" Connection:** a town could use Host Benefit funds to hire a specialized **Environmental Consultant** or **Town Engineer** specifically to review and enforce these steeper hillside applications. An investment for the future of our shoreline.
- **SEQRA Review:** This law would require a "Type 1" action under the State Environmental Quality Review Act (SEQRA) because it involves changes to allowable uses near a protected waterbody.

From: Violet Martin [cruise1521@yahoo.com](mailto:cruise1521@yahoo.com)  
Subject: Lithium-ion battery storage facility  
Date: Feb 1, 2026 at 11:59:50  
To: [supervisor.kerr@townofputnamny.com](mailto:supervisor.kerr@townofputnamny.com)

On January 22, the Adirondack Park Agency approved the first lithium-ion battery storage facility within the Adirondack Park, located near Great Sacandaga Lake in the Town of Northampton. Agency representatives at that meeting indicated that this will be the first of many they plan to build in the Adirondack Park. This makes the situation in Northampton far more than a single-town issue. This sets a precedent that should concern every Adirondack community. What is permitted in Northampton today will be proposed in towns across the park soon.

It is an Adirondack-wide issue involving industrial-scale infrastructure, environmental risk, public safety, land-use precedent, and the long-term integrity of the Park. If this facility is able to be built, they will cookie cutter these throughout the park. We have a shared responsibility to protect our communities, our environment, and the future of the Adirondacks.

The Adirondack Park was never meant to be an industrial zone, it is a rare delicate balance between forever wild public lands and maintaining good stewardship of private property. These facilities are NOT good stewardship. Introducing lithium-ion storage facilities into this landscape threatens the waterways, forests, wildlife, tourism, property values, and the wilderness character that defines this community.

This is not about whether battery storage has a role in New York's energy future. It is about whether a technology that presents high consequence risk belongs in environmentally sensitive, tourism-based, resource limited and volunteer served rural communities. It's downright irresponsible to put them inside the blue line.

I believe the strength of the Adirondacks lies in its communities standing together. I respectfully ask you to reach out to the town of Northampton to offer help and support in this fight! As well as, urging the APA and state leaders to reconsider allowing lithium-ion battery storage facilities within the Adirondack Park. You will also want to consider approving a ban on battery storage facilities in your town.

Violet Martin

Sent from my iPhone