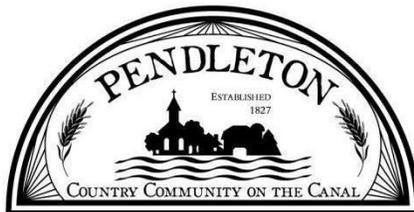


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*Supervisor Joel Maerten
Councilman Wolfgang Buechler
Councilman David Kantor
Councilman Timothy Lukasik
Councilman Dylan Rumbold*

At the meeting of the Town Board of the Town of Pendleton, Niagara County, New York, held in the Board Room at the Town of Pendleton Town Hall, 6570 Campbell Boulevard, Lockport, New York, 14094 at 7:00 p.m. on March 9, 2026.

**Resolution Adopting a Local Law to Amend the Town of Pendleton
Code to Regulate Battery Energy Storage Systems**

WHEREAS, the Town Board of the Town of Pendleton (the “Town Board”) has proposed a local law entitled A Local Law to Amend the Town of Pendleton Code to Regulate Battery Energy Storage Systems (the “Local Law”), which amends Chapter 247, Article IX, of the Town of Pendleton Code to establish comprehensive zoning, permitting, siting, safety, and operational standards applicable to battery energy storage systems within the Town; and

WHEREAS, the purpose of the Local Law is to promote the health, safety, and general welfare of Town residents by ensuring that battery energy storage systems are located, constructed, and operated in a manner compatible with surrounding land uses, protective of environmental resources, and consistent with the Town’s Comprehensive Plan; and

WHEREAS, the Town Board has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, and the implementing regulations at 6 NYCRR Part 617, and has adopted a Negative Declaration determining that the adoption of the Local Law will not result in any significant adverse environmental impacts; and

WHEREAS, the Town Board has considered the text of the proposed Local Law, the SEQRA record, public comments received, and all other relevant legislative materials;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 9th day of March 2026 that:

1. The Town Board hereby adopts A Local Law to Amend the Town of Pendleton Code to Regulate Battery Energy Storage Systems, in the form presented to the Town Board and on file with the Town Clerk.
2. The Town Clerk is hereby authorized and directed to file the adopted Local Law with the New York State Department of State in accordance with the Municipal Home Rule Law.
3. The Local Law shall take effect immediately upon filing with the Secretary of State, as provided therein.
4. The Town Attorney, Town Clerk, and any other appropriate Town official are authorized to take such actions as may be necessary to give full force and effect to this Resolution and the adopted Local Law.