

January 13, 2026

Mayor Michael Newhard
Members of the Village Board
Village of Warwick
77 Main Street
Warwick, NY 10990

Dear Mayor Newhard and Members of the Village Board,

Thank you for your continued leadership and for the attention given to the issue during your January 5 meeting. I write today to provide an update on our Church Street facility, to clarify several aspects of the incident and our response, and to affirm our ongoing commitments to the Village of Warwick. As always, we welcome the opportunity to meet with you and your team and to work toward a constructive process moving forward.

On December 19, 2025, our emergency response plan was activated following an internal fire in one of the battery enclosures at our Church Street site. The fire was contained to a single unit and extinguished within 24 hours. Crucially, there were no injuries, and the event did not necessitate evacuation or shelter-in-place orders. There was also no damage beyond the enclosure, or any evidence of risk to public health or environmental impact as a result of this incident. Orange County Hazmat measured air quality as safe throughout the weekend of the incident.

Our response team was dispatched immediately, and qualified personnel were on site two hours before the four-hour benchmark recommended by the State. While the facility was monitored closely throughout the event, the contained nature of the incident meant that local emergency responder resources were only minimally required.

We took the facility offline immediately after the fire alarm was triggered and have retained DNV Energy USA, Inc., a nationally recognized third-party expert, to lead an independent root cause analysis (RCA). We have also idled the only other battery systems of the same model in our fleet until the results are in and any corrective measures are fully implemented.

All of this to say that while this incident caused frustration and concern in the community, we take heart in the fact that the incident did not cause harm beyond the damage to the

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system, which impacts Convergent, not the taxpayers of Warwick. We believe this event is not unprecedented among other events that routinely occur with electrical infrastructure like blown transformers or downed powerlines.

Several public statements and media reports have raised questions about the facility's compliance status at the time of the incident. We want to be clear: the Church Street system was built under a valid building permit in accordance with plans that had been reviewed and approved by the Village Planning Board and Building Inspector, and had passed inspection many months prior to the incident. As the Building Department reconfirmed to Convergent by email as recently as June 2025, work at the facility was considered completed, with no indication by the Code Compliance Officer (CCO) of non-compliance, and the failure to timely issue a Certificate of Compliance – a ministerial action that should have been taken by the CCO when he determined compliance with code – was instead driven by the Village Board's non-code-related questions.

At all times, safety has been our top priority. We believe that the design and monitoring improvements implemented following the 2023 incident adequately addressed the root causes identified from those incidents. While we understand the concerns expressed, it is premature to conclude that the 2023 and 2025 incidents share a common cause. We believe it is both prudent and responsible to let the independent third-party root cause analysis guide our shared understanding.

Since our arrival in the Warwick community, we have been forthcoming and willing to engage transparently with Village staff, the Fire Department, and the Building Department. We value these relationships and respect the professionalism and care that Village officials have shown. As a company that does business in your community, we view ourselves as a constituent, and we remain committed to constructive dialogue and clear accountability.

We understand that a series of incidents in the Warwick community over the past two years raise serious concerns and frustrations.

In response to specific requests from the Village, we confirm the following:

- We stand ready to reimburse the Village or local emergency services for any costs incurred in connection with the December incident, just as we did following the 2023 events. In fact, we previously made a meaningful monetary contribution to the Warwick Fire Department for the purchase of a thermal-imaging drone that would enhance their capabilities, including in the event of future battery-related incidents.

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- The Church Street system has been disconnected and has remained out of service since the incident began.
- The facility has been stabilized and secured, and we are now focused on enabling a thorough damage assessment, a root cause investigation, and the development of a cleanup and restoration plan. Each step will be undertaken in full compliance with applicable codes and regulations.
- We welcome the involvement of the Village's Building Inspector and third-party engineer and look forward to seeing our eagerness to engage in this respect met with reciprocal interest.
- As we did before, we will share the findings of the DNV root cause analysis with the Village and the public. We welcome oversight and will be responsive to your inquiries.

We want to reiterate our gratitude to the Warwick Fire Department, Local and State Police, the Sheriff's Office, the Town of Warwick, the Village of Warwick, several divisions of Orange County Emergency Services, including Hazmat, and Mayor Newhard for their diligence and tireless commitment to the community.

Once again, we apologize for the disruption and concern this has caused, and we plan to continue updating the community as the situation develops.

Sincerely,



Frank Genova

Co-Chief Executive Officer
Convergent Energy and Power