



Upper Mount Bethel Township

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UPPER MOUNT BETHEL TOWNSHIP BOARD OF SUPERVISORS' SPECIAL MEETING MINUTES MONDAY, SEPTEMBER 21, 2026 – 6:00 PM

*This meeting was held at the Mt. Bethel Fire House and live streamed through the Upper Mount Bethel Township Facebook page and YouTube channel.

I.

Supervisor Bermingham called the meeting to order at 6:00 pm.

The Pledge of Allegiance was recited.

In attendance were Supervisor Bermingham, Supervisor Erler, Supervisor Albert, Supervisor Friedman, Township Solicitor Karasek (arrived at 6:25 pm), Township Engineer Coyle and Township Manager Graziano. Supervisor Eckman is absent.

II.

APPROVE THE AGENDA

MOTION by Supervisor Friedman to approve the agenda, seconded by Supervisor Albert. Vote: 4-0.

III.

PUBLIC COMMENT

Supervisor Friedman stated that tonight's meeting is to only vote on sending both Ordinances to LVPC for review. This is a matter of procedure. The Board is not voting to adopt any Ordinances this evening.

Brenda LaBar, Township resident, commented on the location of data centers and what they are all about. Why not warehouses.

Shelly Depaul, Council of the Lenape Nation, commented on the specific sacred burial grounds. In depth studies of resource availability and the impacts on communities and ecosystems should be done.

Stephanie Donnelly, Township resident, commented on the draft Ordinances and her concerns. Stephanie commented on Slate Belt Holdings Ordinance, which replaces conditional use with use by right approval eliminating the public hearing process entirely, it removes the thermal impact mitigation plan, the decommissioning financial security, the 10k fuel storage setback, construction hours are extended to 10pm/6 days a week and it raised the building height to 110 ft. Stephanie commented on the township's draft ordinance. Concerns with cooling water, the MOU, there is no hard daily or annual water consumption cap, and the noise.

Courtney Gilmour, Township resident, stated that it is never okay to go after someone's family, no matter how much is going on. Do not lose moral grounds.

Patty Greene, Township resident, commented on the data center proposals, the immediate threat is air, the hidden threat to our water, do not let Slate Belt Holdings dictate the terms of our ordinance.

Tom Gilmour, Township resident, commented on the PA Bass Nation announcing their 2027 kayak schedule, hosting a premier event on the Delaware River. Tom commented on Regulatory capture.

Bob Glasgow, Township resident, commented on a theological perspective. Bob urges every Supervisor to adopt a seventh-generation approach to every decision that they make.

Judith Henckel, Township resident, commented on people having a fear factor and why they are very passionate about things. You can't be on one side or another, you need to get all the information that you can and put it out there.

Maya van Rossom, Leader of the Delaware Riverkeeper Network, speaking on behalf of the river. Maya commented on Slate Belt Holdings Ordinance, do not send to LVPC. Maya will provide the Board with her feedback on the Township's Draft Ordinance.

Tim Hayes, Township resident, commented on the location of the proposed data centers. The BOS need to protect and support the people.

Arleen Tishuk, Township resident, read a prayer to everyone, protect the community, the river, and the people.

Andrew Matisz, Township resident, commented on details, promises, and contracts. Andrew commented on the Portland water wells that are being drilled and his concerns about resident wells. Andrew stated that he spoke with the Halliburton guy that is drilling wells up on Turkey Ridge Rd, who stated they are drilling wells 3ft wide, 1,200ft deep.

Jason Abbott, Township resident, commented on the draft data center ordinance and his suggested revisions to be considered.

Joe Tripoli, Township resident, commented on the proposed development, 23 buildings. How was it designed? How can it be approved without knowing the design characteristics. Supervisor Friedman stated that it is a conceptual plan.

Manager Graziano read a public comment from Marissa Donnelly, VP of Bangor Borough Council, but these comments are her own views and opinions. Marissa commented on proposed data center project and the impact it will have on neighboring communities, which includes the Borough of Bangor, and respectfully requests they be included in the discussions.

Supervisor Bermingham made a few announcements. Community Wide yard sale, September 25th, 26th, 27th. MB ladies auxiliary is hosting a designer purse bingo on September 26th. MB ladies auxiliary membership drive luncheon on September 27th. MB ladies auxiliary is hosting a trunk or treat on October 25th, 12-4.

IV.

ACTION ITEMS

Secretary Cindy Beck read Supervisor Eckman's statement into the public record. Supervisor Eckman could not attend this evening's meeting, but she stated that she would like both drafts sent to LVPC for review and a recommendation on each draft separately to compare, to make sure protections and guidelines are in place.

1. Township Data Center Ordinance-Supervisor Bermingham stated that this is the Ordinance that Engineer Coyle drafted. Part of the process is for the LVPC to review and comment on proposed Ordinances. Engineer Coyle stated that he tried to cover all concerns based on researching existing ordinances. Engineer Coyle discussed items that were included in the draft ordinance and how he wanted to provide the most comprehensive ordinance. The main recommendation is to ensure it comes through as a conditional use. A non-resident asked if impervious surfaces as been addressed. Engineer Coyle stated that is addressed more under the Act 167, there are multiple layers of review for stormwater. Supervisor Erler commented on the AWS ordinance that was never adopted. Supervisor Erler stated that he and Supervisor Bermingham negotiated a lot of these concerns in the meetings that they attended. Supervisor Erler's concern is passing an ordinance that could be deemed too restrictive. Supervisor Erler asked if there is severability clause in the current text amendment? Supervisor Bermingham stated that it should be in the current draft ordinance. There was a discussion on the building height, and other items outlined in the draft ordinance. Supervisor Erler asked Engineer Coyle what was LVPC's response to LMBT's Data Center Ordinance. Engineer Coyle stated that he does not know. **MOTION** by Supervisor Bermingham to have Engineer Coyle update our draft data center ordinance to make the building requirements the same as LMBT (45ft) also conditioned on the severability clause and the Constitution, then send to LVPC for review, seconded by Supervisor Friedman. Vote: 3-1.
2. Slate Belt Holdings Data Center Ordinance-Supervisor Friedman stated that Supervisor Eckman asked for this to be submitted to LVPC. **MOTION** by

Supervisor Friedman to send Slate Belt Holdings Data Center Ordinance to LVPC, no second, motion dies.

There is no need for Executive Session. Solicitor Karasek stated that the Stine/Czopoth matter is on September 30th. Manager Graziano, Supervisor Friedman and Zoning Officer Tina Serfass will need to be available.

Public Comment

Ron Angle, Township resident, stated that he likes dealing with facts not emotions. Ron commented on AI and it's coming here full force. Ron asked Solicitor Karasek about the ordinance that is being sent to LVPC. Is this not the ordinance that Slate Belt Holdings will proceed under. Solicitor Karasek stated that if they are able to win on the Validity Challenge, that is probably correct, if they lose then obviously no. If they win, then they get a sight specific relief and they will not be applicable to this ordinance. Solicitor Karasek stated that the MOU is not legally binding. It is simply an agreement where both parties agree to work together in good faith.

V.

ADJOURNMENT

MOTION by Supervisor Friedman to adjourn the meeting at 8:00 pm, seconded by Supervisor Albert. Vote: 4-0.

Respectfully Submitted by Cindy Beck, Recording Secretary