

approved

**LOWER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS MINUTES – JUNE 1, 2026 @ 7:00 P.M.**

**CALL TO ORDER** - The June 1, 2026 meeting of the Lower Mount Bethel Township Board of Supervisors was held at 6984 S. Delaware Drive, Martins Creek, Pennsylvania, 18063. The meeting was called to order by Vice-Chairman J. Keifer at 7:00 p.m. In attendance were C. Cook, M. DeBerardinis, D. Ascani, R. Siegfried, J. Zator, Solicitor, J. Coyle, Engineer, M. Hart and M. Mastrogiovanni. The Pledge of Allegiance was recited. There were approximately 50 plus members of the audience present.

**Chairman Resignation, C. Cook - MOTION** by D. Ascani, second by M. DeBerardinis to accept C. Cook's resignation as Chairman to the Board of Supervisors. No Public Comment.

Vote: D. Ascani - aye, M. DeBerardinis – aye, C. Cook – aye, J. Keifer – aye, R. Siegfried – aye.

**Appoint Chairman to the Board of Supervisors** - J. Keifer asked for a nomination for Chairman. **MOTION** by C. Cook, second by D. Ascani to appoint D. Ascani as Chairman. Vote: C. Cook – aye, D. Ascani – aye, J. Kiefer – no, M. DeBerardinis – no. R. Siegfried – aye. Motion passed 3-2. D. Ascani announced there was an Executive Session held tonight at 6:30 p.m. for Personnel and Legal, no action taken.

**Approval of Minutes - May 18, 2026 – MOTION** by C. Cook, second by M. DeBerardinis to approve the minutes as submitted. Vote: 5-0.

**Courtesy of the Floor**

**1. Howard Klein** - Mr. Klein asked the BOS disclose all information regarding the Data Center, any meetings with the Developers or Talen, and make citizens aware of what's going on.

**New Business**

1. Consideration of Resolution 2026-08 approving a transportation improvement on UPI No. G10-1-14-0117. M. Hart indicated they already approved this at the last meeting. **MOTION** by C. Cook, second by M. DeBerardinis to adopt Resolution 2026-08 approving a transportation improvement on property parcel number G10-1-14-0117; subject to an Agricultural Conservation Easement. No Public Comment. Vote: 4-1 with D. Ascani voting no.

2. Consideration of creating a Bandshell/Amphitheatre Project Committee. M. Hart explained we received grant money from Northampton County and Monroe County LSA to construct the Bandshell at the Riverton Field. There has been interest from Kerry Doyle to be on the committee. **MOTION** by C. Cook, second by D. Ascani to accept letters of interest for the creation of a Bandshell / Amphitheater Project Committee. Vote: 5-0.

3. Consideration of revising the monthly Planning Commission Meeting schedule to include the addition of the 3<sup>rd</sup> Tuesday of the month. M. Hart noted, this is a follow up from the last meeting. In light of the current Solicitor situation, tabled to the July 13<sup>th</sup> BOS meeting.

4. Consider appointing John Mauser, Brayden McEwen and Brad Kiefer to the Open Space Committee. J. Keifer noted the Open Space Committee meeting was not posted 24 hours before the meeting, in violation of the Sunshine Law. **MOTION** by R. Siegfried, second by D. Ascani to appoint John Mauser, Brayden McEwen and Brad Kiefer to the Open Space Committee. Vote: 5-0.

6. Consideration of options for appointment of a new Township Solicitor. J. Zator explained his resignation letter and noted how much he enjoyed working with LMBT BOS, PC and staff. Joe explained he appreciates the relationships, but the decision has been made and it's a good time for a transition. J. Zator also explained due to the nature of the Data Center being a contentious subject, that also played part in his decision. Joe disclosed a few months back to the BOS his occasional involvement representing one of the partners in the Peron joint venture, the BOS did not ask his to recuse himself, However, at the last meeting on May. 18<sup>th</sup>, a member of the public raised the conflict of interest issue. J. Zator recommended the Board initiate a search for a new Solicitor, this is a good time. He will stay on until they have a replacement but will have to recuse himself from any future participation with the Data Center. **MOTION** by D. Ascani, second by J. Keifer to advertise the RFP for a new Solicitor based upon J. Zator's recommendation. Public Comment by S. Newman – Sandra thanked J. Zator for serving as our Township Solicitor, it has been an honor and privilege, he is virtually irreplaceable. Public Comment by P. McInerney – Pat agreed with S. Newman, he thanked J. Zator on behalf of the Planning Commission. Public Comment by H. Klein – Howard explained how the 2007 Zoning came under attack and then the creation of CAPZO. They need to update the AG zoning for the Data Center to withstand these challenges. Howard thanked J. Zator, he always had LMBT's best interest in mind and would suggest looking into firms that are fighting Data Centers. Public Comment by A. Tishuk – Arlene asked why the citizens weren't notified about C. Cook and J. Zator, conflicts should be brought to the resident. After comments. Vote: 5-0.

7. Consideration of authorizing Township Staff to work with Lower Mount Bethel Sandt's Eddy Fire Company in the development of a draft Memorandum of Understanding (MOU) for Solicitor review, addressing a long-term fire protection service agreement, annual operational funding, budgeting, and related financial support. G. Russo, Fire Chief was present and noted he did a PowerPoint presentation at the last BOS meeting. George asked the BOS to move forward with the MOU, to be prepared for the budget in the fall. J. Keifer indicated the Committee did not meet on Friday, but the township needs to do something for the Fire Company as a whole. **MOTION** by J. Keifer, second by D. Ascani to move forward with the development of the MOU with the Lower Mount Bethel Sandt's Eddy Fire Company. Public Comment by K. Brewer – Mr. Brewer agreed with helping the Fire Company and mentioned you can do a charitable donation from your IRA up to \$100,000 and it's a tax deduction. Public Comment by H. Klein – Mr. Klein mentioned the citizens already have a Fire Tax they pay and noted large companies in the township such as Talen, New Enterprise, Ardent and H & K should continue making donation. After Comments, Vote: 5-0.

8. Acceptance of Gretchen Biancone-Groff resignation from the Rec Board. **MOTION** by C. Cook, second by D. Ascani to accept the resignation. Vote: 5-0.

### **Old Business**

1. Consideration of eliminating the Roadmaster position and establishing a Township liaison position. D. Ascani indicated he will be resigning as Roadmaster, and M. DeBerardinis will carry the position of Roadmaster. The appointment wasn't done correctly and at this point there is 2 Roadmasters. Tabled to the next BOS meeting to take action. Public Comment by Kenny Brewer – Mr. Brewer asked if this was a non-paid position. D. Ascani responded yes, the Roadmaster position is unpaid.

2. Consideration of Stream Habitat Improvement Practices Installation Agreement between Lower Mount Bethel Township and Martins Jacoby Watershed Association. M. Hart noted the Solicitor has submitted recommended revisions to the agreement. **MOTION** by M. DeBerardinis, second by C. Cook to approve the agreement with the Solicitors revisions. No Public Comment. Vote: 5-0.

3. Consideration to rescind the Farming at the Meadows RFP. **MOTION** by D. Ascani, second by C. Cook to rescind the Farming RFP at the Meadows. No Public Comment. Vote: 5-0.

4. Consideration of revised settlement terms regarding MC OPCO LLC. M. Hart explained the details of the originally negotiated settlement agreement was \$300,000 for 10 years at 0% interest. D. Ascani indicated he met with Talen and renegotiated the new agreement to allow repayment of the \$30,025.65 annually to go directly to the Fire Company and Talen will donate an additional \$20,000 to the Fire Company for the next 10 years. J. Zator has reviewed the agreement and suggested a few revisions to the agreement, M. Hart will make those changes. J. Keifer would have liked to negotiate the \$300,000 be wiped out entirely, and the township consider donating money to the Fire Company. D. Ascani mentioned the township met with them 3 times to negotiate and came up with this agreement, this will set up the Fire Company pretty good for the next 10 years. **MOTION** by C. Cook, second by M. DeBerardinis, to approve the revised donation payment agreement including revisions recommended by J. Zator. Public Comment by Karen Brewer - D. Ascani did a great job negotiating the agreement to help the Fire Company. Vote: 4-1 with J. Keifer voting no.

**Correspondence** - All correspondence are located in the Township Office.

**Approval of the Bills** - **MOTION** by C. Cook, second by M. DeBerardinis to approve the bills in the amount of \$101,586.95. Vote: 5-0.

## Reports

Township Solicitor – Written report submitted.

Township Engineer – J. Coyle reported on the MCBH culvert was installed by Penn DOT. Justin suggested the Township Manager get in touch with the property owners and see what the status is.

Chairman – D. Ascani – No report.

Board Members

R. Siegfried – No report.

C. Cook – No report.

J. Keifer – Jeffrey asked M. Hart if the cameras have been installed at the Public Works garage. Megan indicated Service Electric is working on the wi-fi being installed. J. Keifer asked about the update of combining 2 school districts into one. Megan is working on it, no updates at this time.

M. DeBerardinis – No report.

Township Manager – M. Hart reported the usual daily operations are being conducted. The Township previously received \$62,000 for the band shell and have received additional grant awards for a total over \$109,000. The Delaware Sojourn event is scheduled for 6/24/26

Asst. Manager/Secretary – M. Mastrogiovanni reported it's been very busy with permits, grading plans, septic designs. Melissa brought plans to LVPC and the courthouse. Rec. Board had their plant sale and Community Day is on June 13<sup>th</sup>.

Zoning Officer – Written report submitted.

Road Department – Written report submitted, no further comments.

Fire Company – G. Russo submitted his written report.

George mentioned they receive annual donations from Talen - \$20,000, Ardent Mills - \$1,000, Adelpia - \$5,000 and other personal donations. George thanked the BOS for allowing the renegotiation with Talen for the settlement. They picked the Rock Boat up and will be having water rescue training on 6/18/26 and 6/20/26. The May Day event was successful. D. Ascani thanked the Fire Company for all they do, its priceless.

### **Public Comment**

K. Brewer asked about the website being updated to be more user friendly.

Tara Mezzanotte – Liaison for Rt. 80 Rockwall Mitigation Project. Tara explained S. Newman was the previous representative on behalf of the township, since Sandra has been gone, Tara took over the roll. Tara gave an update regarding the issues with the light on Rt. 611. All work behind the scenes is moving forward. The July meeting in the area of Delaware Water Gap will be hybrid and live. She will have a resolution prepared including purpose and needs statement for the next meeting.

J. Keifer – Mr. Keifer announced his resignation effective immediately. He indicated the Board is a joke and noted its crap piss poor leadership straight through. At the last meeting C. Cook insulted him, was threatening him and intimidating him in front of the BOS and the public. Jeffrey mentioned he asked C. Cook to resign based upon his actions, and he didn't, and the BOS will not take action. Jeffrey commented on Mr. Ascani being the Chairman, being nothing more than a bully and insults the public as well as the staff. J. Keifer left the meeting. The crowd shouted out we voted for you.

M. DeBerardinis mentioned himself, J. Keifer, Megan, Melissa and Zoning met with the Data Center Developer and Talen. Mike stated a Data Center on AG land is a hard no. The Developer can submit as they wish and go through due process. The Planning Commission also needs to move forward with establishing the Data Center Ordinance.

Public comment by A. Tishuk – Arlene asked where we go from here. D. Ascani noted the developer has to go through the process, no plans have been submitted. P. McInerney asked the BOS to consider hiring J. Snook, the consultant the Township used for the zoning ordinance, to help assist the Planning Commission with the Data Center ordinance. S. Newman commented she supports P. McInerney in hiring J. Snook to help with the Data Center Ordinance. Public Comment by T. Rehrig – Todd asked if the meeting is being videotaped.

There was discussion on proceeding with the Data Center Ordinance. H. Klein asked if someone from Zator's office could attend the Planning Commission meetings. J. Zator noted he will do his best to have someone attend, however the appearance of the conflict is firm based, not individual based.

Public Comment by K. Brewer – Mr. Brewer mentioned the 9010; CAPZO brought the farmers value of their land way down, it's affecting the farms negatively to the point small farmers can't exist. They should look into getting rid of CAPZO. Public Comment by B. Kiefer – Brad noted CAPZO affected the value of land for the farmers and had County come up in value for farmland, maybe we wouldn't be faced with them looking to sell to developers for a Data Center. P. McInerney indicated the Open Space is working with Ryan Shaw from the County. They are looking into the Township paying the farmers additional funds to make up the difference from the EIT money.

**ADJOURNMENT – MOTION** by M. DeBerardinis, second by C. Cook to adjourn the Public Meeting at 9:10 p.m.

Respectfully submitted,

Melissa Mastrogiovanni, Township Secretary - Lower Mount Bethel Township