



PROPOSED SCOPE OF SERVICES

Independent Scientific Advisory Support for the Valley View Data Center Conditional Use Application

Prepared for	Jessup Borough Council, c/o Maura Armezzani Tunis, Esq., Borough Solicitor
Submitted by	EmPower Analytics Group LLC
Primary contact	Michael Cork, PhD, MPH, Founder & CEO, EmPower Analytics Group michael@empoweranalyticsgroup.com
Proposed fee basis	Time and materials at \$275 per hour; estimated \$8,250–\$14,300; initial authorization of \$15,000, not to exceed without prior written approval; services anticipated to be provided remotely
Date	October 9, 2026

1. Background and Purpose

Jessup Borough is reviewing a conditional use application for a proposed data center at the Valley View Business Park (DBT-Data Lackawanna One LLC). The Borough Solicitor has asked EmPower Analytics Group (EmPower) to provide independent scientific and technical expertise on air pollution, emissions, and potential public-health impacts during the application review and hearing process: review of the pending application, participation in the hearings, and testimony if needed during the remainder of the applicant's case. Earlier correspondence indicated that the Borough may also want a short written report. Hearings are anticipated for October 28–29, 2026, although these dates have not been formally confirmed.

EmPower is an independent environmental-health analytics firm that assesses the air-pollution emissions and public-health implications of energy and infrastructure projects for local governments and other clients. Dr. Michael Cork prepared an independent assessment of the proposed Wildcat Ridge data center campus in neighboring Archbald Borough and testified in that conditional use proceeding in 2026.

Beyond reviewing the pending application, EmPower can serve as an independent scientific resource to Borough officials and legal counsel as they evaluate this proposal. This includes helping the Borough understand potential air-quality and public-health impacts, identify appropriate information to request from the applicant, interpret technical studies, emissions estimates, and testimony, and consider scientifically supported standards, operating conditions, monitoring requirements, and mitigation measures intended to reduce potential risks to community health while allowing informed consideration of the development proposal. EmPower is not retained to advocate for or against development or to support a predetermined outcome; its role is to help the Borough make scientifically informed decisions based on the available evidence. EmPower provides scientific advice, not legal advice: the Borough and its Solicitor determine which standards or conditions are legally permissible and appropriate.

The engagement proposed here concerns the pending application, is advisory, and may include expert testimony. Services are anticipated to be provided remotely. It does not include new emissions, dispersion, or health-impact modeling, a comprehensive environmental impact assessment, a countywide cumulative assessment, drafting of a data center ordinance, or review of other development applications; any such services could be separately scoped and authorized.

2. Proposed Scope of Services

Task 1. Application and technical review

Review the conditional use application and supporting materials, focusing on the proposed facility operations and sources of air emissions; backup generators or other on-site power generation described in the application; emissions estimates and operating assumptions; potential air-quality and public-health considerations; the adequacy of the technical information provided; and important uncertainties, information gaps, and questions for the applicant. The review will address only equipment and emission sources that the application materials support.

Task 2. Written technical findings

Prepare a concise technical memorandum for the Borough and its Solicitor summarizing key findings, potential air-quality and public-health concerns, uncertainties and information gaps, recommended questions for the applicant, and potential mitigation measures or operating conditions where scientifically supported. This is a focused technical review, not a comprehensive environmental impact assessment.

Task 3. Scientific advisory support and hearing participation

Provide independent scientific and technical consultation to Borough officials and legal counsel during the pending application review and hearing process. This may include responding to technical questions, reviewing and interpreting information submitted by the applicant, advising on potential air-quality and public-health impacts, helping identify appropriate questions for the applicant, and helping evaluate scientifically supported information requirements, operating conditions, emissions-related safeguards, monitoring, and mitigation measures for the Borough's consideration.

EmPower may also participate in relevant hearings remotely, as requested by Borough counsel and subject to scheduling availability. Hearing services may include reviewing technical testimony and evidence, advising counsel on technical questions, and identifying issues requiring further clarification. Participation will be coordinated with Borough counsel in advance. In-person attendance is not automatically included; it would require separate discussion and mutual agreement, may need additional scheduling lead time, and is addressed under "Travel and in-person participation" below. The proposed budget assumes limited technical consultation and hearing participation; additional hearings or substantial additional advisory work may require further authorization.

Task 4. Expert testimony, if requested

If requested by the Borough, Dr. Cork may provide expert testimony concerning the technical findings of the review, based on the application and supporting materials, relevant scientific literature and established methods, EmPower's independent assessment, and professional scientific judgment. The task includes reasonable preparation, testimony, and responses to questions or cross-examination. Testimony is subject to scheduling availability and agreement on the format of participation. Remote testimony is anticipated where permitted by the applicable hearing procedures, and EmPower asks the Solicitor to confirm whether remote testimony is procedurally acceptable; in-person testimony would require separate mutual agreement and advance coordination, with travel expenses and professional travel time separately approved. Testimony will reflect independent scientific judgment, and EmPower does not guarantee particular findings or outcomes.

3. Schedule

Work begins following Borough authorization and receipt of the necessary materials. EmPower will prioritize the initial review around the hearing schedule. The timing and scope of the initial technical memorandum will be agreed upon with Borough counsel following authorization, based on the available materials, the anticipated hearing schedule, and availability. Hearing participation and testimony require advance scheduling with counsel.

4. Professional Fees and Budget

EmPower bills on a time-and-materials basis at \$275 per hour for actual hours worked, invoiced monthly. The hours below are preliminary estimates, not fixed-fee commitments; actual effort will depend on the volume of materials, the hearing schedule, and the extent of advisory support and testimony requested.

Task	Estimated hours	Estimated fee
1. Application and technical review	8-12	\$2,200-\$3,300
2. Written technical findings	8-12	\$2,200-\$3,300
3. Scientific advisory support and hearing participation	8-16	\$2,200-\$4,400
4. Expert testimony and preparation	6-12	\$1,650-\$3,300
Total	30-52	\$8,250-\$14,300

EmPower requests an initial authorization of **\$15,000, not to exceed without prior written approval**. Additional hearings, major application revisions, substantial new technical submissions, or expanded advisory services may require additional authorization. New emissions modeling, dispersion modeling, and quantitative health-impact modeling are excluded and would require separate authorization.

Travel and in-person participation

Services are anticipated to be provided remotely. Any in-person meetings, hearings, or testimony would require separate mutual agreement, subject to scheduling availability and advance coordination. The Borough would be responsible for reasonable travel expenses approved in advance, including airfare, lodging, ground transportation, and meals, and for professional time associated with travel at a rate agreed upon before travel. Travel expenses and travel-time charges are not included in the proposed \$15,000 authorization.

5. Independence and Existing Engagements

EmPower provides independent scientific analysis. Its findings are determined by the scientific evidence and professional judgment, it does not advocate for predetermined outcomes, and the basis for its findings is documented so that they can be reviewed. Its role is to help the Borough make informed decisions. EmPower discloses that it has a separate engagement with Lackawanna County to conduct a regional cumulative air-quality and public-health assessment of data centers and associated power generation in the County. The Jessup Borough engagement would be separately scoped and billed, confidential information from separate engagements will be appropriately protected, and findings for the Borough will reflect EmPower's independent scientific judgment. EmPower is glad to discuss this with the Solicitor before work begins.

6. Authorization and Next Steps

To proceed: (1) Borough Council authorizes the proposed scope and the \$15,000 initial authorization, confirmed in writing by the Solicitor; (2) the Solicitor transmits the complete application package, any supplemental submissions, and the confirmed hearing schedule, and confirms whether remote hearing participation and testimony are procedurally acceptable; and (3) a brief kickoff call confirms priorities, the form and target date of the memorandum, and the expected extent of advisory support, hearing participation, and testimony. Questions may be directed to Dr. Cork at the contact information above.

Michael Cork, PhD, MPH, Founder & CEO, EmPower Analytics Group

Accepted for Jessup Borough: _____ Date: _____

Name and title



Phone: 877.525.1776
Cell: 724.331.4982

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Manhattan, KS 66502
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A Division of Community First National Bank - Member FDIC

October 2, 2026

Customer Name: Jessup Borough, PA

Equipment: One (1) Chevrolet Tahoe with upfit

Sales Representative: Bonner Chevrolet / Miracle Auto

Community Leasing Partners, a Division of *Community First National Bank*, is pleased to present the following financing options for your review and consideration.

Option 1

Total Cost:	\$ 79,454.02	Payment Frequency:	Annual
Down Payment:	\$ -	First Payment:	One Year from Closing
Amount Financed:	<u>\$ 79,454.02</u>		
Term in Years:	<u>3</u>	<u>4</u>	<u>5</u>
Payment:	\$29,655.50	\$22,863.86	\$18,807.96
Interest Rate:	5.87%	5.87%	5.89%

Option 2

Total Cost:	\$ 79,454.02	Payment Frequency:	Annual
Down Payment:	\$ 5,000.00	First Payment:	One Year from Closing
Amount Financed:	<u>\$ 74,454.02</u>		
Term in Years:	<u>3</u>	<u>4</u>	<u>5</u>
Payment:	\$27,789.30	\$21,425.05	\$17,624.39
Interest Rate:	5.87%	5.87%	5.89%

Option 3

Total Cost:	\$ 79,454.02	Payment Frequency:	Annual
Down Payment:	\$ 10,000.00	First Payment:	One Year from Closing
Amount Financed:	<u>\$ 69,454.02</u>		
Term in Years:	<u>3</u>	<u>4</u>	<u>5</u>
Payment:	\$25,923.09	\$19,986.24	\$16,440.81
Interest Rate:	5.87%	5.87%	5.89%

ESCROW STRUCTURE

Escrow Funding Date:

Date	Total Available	Disbursement
Pending	\$57,500.00	Vehicle
Pending	\$21,954.02	Upfit/Final Delivery
Total:	\$79,454.02	

• **THERE ARE NO DOCUMENTATION OR CLOSING FEES ASSOCIATED WITH THIS PROPOSAL.**

- Interest rates are fixed for terms up to 10 years. For terms greater than 10 years, upon receipt of the 7th payment, at sole discretion of the Lessor, the remaining payments can be adjusted based on an index determined at contract issuance and then will remain fixed for the remaining term.
- The quoted interest rate is valid for 10-days from the date of the proposal. To lock in the interest rate, a credit submission would be required, and a credit approval attained within the same 10-day period. This financing is to be executed & funded within 30 days of the date of the proposal or Lessor reserves the right to adjust the interest rate. The proposal is subject to credit review and approval and mutually acceptable documentation.
- This proposal has been prepared assuming the lessee is bank qualified and that the proposed lease qualifies for Federal Income Tax Exempt Status for the Lessor under Section 103 of the IRS Code.

Thank you for allowing Community Leasing Partners the opportunity to provide this proposal. If you have any questions regarding the options presented, need additional options, or would like to proceed with a financing, please contact me at 877.525.1776.

Respectively,
Dave Fike
Director-Business Development
davefike@clpusa.net

