

**CENTRE TOWNSHIP BOARD OF SUPERVISORS  
MINUTES OF JULY 25, 2023**

The regular monthly meeting of the Centre Township Board of Supervisors was held on July 25, 2023 at the Centre Township Municipal Building, 449 Bucks Hill Road, Mohrsville, PA. Supervisor James Fitterling called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance, followed by a Moment of Silence. The following were present: Supervisors James Fitterling and Charles Zimmerman. Solicitor Liz Magovern, Zoning/Codes Enforcement Jeff Fiant, and Secretary Jennifer Wassell-Bonser. Chairman Jason Troutman and Engineer Ryan Rhode were absent from the meeting.

**HEARING OF VISITORS ON AGENDA ITEMS**

Timothy Lehner addressed the Township Solicitor to confirm if the Township received an Order for the Contempt Petition. The Township Solicitor confirmed recent receipt of the Order that was issued in addition to the release of escrow, noting it allows the Township to go onto his property to evaluate the clean-up process. Liz also confirmed that if any problems should arise, the Township will rely on the December 2020 Order since all appeals are exhausted in the matter. Liz outlined details related to the Agenda item for Board approval to authorize a contractor(s) to go onto his property to provide a clean-up estimate in accord with the Court Order. Liz explained that a lien can be placed on the property for any costs associated with the clean-up and that the Township will be re-imbursed for any costs incurred with any excess proceeds to be returned to Mr. Lehner, noting the Township cannot make any profit off the case. Liz also informed Mr. Lehner about the lack of communication from his Attorney relative to the case.

Mr. Lehner noted the extensiveness of the clean-up which will include that of hazardous materials stored on the property.

**ANNOUNCEMENTS**

None at this time.

**APPROVAL OF MINUTES**

**A motion was made by Charles Zimmerman to approve the June 27, 2023 Board of Supervisors Meeting Minutes. Seconded by James Fitterling. Upon roll call, Zimmerman and Fitterling voted yes.**

**PAYMENT OF BILLS**

**A motion was made by Charles Zimmerman and seconded by James Fitterling to approve the payment of bills. Upon roll call, Zimmerman and Fitterling voted yes.**

**ORDINANCES AND RESOLUTIONS/SOLICITORS REPORT – Liz Magovern**

**A motion was made by Charles Zimmerman and seconded by James Fitterling to approve a refund to the Pocono Beagle Club in the amount of \$74.25 for over-payment of 2022 Real Estate Taxes. Upon roll call, Zimmerman and Fitterling voted yes.**

**A motion was made by Charles Zimmerman and seconded by James Fitterling authorizing the Township to hire a contractor to go on the Lehner property to provide an estimate to clean-up and abate the violations of junkyard use based on Judge Lillis' Court Order issued in 2020. Upon roll call, Zimmerman and Fitterling voted yes.**

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**ROAD DEPARTMENT**

Vice Chairman James Fitterling reviewed the Road Department Report which included paving, milling, cutting shoulders on Pony, School Stone, and Indian Trail Roads, and are currently mowing through-out the Township.

**ENGINEER'S REPORT – RYAN RHODE**

It was noted that the Township Engineer will provide an update relative to the Trolley Road/Irish Creek intersection at next month's Board of Supervisors Meeting.

It was also noted that the Township's MS4 Application submission to DEP is in progress and an update would also be provided at next month's Board of Supervisors Meeting.

**ZONING OFFICER REPORT**

Township Zoning/Codes Enforcement Officer, Jeff Fiant noted that seven permits were issued in June at a total construction value of \$46,113.00. There were also ten building inspections performed and five zoning/ordinance enforcements issued.

Jeff also provided an update relative to various issues in the Township including confirmation that the sign was removed from the Plum Road property. Jeff also confirmed that his Office is in the process of issuing a letter to the Plum Road Property owner relative to permit requirements, noting any further burning violations will result in their permits being revoked.

Jeff also noted per a recent site visit to the abandoned property at 13 Plum Road as follow-up to a recently received Complaint Form, that the weeds have been cut but the door needs to be secured for safety purposes.

Jeff reviewed details regarding a call he received from a property owner on Main Street relative to his rights to utilize Aqua Lane. Jeff stated the Tax Maps indicate that property owners of Aqua Drive each own portions of the lane.

Jeff also stated that he received a call from a resident of Fairview Mobile Home Park questioning water line work being done. It was confirmed that the Municipal Authority was not aware of any work being done and that it is a private system.

**SEO REPORT**

**Charles Zimmerman made a motion, seconded by James Fitterling accepting the SEO report. Upon roll call, Fitterling and Zimmerman voted yes.**

**NEW BUSINESS**

The Board of Supervisors noted that a vacancy remains for anyone who may be interested in serving on the Authority Board.

The Board of Supervisors acknowledged receipt of the Management Representation Letters for Compliance Audits of Non-Uniformed and Police Pension Plans for the period of January 1, 2018 to December 31, 2022.

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The Board of Supervisors also noted the completion of the Department of Auditor General Bureau of Municipal Pension and Liquid Control Audits conducted the Exit Conference Memorandums of Non-Uniformed and Police Pension Plans for the period of January 1, 2021 through December 31, 2022 with minor observations noted and no new findings.

**James Fitterling made a motion, seconded by Charles Zimmerman to approve the PMRS Revised 2023 MMO (Minimum Municipal Obligation) – Township Pension Plan Payment in the Amount of \$5,855.23. Upon roll call, Fitterling and Zimmerman voted yes.**

**James Fitterling made a motion, seconded by Charles Zimmerman to ratify approval of the purchase of two used dump trucks in the amount of \$50,500.00 which included auction fees. Upon roll call, Fitterling and Zimmerman voted yes.**

**MISCELLANEOUS**

None at this time.

**HEARING OF VISITORS – GENERAL**

Mr. Christopher Stamm was in attendance and provided notes detailing on-going issues being caused by his neighbors for further review. Mr. Stamm confirmed that there was another trash fire outside the fire pit which was extinguished by the Fire Company on July 5, 2023. Fire Chief Kevin Miller also confirmed that the property owner has been made aware that the State Police will be contacted regarding the continued burning. Mr. Stamm also noted the trash fires continue at all hours of the day and night, specifically at 6:00 a.m. on July 5, 2023. Mr. Stamm informed the Board that DEP has been contacted who performed a site visit but noted the burning pit was covered upon their arrival. Mr. Stamm also confirmed the neighbors have a trash hauler, but have only had one trash can for seven people until recently when a large amount of trash was put out. Mr. Stamm confirmed he will continue to call the Fire Company in the event of future fires and expressed his frustrations with the continuance of the on-going burning issue and concerns for his family's safety.

Zoning/Codes Enforcement Officer, Jeff Fiant, reviewed details of a video submitted to the Zoning Office which shows the temperament of his neighbor, noting that the Pennsylvania State Police need to handle some of the issues due to the escalation of the matter. Jeff noted that he will continue to do as he is authorized, but noted that he will not put himself in harm's way or in law enforcement. Jeff also confirmed that the property owner is well aware of the situation that is being caused by his tenants.

The Township Solicitor explained details involved with bringing the issue into compliance of the Township Burning Ordinance, noting it would include providing evidence and testimony of the burning beyond a reasonable doubt to the District Justice Office. Liz also noted that the Township may wish to consider issuing a citation with fines attached as well to help resolve the issue.

Mr. John Lutz addressed the Board of Supervisors relative to Beagle Club Road, noting the condition of the road makes it difficult to use. Mr. Lutz questioned if any maintenance can be performed at the top end of the road.

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Mr. George Adams addressed the Board of Supervisors relative to an access issue in the area of Aqua Drive and Easter Street. Mr. Adams stated that he was recently singled out by a neighbor and informed that he is not allowed to use the lane in the area, even though other neighbors are utilizing it. The Township Solicitor advised Mr. Adams to seek legal counsel since the alley is a private lane and that it is possible there may be recorded maintenance agreements detailing the use, access, and right-of-way details of the private lane. Liz expressed her compassion for the situation but confirmed that it is a private matter due to it being a private lane.

Mr. Timothy Lehner addressed the Board of Supervisors regarding property clean-up, confirming the junk on his property will need to be hauled out and not burned. The Township Solicitor confirmed that a junkyard is not allowed in that zoning district and it will be cleaned up.

**ADJOURNMENT**

**There being no further business to come before the Board, James Fitterling made a motion, seconded by Charles Zimmerman, to adjourn the meeting at 7:47 p.m. Upon roll call, Fitterling and Zimmerman voted yes.**

Respectfully Submitted,

Jennifer A. Wassell-Bonser  
Township Secretary