

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MAY 20, 2026

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 20, 2026. Mr. Ross called the meeting to order and called the Roll.

Those present:

Board of Supervisors: Matt Ross, Chair
 John B. Lewis, Vice Chair
 Judi Reiss, Secretary
 Colin Coyle, Treasurer

Others: David W. Kratzer, Jr., Township Manager
 Maureen Burke-Carlton, Township Solicitor

Absent: Daniel Grenier, Supervisor

COMMUNITY ANNOUNCEMENTS

During this portion of the Agenda residents and youth organizations may call in to make a special announcement or may contact the Township at admin@lmt.org to request a special announcement be added to the Agenda.

Mr. Lewis announced the Pool opening this Saturday. Membership information available at lmt.org. Mr. Lewis also noted a Styrofoam & Recycling event on May 23 a Red Cross Blood Drive on May 24, and Amy's Kisses Walk to Remember on May 31.

PROCLAMATION PRESENTATION TO YARDLEY MAKEFIELD EMERGENCY UNIT IN HONOR OF EMS WEEK

Mr. Lewis read the EMS Week Proclamation highlighting the vital role of emergency medical services. The Proclamation designates May 17-23 as Emergency Medical Services Week in Lower Makefield Township. He mentioned the 52nd Anniversary of EMS Week and its theme "EMS Week: Improving Outcomes Together." Ms. Reiss and Mr. Kratzer introduced members of the Yardley-Makefield Emergency Unit who came forward to receive a flag. The Board of Supervisors were thanked for recognizing the Unit and members of the Unit present were introduced.

UPDATE ON STORMWATER UTILITY FEE IMPLEMENTATION

Mr. Kratzer provided updates on the Stormwater Utility Fee implementation including the initial quarterly bills sent in April. As of May 13, \$1.2 million in total revenue has been collected with 57.5% of the budgeted net revenues anticipated. 74% of accounts have made either quarterly or annual payments. The Township is assessing the impact of a recent Supreme Court decision classifying Stormwater Fees as taxes potentially affecting tax-exempt entities. Ms. Carlton explained the decision's implications and the Township's ongoing assessment of its impact. Mr. Kratzer recommended rate payers continue paying their Stormwater Fee and acknowledged the emerging issues.

Ms. Sue Fawcett, Township resident, asked for a timeframe on resolving the issue with the Supreme Court decision, Mr. Kratzer and Ms. Carlton explained the lack of definitive guidance from the Courts or General Assembly.

Mr. Ralph Nuzzolo, Township resident, asked the impact of the Supreme Court decision on tax-exempt entities and the Township's financial responsibility. Mr. Kratzer clarified that the decision was specific to the case in West Chester Borough and not a universal pronouncement on all stormwater fees.

Ms. Vanessa Fiori, Township resident, asked who implemented the Fee, and Mr. Kratzer stated it was the Township. Ms. Fiori asked to see a plan as to how it will be implemented, and Mr. Kratzer stated he could provide her with the information that was provided at public meetings over the course of six months prior to the levy of the fee. Ms. Fiori asked if State roads are included, and Mr. Kratzer stated public roads are not.

Mr. Mark Sanford, 879 Big Oak Road, expressed concerns about the equitability of the Fee, the impact on his wooded property, and the lack of a service being provided to him after levying this fee. He stated he was advised that when paying the fee he should include that he is protesting it, but now understands that paying the fee voluntarily negates the ability to get back the fee. Ms. Carlton stated generally speaking that is correct, and you do not get back the fee; however, the Township will take notice of it. Mr. Coyle stated the Board found out about the Decision the day after the Board of Supervisors' last meeting; however, Ms. Carlton stated it was pending in the Courts for a long time. Mr. Sanford stated since they knew this, the Board should have put a pause on approving this fee.

Ms. Mary Jo Sanford, Township resident on a 10-acre lot, expressed similar concerns to Mr. Mark Sanford as she is taking water onto her property from the Township but is being charged a fee. Differences between the Township and the case in West Chester were discussed.

Mr. Craig Sanford stated he lives at the end of Effingham Road which is a pitched road, and for years he has been getting water run-off eroding his lawn and driveway. He noted the work his mother, who just spoke, has done to control the water she has had to accept onto her property. Mr. Ross stated the fee will help pay for work in all areas of the Township. Mr. Sanford stated he does not feel the fee being charged is equitable and discussed work he has done on his property. Mr. Kratzer suggested he file an Appeal for some reduction in the fee attributable to work he has done on his property. Mr. Sanford stated that he and his mother should be provided a tax rebate for the water they have been taking onto their properties for years.

Mr. Mark Sanford stated because of all of these nuances, this should be a tax.

Ms. April Bollwage-Cloer, Maplevale resident, stated this information has been shared by the Township for a year. She stated there is a problem with the Township infrastructure, and she appreciates what the Township is doing to work on this.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Hasib Abdur-Rahman, representing the Zubaida Foundation, thanked the Township Police Department for their partnership and support particularly at their most recent event at the Foundation.

Mr. Rich Preston, Township resident and member of the Airport Review Panel discussed issues with Mercer County Airport including PFAS contamination, air traffic, and the proposed terminal expansion. The Board discussed the need for further investigation and potential legal action regarding the Airport issues.

APPROVAL OF CONSENT AGENDA ITEMS

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve the Consent Agenda items.

ENGINEER'S REPORT

The Board received the Engineer's Report in their packet and had no questions or comments at this time.

Ms. Sue Fawcett asked about PECO upgrades in the area. Ms. Reiss stated they finished on her street and did a very good job. Ms. Fawcett stated they are working at Sandy Run and Reading, and the crew there is excellent. She stated they do need to repair her property; and Mr. Lewis advised that it is not done to her satisfaction, she should reach out to the Township.

MANAGER'S REPORT

Discussion and Motion Re: Request for Encroachment (existing improvements) in a Township Drainage Easement – 1360 Jacob Drive

Mr. Fuller presented his findings on the property noting existing features that encroach on the Township drainage easement. The Board discussed the potential impact of the structures on the stormwater pipe. Ms. Bethany Rabe, homeowner, noted the declaration and written commitment to rectify the issue that they provided to the Township. Ms. Rabe and Mr. Rabe expressed their concerns about the cost and feasibility of moving the structures. The Board emphasized the importance of ensuring access to the stormwater pipe and the potential risks of non-compliance; and indicated that the Applicant should be in compliance with the Permit as issued. Mr. Coyle stated he does not feel the Board would support an Application before the Zoning Hearing Board to continue with further construction at the site when there appears to be a significant non-compliance with an already-issued Permit.

Mr. Coyle moved, Mr. Lewis seconded and it was unanimously carried to require the applicant to move the shed structure and any other structures, patios, and walls that are encroaching into the Stormwater Utility Easement on the property.

Approve Acceptance of the Proposal from Golf Property Analyst for Consulting and Advisory Services Relating to a Request for Qualifications Process Seeking Management Company and Lessees Proposals for Makefield Highlands Golf Club

Mr. Kratzer stated the proposal was amended to remove the percentage-based compensation if the Board was inclined to look at a lease structure as opposed to a management company structure which is what the Township currently has. Mr. Lewis and Ms. Reiss had met with the two consultants now being considered.

Ms. Reiss expressed concern about the Board's decision-making process and suggested extending the current management contract for a year so the Board has time to evaluate the differences between management and leasing. Once that decision is made, they could provide whoever they choose with the right instructions.

Mr. Lewis discussed the financial performance of the Golf Course and the need for an infrastructure audit due to the aging of certain facilities. He suggested considering Golf Property Analyst to perform a Request for Qualifications rather than a formal Request for Proposal. He stated he feels they can proceed with Golf Property Analyst to start the process but also do the infrastructure audit so it can be determined what needs to be done with regard to Capital investments over the next few years.

Mr. Lewis moved and Ms. Reiss seconded to accept the revised proposal from Golf Property Analyst for consulting and advising services relating to a Request for Qualifications process seeking either a management company or a lessee proposal.

Mr. Coyle asked about the availability of funds for the RFP process, and Mr. Kratzer stated \$30,000 was set aside for this year, but he added the survey with regard to the infrastructure could be an additional issue. Mr. Coyle stated since the current management company's Contract expires the end of this year, it would be appropriate to see if the current management company would be willing to extend their contract. Ms. Reiss stated she would be in favor of asking Spirit Golf to extend their contract. She also spoke in favor of consulting with the Golf Committee for their insight. Mr. Coyle stated he feels we need to make sure Golf Property Analyst is willing to shift their scope back to an RFP if Spirit is not agreeable to an extension to the contract.

Motion carried unanimously.

Approve Authorizing the Release of the Bond Associated with Phases 4 & 5 of the Regency at Yardley South

Mr. Lewis moved and Mr. Coyle seconded to authorize the full Final Release for

Phase 4 of the Regency at Yardley South in the amount of \$80,077.82 and a partial Release of Phase 5 in the amount of \$100,000.

Mr. Lewis stated this allows the Board to hold money back for issues related to stormwater and other unresolved issues.

Mr. Cliff Davis, resident, expressed concerns about the ponding behind homes on Lavender Drive and agrees with holding back funds until the issues are resolved.

After Mr. Kratzer modified some of the figures, Mr. Lewis amended his Motion as follows: Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to authorize a partial Release of the Bond associated with Phases 4 and 5 of the Regency at Yardley South in the amount of \$100,000.

POLICE

Police Monthly Report

Chief Kelly presented the Police Department's Activity Report for April, 2026 and year-to-date totals for 2026. The Police Department handled 1,142 incidents in April and 4,410 incidents year-to-date. They issued 293 traffic warnings, and made nine arrests. Chief Kelly highlighted ongoing training and professional development of Officers including a multi-month program for Sergeant Jason Landis and a course for Lieutenant Omlor. Mr. Coyle commended the Police Department for their commitment to continuing education and self-improvement.

PARK & REC AND PUBLIC WORKS

Approval of the LMT Parks & Recreation ADA Transition Plan 2.0

Ms. Lisa Huchler and Ms. Abbey Yeats, Disability Advisory Board, presented the updated ADA Transition Plan for Lower Makefield Township parks and recreation facilities. The Plan includes updates on completed projects such as ADA-compliant doors and accessible pathways and new initiatives like inclusive programming and sensory rooms. Ms. Reiss raised concerns about the accessibility of the Community Center's parking lot and the need for additional handicap parking spaces.

Mr. Lewis moved and Ms. Reiss seconded to approve the LMT Parks & Recreation ADA Transition Plan 2.0

Mr. Coyle asked if there is a similar review being done for non-Park & Recreation Township facilities, and Mr. Kratzer stated a Facility Study was included as part of the 2026 Budget.

Motion carried unanimously.

Memorial Park Phase III Update

Mr. Fuller stated he believes that this matter will be on the Board's next Agenda.

Approve Payment Application #2 (Final Payment) to PR Painting for the 2026 Pool Painting Project in the Amount of \$49,875.00, Pending Receipt of Required Closeout Documentation

Mr. Lewis moved, Mr. Coyle seconded and it was unanimously carried to approve Payment Application #2 (Final Payment) to PR Painting for the 2026 Pool Painting Project in the amount of \$49,875.00, pending receipt of required closeout documentation.

Approve Authorizing the Advertisement and Posting of Surplus Equipment and Vehicles via Municibid

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve authorizing the advertisement and posting of surplus equipment and vehicles via Municibid.

Discussion of Other Public Works Items

Mr. Coyle asked about the restoration of a roadway near new homes on North Elbow and the disturbance of a bike path on Big Oak Road. Ms. Reiss raised concerns about the lack of bike paths on Edgewood Road and the need for additional bike lanes and bike paths. Mr. Fuller agreed to look into these issues and provide updates on the restoration and bike path projects.

SOLICITOR'S REPORT

Approve Authorizing Advertisement of the Updated Fire Code Ordinance

Mr. Coyle moved, Ms. Reiss seconded and it was unanimously carried to approve authorizing advertisement of the updated Fire Code Ordinance.

Approve Authorizing the Township Manager to Execute the Easement Agreement By and Between the Delaware River Joint Toll Bridge Commission and Lower Makefield Township

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve authorizing the Township Manager to execute the Easement Agreement by and between the Delaware River Joint Toll Bridge Commission and Lower Makefield Township.

Approve Authorizing the Acceptance of the Assignments of Easements from the Delaware River Joint Toll Bridge Commission on Tax Parcels #20-027-007 and #20-017-047

Ms. Reiss moved, Mr. Lewis seconded and it was unanimously carried to approve authorizing the acceptance of the Assignments of Easements from the Delaware River Joint Toll Bridge Commission on Tax Parcels #20-027-007 and #20-017-047.

Board Opposition to Zoning Hearing Board Application for Property at 1360 Jacob Drive

Ms. Carlton stated there was an earlier discussion related to 1360 Jacob Drive, and she asked if the Board is asking that she represent the Township in opposition when they go before the Zoning Hearing Board. Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to oppose the Zoning Hearing Board Application for the property at 1360 Jacob Drive scheduled for June 2, 2026.

SUPERVISORS' REPORTS

Mr. Coyle noted the resignation of Peter Solor from the Patterson Farm Master Plan Implementation Committee and the Zoning Hearing Board as he is moving out of the Township, and he thanked him for his years of service to the Township. Mr. Coyle thanked Patterson Farm Preservation Inc. for their presentation before the Patterson Farm Master Plan Implementation Committee.

Ms. Reiss highlighted activities of the Golf Committee and the Seniors' Program including their request for additional space.

APPOINTMENTS/REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to appoint Robert Heinz to the Zoning Hearing Board as a Full member as he is currently an Alternate member.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no one wishing to make public comment at this time.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Judi Reiss", written in dark ink.

Judi Reiss, Secretary

