

RESOLUTION NO. 2026-07

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
UPPER MAKEFIELD TOWNSHIP, BUCKS COUNTY, TO
ESTABLISH PROCEDURES FOR DISPUTE OF
STORMWATER MANAGEMENT AND GRADING PLAN
REVIEW FEES**

WHEREAS, the Pennsylvania Stormwater Management Act (Act 167 of 1978) requires Upper Makefield Township to administer and enforce stormwater management regulations, including the review of stormwater management plans submitted by property owners; and

WHEREAS, township professional consultants perform reviews of stormwater management plans on behalf of the Township; and

WHEREAS, the costs of such review are billed to the Township but subsequently passed through to the property owner pursuant to the Township's ordinances and the professional services agreement executed by the property owner; and

WHEREAS, Act 167 does not establish a statutory appeal procedure for disputes regarding the reasonableness of professional consultant review fees; and

WHEREAS, the Board of Supervisors desires to establish a non-judicial administrative process through which a property owner may request review of disputed professional services fees, without creating a formal adjudicatory body or duplicating the procedures of the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Board finds that such a process will promote transparency, fairness, and administrative efficiency while preserving the Township's ability to withhold permits until fees are paid and to pursue unpaid fees under the applicable professional services agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Upper Makefield Township, Bucks County, Pennsylvania, as follows:

- I. **Request for Review.** A property owner who disputes stormwater management or grading plan review fees billed by Upper Makefield Township professional consultants may request an administrative review by the Township Manager in accordance with this Resolution.
 - A. A request for review must be submitted in writing to the Township Manager within thirty (30) days of the date of the invoice issued by the Township.
 - B. The request must state:
 1. The specific charges or line items in dispute;

2. Supporting information or explanation the property owner wishes the Township Manager to consider.

C. General objections or unsupported statements that fees are too high or unreasonable, without further detail, shall not constitute a valid request for review.

II. **Township Manager Review.** Upon receipt of a valid request for review, the Township Manager shall review the professional consultant’s invoice and time entries in light of the scope of the work performed. The Township Manager may request clarification or supplemental information from the township consultant or property owner, as needed, to facilitate resolution of the dispute.

III. **Written Determination.** Following review, the Township manager shall issue a written determination whether the disputed charges are upheld, reduced, or otherwise adjusted. The determination shall include a brief explanation of the basis for the decision and shall be final for administrative purposes.

IV. **Effect on Ordinances or Contractual Obligations.** Nothing contained in this Resolution shall modify the obligations of the property owner under any professional services agreement nor the authority to require payment of review fees as a condition of a grading permit issuance. Additionally, nothing contained herein shall modify nor supplement the statutory appeal processes for professional services provided, including without limitation the professional services appeal process set forth in the Municipalities Planning Code.

SO RESOLVED by the Board of Supervisors of Upper Makefield Township this ___ day of the month of _____, 2026.

**UPPER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

Gregg Schuster, Township Manager

BY: _____
Ben Weldon, Chair

BY: _____
J. Braun Taylor, Vice Chair

BY _____
Elizabeth Thompson, Treasurer

BY: _____
Thomas Cino, Member

BY: _____
Yvette E. Taylor, Member