

Lower Makefield Township Right-to-Know Law Policy

(Adopted May 6, 2026 pursuant to 65 P.S. § 67.504(a))

Effective Date: May 6, 2026

I. Authority

Lower Makefield Township (“Agency”) adopts this Policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 (“RTKL”). The Agency has made this Policy available to the public at its administrative office(s) and on its public website. The Lower Makefield Township Record/Information/Right to Know/Request Form (“Request Form”) is available to the public at its administrative office(s) and on its public website. See 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

II. Definitions

All of the definitions set forth in the RTKL are incorporated into this Policy by reference. See 65 P.S. § 67.102.

AORO. The Agency Open Records Officer designated by the Agency pursuant to Section IV of this Policy.

Business day. The regular business hours of the Agency are Monday through Friday from 8:00 a.m. to 4:30 p.m. Business days exclude Saturday and Sunday and a weekday on which the Agency is closed for business.

III. Agency Website

The Agency maintains a public website at <https://www.lmt.org/>. Many of the records most commonly requested from the Agency are available on the website. The following information is also posted on the Agency’s website: AORO contact information; a form which may be used to file a RTKL request; access to an online Citizen Portal, including a web-based RTKL request submission form; and a copy of this Policy. See 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

IV. Submitting a RTKL Request to the Agency

- A. Open Records Officer.* The Agency has designated an AORO and an Alternate AORO to respond to all RTKL requests other than those related to law enforcement records.

	AORO	Alternate AORO
Title	Township Manager	Township Manager's Assistant
In-Person and Mailing Address	1100 Edgewood Road Yardley, PA 19067	1100 Edgewood Road Yardley, PA 19067
Phone	267-274-1100	267-274-1100
Fax	215-493-3053	215-493-3053
Email	admin@lmt.org	admin@lmt.org

The contact information for the Police Department AORO is:

Lower Makefield Township Chief of Police
 In-Person and Mailing Address: 1100 Edgewood Rd
 Yardley, PA 19067
 Phone: 215-493-4055

The contact information for the AORO and Alternate AORO is posted on the Agency website.

- B. Request.* Requests must be submitted in writing using the Request Form available on the Agency website and must be addressed to the AORO. If a requester chooses not to use the Request Form, and instead submits a verbal request, the request will be considered an informal request. This means that the requester cannot pursue the relief and remedies provided for in the RTKL. To allow the Agency to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. See 65 P.S. § 67.703. Requesters should clearly indicate the preferred method of access – paper copies, electronic copies or by inspection. A requester should retain a copy of the request, as a copy of the request is necessary should a requester appeal the Agency response. Unless otherwise required by law, a written request need not include any explanation of the requester's reason for requesting the records or the intended use of such records. There is no limit on the number of public records a single requester may

seek.

- C. *Receipt of the request.* For the purpose of calculating the response deadline, the Agency is deemed to have received the request on the business day that the AORO receives the request. See 65 P.S. § 67.901. Any request that is received by the Agency after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Agency employee other than the AORO, the request will be forwarded to AORO as soon as practical.
- D. *Verbal requests.* The Agency will respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.
- E. *Anonymous requests.* The Agency will not respond to anonymous requests for records. The Agency will not respond to requests made by requesters who decline to affirm their full name and contact information and that they are legal residents of the United States.
- F. *Response period generally.* The Agency has five (5) business days to respond to a request for records under the RTKL. If an Agency does not respond, the request is considered "deemed denied," and a requester's appeal rights commence.

V. Agency Response

- A. *Extension of time for response.* The Agency is permitted to take an additional 30 calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. See 65 P.S. § 67.902. If the Agency invokes an extension, the Agency will inform the requester in writing, in accordance with the requirements set forth in Section 902(b)(2) of the RTKL.
- B. *Requester's agreement to extend the response period.* The requester may agree, in writing, to extend the Agency response period. See 65 P.S. § 67.902(b)(2). The requester must agree to the extension during the initial five (5) business-day response period or the extended 30 calendar day response period, if the Agency has invoked one.
- C. *Trade secrets.* If a request involves records provided to the Agency by a third-party and the third-party previously provided the Agency with a written statement that the record contains a trade secret or confidential proprietary information, the

Agency shall provide notice to the third-party. *See* 65 P.S. § 67.707(b).

D. Final response. The Agency may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Agency will be in writing. Should the Agency fail to issue a response within the applicable response period, the request is deemed denied. *See* 65 P.S. § 67.901.

1. *Granting access to records.* The Agency may grant a request for records by issuing a response: (1) granting access to inspect Agency records during the Agency's regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on the Agency website or other publicly accessible electronic means. *See* 65 P.S. §§ 67.701(a), 704.

2. *Denying or partially denying access to records.* Should the Agency deny or partially deny a request for records through redaction or otherwise, the Agency will inform the requester of the denial or partial denial in writing. The response will describe the requested records, inform the requester that the Agency does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. *See* 65 P.S. § 67.903. Additionally, the response will provide the name, signature, title, business address and telephone number of the Open Records Officer who denied the request, as well as the date of the response and the procedure to appeal the denial. *See* 65 P.S. § 67.903.

E Fees. The Agency will charge fees consistent with the RTKL Fee Structure, available at <http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm>.

VI. RTKL Appeals

A Generally. To challenge the denial, partial denial, or deemed denial of a request for Agency records, an appeal may be filed using OOR's online Appeal Form available at <https://www.openrecords.pa.gov/Appeals/AppealForm.cfm>, by downloading, completing, and mailing the OOR appeal form available at <https://www.openrecords.pa.gov/RTKL/Forms.cfm>, or by contacting the OOR at the following address:

Office of Open Records
Commonwealth of Pennsylvania
333 Market St., 16th Floor

Harrisburg, PA 17101-2234

Email: openrecords@pa.gov

Criminal investigative records. To challenge the denial of a request or portion of a request on the basis that records were withheld because they are related to criminal investigative records, an appeal should be filed by contacting:

Timothy Lutes, Assistant District Attorney
Bucks County District Attorney's RTKL Chapter 11 Appeals Officer
District Attorney's Office
100 N Main Street
Doylestown, PA 18901
Phone: 215-348-6344
Fax: 215-348-6299
Email: darighttoknow@buckscounty.org

- B. Requirements of an appeal.* All appeals must be filed within fifteen (15) business days of the mailing date of the Agency's denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by the Agency for denying the request; and must include a copy of the request and the Agency's response, if any. *See* 65 P.S. § 67.1101(a)(1).

VII. Agency Notification of Third Parties on Appeal

Agency must notify third parties. If records affect a legal or security interest of an employee of the agency; contain confidential, proprietary or trademarked records of a person or business entity; or are held by a contractor or vendor, the Agency must notify such parties of the appeal immediately and provide proof of that notice to the OOR within 7 business days from the date of the OOR's Official Notice of Appeal. Such notice must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal. *See* 65 P.S. § 67.1101(c).

VIII. Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. 65 P.S. § 67.1310(a)(6). This is a voluntary process to help parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation, a facilitated conversation between the parties that can serve as a fair and

efficient tool to resolve conflict, can save time and expense. When appropriate, the Agency is open to resolving RTKL disputes through the OOR's mediation process.

IX. Record Retention

The Agency's Record Retention Policy is available at 1100 Edgewood Road, Yardley, PA 19067 and on the Agency's website.

Notwithstanding any other existing Record Retention Policy, once a RTKL request is received, the Agency shall maintain, preserve, retain, protect, and not destroy any and all records, both electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

X. Additional Information about the RTKL

Additional information about the RTKL, the request process, and the appeal process is available on the OOR website at <https://www.openrecords.pa.gov>.

RESOLUTION NO. 26-09

**A RESOLUTION OF THE TOWNSHIP OF LOWER MAKEFIELD ADOPTING AN
UPDATED RIGHT TO KNOW LAW POLICY**

WHEREAS, the Pennsylvania Right to Know Law, 65 P.S. §§ 67.101 et seq. (the "RTKL"), provides public access to records of governmental bodies and ensures transparency and accountability in government operations;

WHEREAS, Lower Makefield Township is committed to transparency, accountability, and compliance with all applicable provisions of the RTKL;

WHEREAS, the Township previously adopted a RTKL Policy to establish procedures for responding to requests for public records; and

WHEREAS, the Board of Supervisors desires to update and restate the Township RTKL policy to reflect current best practices, administrative procedures, and legal requirements.

NOW, THEREFORE, be it hereby resolved by the Board of Supervisors of the Township of Lower Makefield as follows:

- 1) The Board of Supervisors hereby adopts the updated Lower Makefield Township Right to Know Law Policy, attached hereto.
- 2) This updated Right to Know Law Policy shall supersede and replace any and all prior versions of the Township's Right to Know Law Policy.
- 3) This policy shall take effect immediately upon adoption of this Resolution.

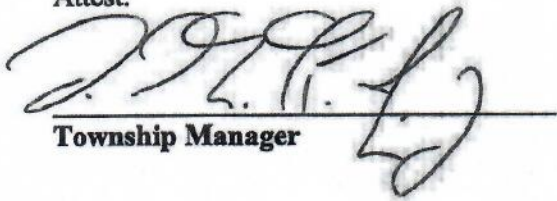
RESOLVED AND ADOPTED this 6th day of May 2026, by the Board of Supervisors of Lower Makefield Township.

**BOARD OF SUPERVISORS OF
LOWER MAKEFIELD TOWNSHIP**



(Vice) Chair

Attest:



Township Manager