

**UPPER FREDERICK TOWNSHIP**  
**BOARD OF SUPERVISORS**

**BOS Workshop Meeting Minutes**  
**May 4, 2023**

The workshop meeting of the Upper Frederick Township Board of Supervisors, was called to order by the Chairman at 7:12 PM.

**Attending Were:** Sean A. Frisco, Chairman; Thomas Trojansky, Supervisor; Tracy Tackett, Township Manager; Kate Hanna; Ken Picardi, Solicitor

**Others in Attendance:** Lois & Dave Hoffman, Carol & Joe Langton, Mark Nolan, Nicole King, Dennis Hatch, Jim Miller, Rick Buckman, Dawn Grove, Tracy Harper, Sue & Ed Myer, Bruce Fries, Penny Marriot, Donna Usavage, Matt Hook, Paul Christman, Steve Lampmann, Jared & Barbara Landis, Patrick Corcoran, Lisa Fischer, David Hartline, Deneen Rhoads, Dennis Faust

**New Business**

**Adoption of Ordinance 2023-01- Water Supply Ordinance**

Mr. Frisco explained that the hearing for Ordinance 2023-01 was held at 6 pm. Mr. Frisco asked if there were any comments relating to Ordinance 2023-01.

Mr. Frisco made a motion to adopt Ordinance 2023-01, Water Supply Ordinance as advertised with the minor amendments as recommended by the Upper Frederick Township Planning Commission and public as follows:

- Include language 204.30.A "shall be approved by the Board of Supervisors after considering the recommendations of the Township's professionals and/or consultants"
- Amend Section 240-30.E to allow a developer to provide a letter of credit or cash escrow as a security alternative to bond.
- Include language in Section 240-30.E(1) that the \$500 fee required by developers is subject to updating by the Board of Supervisors in the standard fee schedule.
- Eliminate Section 240-30.E(3)(c) requiring owners of wells being replaced to contribute \$200 toward replacement.

Mr. Trojansky seconded the motion. Motion passed 2-0.

**Presentations**

Representatives from Spots Stevens McCoy made a presentation of Hydrant Study/Water System Report prepared for Perkiomen Crossing Development. This study was completed after residents inquired what could be done to increase water supply for fire fighting purposes. After the presentation, SSM answered questions and comments from members of the audience. Mrs. Tackett stated that the HOA would have supply land to place an additional tank. The cost would be carried by the residents of the development. She will look into grants to help fund the project. A copy of the presentation along with an audio recording is available at <https://www.upperfrederick.org/CivicAlerts.aspx?AID=184>

**Public Comment** - None

## MINUTES

Mr. Frisco motioned to approve March 9, 2023 Board of Supervisors meeting minutes. Motion was seconded by Mr. Trojansky. Motion passed 2-0

## BUSINESS BEFORE THE BOARD

### Old Business

#### **Free Wood Policy**

It was discussed with the Parks and Recreation Board as well as Mr. Heller and it was decided that we should not have a free wood policy as it could lead to unintended consequences.

#### **Website Posting – Consider posting additional information on website**

Mrs. Tackett suggested the following information could be posted on the township website in order to give residents more information: tax breakdowns, active developments, monthly consultant reports, clarification on the ethics violation from 2021. The Board of Supervisors agree that we can post additional information on the Township website.

#### **Updates:**

Mrs. Tackett reviewed possible agenda items for the Board of Supervisors meeting on May 11, 2023.

## UPCOMING MEETINGS

Board of Supervisors Regular Meeting May 11, 2023 at 7 PM

Parks Board Meeting May 16, 2023 at 7 PM

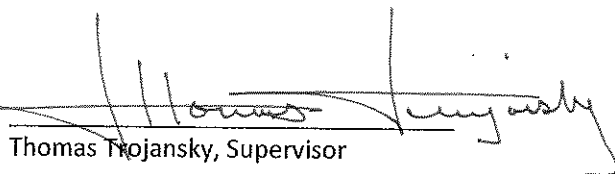
Planning Commission Meeting May 25, 2023 at 7 PM

## ANNOUNCEMENTS

Election Day May 16, 2023

Mr. Frisco motioned and Mr. Trojansky seconded to adjourn the regular meeting at 8:40 PM

  
Sean A. Frisco, Chairman

  
Thomas Trojansky, Supervisor

**UPPER FREDERICK TOWNSHIP**  
**BOARD OF SUPERVISORS**

**Minutes**  
**for**  
**Public Hearing for Ordinance 2023-01**

**May 4, 2023**

The Public Hearing, was called to order by the Chairman at 6:02 PM.

**Attending Were:** Sean A. Frisco, Chairman; Thomas Trojansky, Supervisor; Tracy Tackett, Township Manager; Kate Hanna; Ken Picardi, Solicitor

**Others in Attendance:** Lois & Dave Hoffman, Carol & Joe Langton, Mark Nolan, Nicole King, Dennis Hatch, Jim Miller, Rick Buckman, Dawn Grove, Tracy Harper, Sue & Ed Myer, Bruce Fries, Penny Marriot, Donna Usavage, Matt Hook, Paul Christman, Steve Lampmann, Jared & Barbara Landis, Patrick Corcoran, Lisa Fischer, David Hartline, Deneen Rhoads, Dennis Faust

**Ordinance 2023-01 Water Supply Public Hearing**

An ordinance of the Township of Upper Frederick, Montgomery County, Pennsylvania, repealing and replacing Section 30 (water supply) of Chapter 240, (Subdivision and Land Development), of the code of ordinances of the Township of Upper Frederick, as amended, to provide additional protections for groundwater and surface water in the township.

**Summary of Proposed Changes**

In an attempt to strengthen the Township water supply ordinance language, updates are recommended to the Upper Frederick Township water supply standards located in Section 30 of Chapter 240 (Subdivision and Land Development). Because several updates are proposed, the ordinance is drafted to repeal and replace the existing language. The proposed substantial changes are summarized as follows:

1. Section 240-30.A- is amended to give more authority to the Board of Supervisors with regard to connections to water systems. Currently, township does not have much authority.
2. Section 240-30.C- adds language requiring hydrants to be sufficient in **capacity** to ensure adequate fire protection.
3. Section 240-30.D(1)- expands the intent of the water resources impact study to- **focus on the potential impacts of proposed development on the water environment** and requires an adequate supply of **good** quality water.
4. Section 240-30.D(2)(a)- require all projects withdrawing 10,000 gallons or greater of water to submit the water impact study to Upper Frederick Township for **review and approval**. (Not just DRBC)
5. Section 240-30.D(3)- requires water impact studies to consider the impact on all wells within ½ mile of the site boundary rather than the existing ¼ mile and updates the scope of studies that must be considered as part of the water impact study.
  - a. Allows the township engineer to recommend a phase II study when potential water supply problems are identified as part of the Phase I study.
  - b. When a pumping test is required, the test shall be conducted with a pumping rate of 50% greater than the proposed peak rate, rather than the current 20% greater.
  - c. Includes a geologist as a qualified individual to keep logs of the testing.

- d. Requires the monitoring of static water levels for 24 hours prior to pumping and requires the pumping test be conducted for 72 hours rather than the current 24 hours.
  - e. Requires contacting of owners of wells within ½ and offering to monitor their well during testing.
6. Section 240-30.E- establishes requirements that a developer provide bond (financial security) in the amount of \$500/dwelling into a fund that is to be used for replacing a neighboring well that fails or becomes inadequate for use. This fund must be maintained until seven years after 90% of the units have been sold and occupied. Requires neighbor to contribute \$200 toward replacement.
- a. PC recommends the neighbor should not have to pay anything and that the \$500 contribution, be subject to updating in the township fee schedule. Also recommends bond be a financial security.

**Public Comments on proposed changes**

Dennis Hatcher – Questioned why supervisors would take away the authority of the DRVBC. It was clarified that this is in addition to the DRVBC regulations.

Rick Buckman – Stated that the DRVBC sets legal requirements for permits. He explained how the water testing and monitoring is completed before a permit is issued.

Jim Miller – Asked when these tests will be performed. There is no specific time of year to do them.

John Webb – Requested that verbiage be included to state “shall be approved by the Board of Supervisors after considering the recommendations of the Township’s professionals and/or consultants”

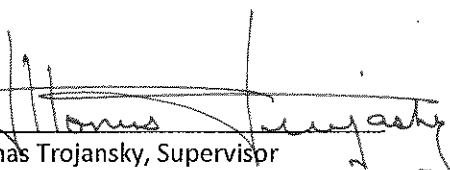
Dave Hoffman – Asked where to obtain free water testing

Lisa Fischer – Inquired as to who would own and maintain the wells once completed. They would be dedicated to the township

Steve Lampmann – Asked if these changes are for all future developments and if they can connect to the water system in place.

Mr. Frisco motioned and Mr. Trojansky seconded to adjourn the Water Supply Ordinance Hearing at 6:51 pm. Motion passed.

  
Sean A. Frisco, Chairman

  
Thomas Trojansky, Supervisor