

ADVISORY COMMITTEE
VILLAGE OF ARDEN
JANUARY 5, 2009

The Meeting was Called to Order by Chairman Bill Theis at 7:40 pm at the Buzz Ware Village Center, and the following were in attendance:

Mike Curtis, Trustee	Sue Rothrock, Civic
Carl Falco, Trustee	Bill Theis, Advisory Chairman
Connee McKinney, Trustee	Steven Threefoot, Town Chairman
Jeff Politis, Budget	Ray Seigfried, Community Planning
Denis O'Regan	Elizabeth Varley, Forest
Toby Ridings	Cecilia Vore, Registration
Shelly Robyn	Larry Walker, Town Secretary
Warren Rosencranz, BWVC	

The Safety Committee will bring the cookies and refreshments for this Town Meeting.

TRUSTEES

Connee McKinney reported that the Trust has just received the amount of \$220,000 from the IRA of Johanne Schroeder. The Trust was the beneficiary of this IRA, and it was not a part of her estate. Connee said that they are seeking legal guidance on how to proceed. Steven Threefoot said that the Town had asked the same question to the lawyer, and he said it was just a transfer of funds. There are no requirements as to how the money is to be used.

TREASURER

David Michelson announced that he would not be at the January Town Meeting, so he will write a report to be read.

David said he will work with the BWVC to develop a time line for constructing the Town Office. There will be contracts let out in the coming months, but no construction will start until the beginning of the next FY on March 26, 2009, when funds are available.

David said he has been working with Brandywine Accounting, with Steven, and with others to make sure that the financial reports will work for the Town's needs. The goal is to reduce problems, and have the reports give information that is needed. Connee asked if the Town planed to have the accounting firm come to the Town Office, and David said that was the plan. The bill paying and other accounting work will be done every two weeks.

The Estate of Johanne Schroeder had given the Town of Arden a check for \$95,000, and the funds have been invested in a Six-Month CD at Commerce Bank. Since then, Commerce Bank has become TD Bank.

The State of Delaware has developed a program so that Delaware municipalities can make short term investments into a fund, and the interest earned will be the same as for a savings account. The investment will be guaranteed by the State, and money will be liquid and accessible through Wilmington Trust Bank. This will provide a convenient method for municipalities to make a short-

term investment of funds that will be needed later. The Officers will meet with Ron Meick to discuss investment strategies for dealing with funds from the Schroeder Estate, and to make sure that things will be manageable while meeting the Town's expectations.

Connee expressed a concern about the security of any investments, since she wanted to be sure that the investment plan would preserve capital, rather than provide an excellent return.

David felt that when bank statements are received, they should be given to the Budget Committee, so that they can have the first look. This is to ensure that one of the check signers does not handle the statement first. Cecilia suggested that perhaps the Audit Committee might be the best Committee.

TOWN CHAIR

Steven Threefoot said there would be presentation about the progress of the FAA lawsuit. In October, Steven had made a statement at the local Hearing.

Steven said that he had asked Committees to present a list of projects for possible stimulus projects, and there are several possibilities, like the construction of the Town Office. There is no certainty that funds would get to our level, but some proposals should be in place. Another project would be to put in a proper parking area on the Village Green for overflow parking from the Gild Hall Parking Lot.

Bill Theis asked that the Agenda be changed to allow a presentation from Toby Ridings and Shelly Robyn about the proposed Garden Plots, and there were no objections.

Shelly Robyn said that there 9-10 individuals interested in having garden plots, and the group has met a few times. They have contacted other groups that already have had garden plot programs, and costs problems, sizes and other things were discussed.

The Civic committee met with the group, and there was interest. However, the project and the change of the use of the Green were closer to the responsibilities of Community Planning. The group is interested in using the Tot Lot, and they would use the grassy areas first.

Steven wanted that there be a firmer, specific, clear proposal brought to Town Meeting so that there can be a good presentation at the Town Meeting. How the project and plots would it be administered, and it needs to be in the form of a Motion.

Cecilia Vore asked if ACRA would be affected, and the group said it would not. Mike Curtis wanted to ensure that the offer would be open to all residents, and that needed to be an essential part. Then, if too many people wanted plots, the choice would be by lottery. Connee felt that there should not be any charge any amount over actual costs, since the Greens were a part of the Town, and cannot be used to generate profits. Jeff Politis wanted to make sure that participants understood this would be a pilot project.

Larry had concerns for the Playground Committee, which has responsibility for the play area. The Town had invested a considerable amount of money in the equipment and installation, it was senseless to remove the equipment for what might be a temporary use. Also, if the interest were simply in having a fenced-in area, it would be cheaper simply to build a new fenced-in area. Jeff asked if there were alternative sites, and Toby said that they had looked into this. Sue Rothrock said that there are other possible locations, including using the Petite Green in Ardentown.

Denis was concerned that there be a plan to return the site to parkland, and he did not want the Town to have to pay for the restoration of any area to a playground or parkland. As to Safety, he said that this would be an attractive place for vandalism and other bad activities.

Steven suggested that this should be an Agenda Item, so that there can be a better discussion in front of a larger group of Residents. He wanted all three Committees to have a statement about this proposal, namely the BWVC. Community Planning, Playground, and Civic.

Carl asked if this program would be open to Residents of all three Ardens, and Shelly said it would be the plan. There were within the Advisory Committee members concerns that the issue of “outside participation” might become contentious.

The Chairman called for the Committee Reports. The Committees will report in reverse order at the January Town Meeting.

SAFETY COMMITTEE

The big item will be the First Reading of the revisions to Ordinance 11.

Cecilia said that there had been quite a few accidents at the Orleans and Harvey Roads, and she asked if flares, vests, and other could be provided to the nearby residents. She also wondered if any other type of action could lessen accidents there, like putting the light on blinking red late at night. Denis will contact DELDOT, Claymont Fire, and the County Police. He will also check with Danny Schweers, Greg Morrison, and Jack Dolmetsch to see what they are interested in doing.

The Committee has no nominees at this time.

REGISTRATION COMMITTEE

The Committee will report on the Fall Election Results.

Cecilia provided all Committees with the numbers of positions that will be up for election, and she will give this information to Bill Theis.

Cecilia reminded everyone that the Alternate has no electoral status, so any alternate must be elected to Committee membership at a Town Meeting. Also, she asked that Committee Chairs ask non-active members to resign, so that the committee can have as many active participants as possible. She asked Chairs do not ask people who are already active on a several other committees. Sue asked if a letter could be sent to new residents and to current residents, explaining that Arden is a volunteer community that needs people to serve on its committees. Steven suggested that this be an insert that goes out with the next Town Minutes as an insert. Larry Walker was directed to work with Cecilia on this. Cecilia said she would be willing to work with individual committees to suggest new residents as nominees.

Denis reported that the Assessors have not met, and he asked who was responsible to having the Convening Meeting called. Alton Dahl, who had received the most votes, was the Convener, but had taken no action. Bill Theis said that he had recently spoken to Alton, and Alton said that he had medical issues that had slowed him down. An meeting should be called soon.

PLAYGROUND COMMITTEE

Larry Walker said that the only thing to report was be the routine equipment inspections. Their Nominations were presented.

FOREST COMMITTEE

Elizabeth Varley said that only routine activities will be reported. The Nominations will be worked on at the upcoming Committee meeting.

Steven asked about the date for the Forest Cleanup, and Elizabeth said that this would be discussed at the meeting next week.

COMMUNITY PLANNING

Ray Siegfried said he will bring up two items. He first spoke about Instant Ticketing, and he had met with the County about alternatives to their program. Land Use said there were no real options. But Land use had said if Arden were designated a “natural area” by DENREC, that designation would eliminate concerns with shrubs, grass height, fallen branches, etc. Ray also said that when Instant Tickets have been appealed, the tickets had been overturned.

Steven said he had received a letter that said the County would not be able to make an exception for Arden for Instant Ticketing. He said that there were only three tickets issued so far. Denis O'Regan felt that Arden needed to speak to this issue, rather than to let it slide by. Cecilia felt that the violations were a new form of Deed Restrictions. Connee wanted to confirm that the list of violations was the same, since enforcement through instant ticketing was a new change. Ray confirmed that the criteria for violations had not changed.

Mike Curtis suggested that Community Planning hold an open meeting to determine if there was interest in Code Enforcement Issues and Instant Tickets, and interest in looking at different approaches to the issue. Steven asked Ray to report the proposed meeting to the Town Assembly

Ray said he will report on status of the ADUs Certification. He said that Ardentown has submitted their certified list of ADUs to the County. Ray said his goal is to show the Certified List of all the letters and lists to Land Use in mid-January.

Cecilia thought that completing his process too quickly was a problem. She felt people did not understand that anyone who would then has an Legal Non-Conforming ADU will have to be assessed the Second Domicile Factor. And that it will be a problem to drop the second domicile status. Connie said that the Trustees will send out a letter next week, and it will be sent out to the Leaseholders on the ADU list. This letter will clearly make two points: 1. The Certification will be a permanent part of the lease, and will only be removed by legal means. 2. All people who are on this list will be charged the B Rate for the Second Domicile every year The Trustees want these points to be clearly understood by those on the list. Steven said that he also intends to call everyone on the list just to make sure that everyone is clear on those points.

Sue Rothrock was concerned that a leasehold, that has 3 ADUs on the property, could be sold to a person who did not want the Domiciles. Steven said that the only way those domiciles could be terminated was to go through the County's legal process.

Ray asked if the list should be distributed at the Town Meeting, and the Advisory Committee Members said the list should be make available to the attenders.

CIVIC COMMITTEE

Sue Rothrock said that the Committee had met with the Garden Plot group, and though the Members thought it was a good idea, they were reluctant to give it final approval. The change in the use of a Green was significant enough so that it needed to be brought before Community Planning and The Town Assembly.

Sue presented a Draft of the main changes in Ordinance 11. Steven asked that Sue make a synopsis of the main changes, and present that, along with the proposed Revisions to Ordinance 11. He suggested that possibly Ordinance No. 11 needed to be broken into two different ordinances, because the existing Ordinance is long and complex. Civic and Safety should meet with Forest to discuss encroachment issues into the Forests.

The amount of the fine imposed by the Ordinance for a violation was discussed, and there was a question on how the fines would be collected. Sue and Denis said that they will continue to work on revising the changes.

BUZZ WARE COMMITTEE

Warren Rosencranz said that they will present a Budget for the BWVC, and it should make financial dealings much clearer.

AUDIT COMMITTEE

Cookie Ohlson was not able to attend, but sent a report. She wrote that David and she had met with Brandywine Accounting, and no problems were discovered.

AGENDA ITEMS

Larry wanted to confirm which issues would be listed as Agenda Items. It was suggested that the issue of moving the Town Meeting to BWVC would be a part of the BWVC Committee Report. The First Reading of Ordinance 11 First Reading would be an Agenda Item. The proposal for Town Garden Plots would be brought up under New Business, but a time limit would be imposed for discussion.

There was a Call for Adjournment, and the Meeting ended at 9:35 pm.

Submitted by,

Larry Walker
Secretary to the Village