

—uncorrected—
Minutes of the
Town Meeting
of the Village of Arden
March 28, 2005

as prepared by
Danny Schweers, Secretary

Minutes of the Town Assembly for the Village of Arden (uncorrected)
Monday, March 28, 2005
 Gild Hall – Arden, Delaware

Sixty-seven (67) residents were in attendance, as shown below. Of these, 33 attended the last meeting. Twelve who attended the last meeting did not attend this meeting. In other years with early voting, attendance at March meetings was 62 in 2004 and 101 in 2003. In years before early voting, 55 attended in 2002, 51 in 2001, 63 in 2000, 74 in 1999, 44 in 1998, 66 in 1997, and 55 in 1996.

Beverly Barnett
 Ruth Bean
 Samuel "Lou" Bean
 Stephen Blades
 Jennifer Borders
 Walter Borders
 Brooke Bovard
 Lizzie Broadbent
 Walter Broadbent
 Marianne Cinaglia
 Terry Ann Colgan
 Jeanne Corman
 Mike Curtis
 Alton Dahl
 Jane Frantz
 Tom Frantz
 David Gerbec
 Willard Glenn
 Aaron Hamburger
 Sally Hanburger
 Stephen Harcourt
 Barbara Henry
 Natalie Hubbard
 Rodney W. Jester
 June Kleban
 Lynda Kolski
 Don Lipstein
 Mary Marconi
 Albert Marks

Connee McKinney
 Lisa Mullinax
 Amy Mullins
 Stephen Mullins
 Irene O'Connor
 Denis O'Regan
 Helen "Cookie" Ohlson
 Roberta Perkins
 Alfred Pompper
 William Press
 Peter A. Renzetti
 Deborah M. Ricard
 Hugh Roberts
 Charles E. Robinson
 Nanette B. Robinson
 Shelley Robyn
 Edward Rohrbach
 Rick Rothrock
 Susan Rothrock
 Kate Sayer
 Marvin Sayer
 Annie Schmittinger
 Johanne Schroeder
 Danny Schweers
 Sally Sharpe
 Barb Shippy
 Sadie Somerville
 Beth Stevenson
 Steve Tanzer

Bill Theis
 Debbie Theis
 Steven Threefoot
 Elizabeth Varley
 Mary Vernon
 Cecilia Vore
 Larry Walker
 Laura Wallace
 Tom Wheeler

*Also in attendance
 but not voting was
 Nicole Majeski, Policy
 Director for County
 Executive Chris Coons.*

1. EARLY VOTING

Steven Threefoot called the meeting to order at 6:15 p.m. to allow for early voting. [About ten people took advantage of the early voting this year, meaning the number in attendance at the regular meeting was about 57.] Then, at 7:15 p.m., the meeting was temporarily adjourned.

2. MEETING CALLED TO ORDER

Stephen called the meeting back to order at 7:35 p.m.

3. MINUTES OF PREVIOUS MEETING

Minutes were accepted unanimously.

4. COMMUNICATIONS FROM THE CHAIR

Town Assembly Chair Steven Threefoot reported that the Delaware Emergency Management Agency (DEMA) has e-mailed us notice that we were under a flash flood warning tonight until 7:00 p.m. Pete Renzetti told us that Naaman's Creek is high but OK.

Our agreement with New Castle County's Hazard Mitigation Plan was sent off and received. In return, we have received a \$1,000 check and the Village is eligible to apply for Federal disaster assistance for five years after March 8, 2005.

The Delaware Nature Society sent us a letter thanking us for co-hosting their presentation to the Ardens. About 25 people attended this event, which was also sponsored by the Naaman's Creek Watershed Association and the Gardeners' Guild.

State Representative Wayne Smith replied to a letter of concern sent to him by all three village chairs, wondering why none of the villages received Suburban Street Aid this past year. Stephen read this letter of March 15, 2005:

Dear Steve, Steve and Bob,

Thank you for your letter of March 2nd.

I appreciate your interest in Suburban Street Aid. As you may imagine, each year I receive many more requests for road and drainage work than I can fund out of the currently available \$300,000 for the Seventh Representative District.

Last year, I focused a lot of resources available to the district on severe drainage and road problems in one of my Claymont communities. The backlog of drainage and road projects is over \$500,000 for that single community—and they really have some significant problems which have been unresolved for decades. I am also facing new drainage needs this year in another community to the tune of around \$300,000.

I try to address the most significant problems in terms of road/drainage requests each year. I believe each of the Arden communities has received a suburban street grant from the Seventh District accounts most, if not all, of the years I've been privileged to serve as your state representative. That is a record I believe no other community I represent can claim. (In addition, as municipalities, each of the Arden communities also receive street aid from the Municipal Street Account—money

unavailable to unincorporated neighborhoods I represent.) I had to leave unfunded many of the requests I received last year to deal with the drainage issues mentioned above.

These are judgment calls made with input from many local constituents from the district. I certainly wish the state had the wherewithal to fund all of the Suburban street requests received each year. I encourage you to lay your needs out with me this year in hopes that some money may be available.

As you stated in your letter, it has been my pleasure to work on many projects with the three Arden Communities—most recently, in 2004, the \$600,000 package I was able to put together to fund the Avery Parcel purchase.

I look forward to continuing our collaboration on the future needs of our district.

Sincerely,
Wayne A. Smith
House Majority Leader

Other communications included one from Mount Pleasant High School about a fund-raising relay race on May 13-14. Please see Steven for details.

An article about our Sherwood Forest, “Grant Aids Arden’s Land Preservation Efforts,” appeared in the Winter, 2005, issue of *Outdoor Delaware*, a four-color magazine published by the State of Delaware’s Department of Natural Resources and Environmental Control (DNREC). [Subscriptions to the magazine are only \$6/year. Send a check to Outdoor Delaware, 89 Kings Highway, Dover, DE 19901.]

An official notice has been sent to the *Arden Page* announcing two public hearings on our franchise agreement with Comcast. The meetings, at the Buzz Ware Village Center, will be held Sunday, April 10, at 3:00 p.m. and on Wednesday, April 13, at 7:30 p.m.

Finally, Steven reported that he and other elected officials in New Castle County met with the newly-elected County Executive, Chris Coons. This, said Steven, was a very positive move on the part of the County Executive. Steven then noted that Nicole Majeski, Policy Director for County Executive Chris Coons, was attending tonight’s meeting.

5. CONTINUATION OF VOTING

Elizabeth Varley moved and Cecilia Vore seconded, that the rules be suspended to allow for ballots to be distributed. Motion passed unanimously. Ballots were handed out for the nominees seen below. (The nominees are listed on the next page. Those elected in this election are noted with an “E” after their name.)

While ballots were being passed out, marked and returned, Cecilia Vore noted that only four people had been nominated for the Legislative Reference Committee. Since our rules stipulate that we need twice as many nominees as there are committee vacancies to be filled, only two members of that committee will be elected tonight. At the June town meeting, we hope the other vacancies on that committee will be filled.

ELECTION RESULTS FOR COMMITTEES AND OFFICERS

Committee members serve two-year terms; officers, one-year terms.

ARCHIVES

D Bittinger
Terry Colgan^E
Mary Marconi
Lisa Mullinax^{*E}
Roberta Perkins^{*E}
Ann Schmittinger

AUDIT

Christine Demsey^{*E}
Ann Schmittinger
Johnny Tucker, Jr.
Laura Wallace^E

BUDGET

Roy Dean
Amy Mullins^E
Denis O'Regan
Atul Shah
Larry Strange^E
Steve Tanzer^E
Susan Warner

BUZZ WARE

VILLAGE CENTER

Maria Burslem^E
Willard Glenn^{E (TIE)}
Allan Kleban^{*E}
Lynda Kolski^{*}
Donny Lipstein
Pam Politis^{E (TIE)}

CIVIC

Steven Blades^E
Dale Brumbaugh
Deborah Kenney^{*E}
Mary Marconi
Deb Ricard
Susan Rothrock^{*E}

COMMUNITY PLANNING

Terry Colgan^E
Mary Lo
Peter Renzetti^E
Sally Sharp
Barbara Shippy
Lynn Svenning^E

LEGISLATIVE REFERENCE

Brooke Bovard^{*E (TIE)}
Hays Butler^{*E (TIE)}
Christine Demsey^{*E}
Steven Harcourt

PLAYGROUND

Robert Bryan
Dale Sampson-Levin^E
Mary Vernon^{*E}
Larry Walker^{*E}
Leah Walker
Laura Wallace

REGISTRATION

Ruth Bean^{*E}
Maria Burslem
Julia McNeil
Beth Stevenson^{*E}

SAFETY

Tom Frantz
Donny Lipstein
Stephen Mullins^E
Denis O'Regan^{*E}
Ron Ozer
Peter Renzetti^{*E}

ADVISORY CHAIR

Elizabeth Varley^{*E}

TOWN ASSEMBLY CHAIR

Steven Threefoot^{*E}

TOWN SECRETARY

Danny Schweers^{*E}

*=was incumbent
E=Elected this election

6. TRUSTEES REPORT Marianne Cinaglia made the following report:

1. *Buckingham Greene*: The engineers representing both the plaintiffs and the defendants are in the process of getting together to set the time line for reviewing the existing damage to the Sherwood Forest and agree on remediation.

2. *Multiple Domiciles*: The Trustees and the Town lawyer are working with the County to codify the Trustees' position on rebuilding second domiciles to address mortgage company and insurance company concerns. This would codify the Trustees' present position as represented in the letter formally issued and previously sent to all leaseholder with multiple domiciles. As was explained in that letter, a structure must have the legal nonconforming status as defined by county code to qualify. It is the responsibility of the individual leaseholder to establish this status.

3. *Trees*: The Trustees are close to establishing a tree policy to ensure that the Village retain its rural atmosphere in the light of aging trees.

Trustee End-of-Fiscal-Year Report, March 25, 2004 through March 24, 2005

ORDINARY INCOME/EXPENSE	BUDGET
Income	
DONATIONS	\$744,854.00
GRANTS	25,130.36
Interest - Trustees Cking Acct	175.58
INVESTMENT INCOME	4,652.38
LAND RENT	373,041.75
LAND RENT FINANCE CHARGE	1,164.68
MEADOW LANE ACCESS	704.52
MEMORIAL GARDEN DONATIONS	2,935.00
RIGHTS-OF-WAY	15,736.85
Uncategorized Income	318.67
ARCHIVES/MUSEUM	710.00
Total Income	1,169,423.79
Expense	
ADVISORY COMMITTEE	16.42
ARCHIVES	1,482.22
BOARD OF ASSESSORS	50.00
BuzzWareVC COMMITTEE	15,004.61
CIVIC	71,289.44
COMMUNITY PLANNING	33.21
CONTINGENCIES	0.00
CONTRIBUTIONS	4,450.00
GILD HALL RENTAL	900.00
GRANT EXPENSE (Trails Renewal Grant)	425.00
LEGISLATIVE REFERENCE	0.00
Loan Payable (see note below)	19,514.59
PLAYGROUND	1,770.00
REGISTRATION	348.50
SAFETY	2,450.87
TAXES	256,352.49
TOWN ADMINISTRATIVE EXP.	2,763.80
TOWN BOOKEEPING SER Gross Wages	2,532.00
TOWN SECRETARY	6,264.00
TRUSTEE ADMINISTRATIVE	54,442.05
MEMORIAL GARDEN (Not Subject to Referendum) ...	3,664.33
ARCHIVES/MUSEUM (Not Subject to Referendum) ...	3,415.00
Sherwood Forest Expense (Purchase)	846,721.87
Total Expense	1,294,070.40
Net Ordinary Income	-124,646.61
Net Income	-124,646.61

Note: Includes one-time payment from additional donations in this fiscal year.

4. *County Maintenance Flyer*: The County Maintenance flyer that you picked up upon entering the hall this evening was distributed by representatives of the County at a CCOBH meeting. Spring is a good time to check over your leasehold to make sure it conforms to County Code. The flyer will also be distributed to Arden leaseholders with the Arden Page.

5. Trustees sometimes hear rumors of nonconformance with Village regulations, ordinances, and policies but receive few details. It is everyone's responsibility to help maintain the condition of the Village.

6. The Financial Report of the Village was also available as you entered. Aaron Hamburger will answer questions you may have on that.

Marianne noted that the Trustees are addressing a problem with extreme rainwater runoff from Marsh Road near June Kleban's. Brooke Bovard wondered, since it is unlawful to have tree branches stored outside a dwelling, does this include firewood? Marianne replied that, no, not if neatly stacked.

Mike Curtis was told there have been no extra domiciles, added after 1954, that have been legalized. Mike suggested the Trust maintain specimen trees in individual yards, including 200-year-old white oaks and 130-year-old tulip poplars. Trustees allow trees to be cut down to allow for house expansion.

Aaron Hamburger then presented the final financial reports for fiscal year. He said, "For the fiscal year 2004-2005, which ended on March 25, we operated at a deficit. This was as planned in order to lower the Village's reserve funds which were well above our target at the end of 2003-2004.

"Major expense deviations from the 2004-2005 budget were higher school taxes (\$8K) and higher Trust administration expense (\$5K—primarily due to the Buckingham Green suit). These higher costs were offset by lower Civic Committee expenses (\$13K) and no contingency expenditures (\$2K).

"We will be submitting all our records and reports to the Village's auditor next week so the annual financial audit of the Village can be conducted. We expected the Auditors report will be issued around mid-May."

Receipts and Bank Balances as of March 24, 2005

Checking/Savings

ARDEN BUILDING & LOAN - TRUSTEE	\$125,048.44
TRUSTEES - WILMINGTON TRUST	101,267.34
VANGUARD	
FUND 30	57,050.47
FUND 33	63,815.47
MSA - FUND 50	<u>44,551.27</u>
Total VANGUARD	<u>165,417.21</u>
Total Checking/Savings	391,732.99

Accounts Receivable

LAND RENT RECEIVABLE (2005-06 LR	
Received-to-date)	<u>-181,251.92</u>
Total Accounts Receivable	<u>-181,251.92</u>

Total Current Assets 210,481.07

Alton Dahl asked about the items not subject to referendum. Aaron replied that the Memorial Garden is funded by contributions. These funds are kept separate from Village funds, both income and expenses, and are not part of referendum. Similarly, contributions to the Archives are not part of the budget and referendum process.

Mary Marconi asked about the uncategorized income of \$45,000? Aaron: That's a total of items above; not well placed on sheet.

The Trustees report was accepted unanimously.

7. **ARCHIVES.** Lisa Mullinax presented the following report:

The museum continues to be open Wednesday evenings 7:30 to 9 p.m. and Sunday afternoons, 1 to 3 p.m. We have had a steady stream of visitors, which we expect to pick up when the weather improves. Many thanks to Barbara Macklem and to Roberta Perkins, who hosted a rather large Questors group at the museum.

Cataloging of the collection continues, with several special projects in progress. These include D Bittinger's investigations of the Arden Forge, and June Kleban's work on photographs and paper records.

Thanks to some excellent last-minute work by David Nevins, we have applied for a Delaware Division of the Arts Grant. If we get it, it should enable us to expand our operating hours and get some administrative help.

There's lots more to do, so please contact us if you'd like to volunteer to "museum sit" or take on another project.

Many thanks to Linda Eaton, who presented a "Care in Handling" workshop for the committee and volunteers.

Our next archives event will be April 13, when Paul Bauernschmidt of the Delaware Heritage Commission will present a program on oral history methods. Please note that this event will take place at the Buzz Ware Village Center at 7:30 p.m. Contact me or Roberta Perkins if you're interested in attending.

New acquisitions of the museum include a watercolor still life by Hilary Bloom, donated by Miriam Gerstine; and two works by Marcus Aurelius Renzetti from the collection of Judge Roxanna Arsht: a portrait bust of two children and a photographic portrait of two children and a photographic portrait of Esther Statnekoo (Roxanna Arsht's grandmother). Thanks to Mark Taylor for obtaining the latter two items.

Due to his demanding schedule, Walter Borders has resigned from the committee. Thanks, Walt, for all your good work! The Committee would like to move that the alternate, Barbara Macklem, be nominated to serve out the rest of Walter's term. Elizabeth Varley seconded this motion, which passed unanimously.

The Committee's report then was accepted unanimously.

8. **CRAFT SHOP MUSEUM.** Aaron Hamburger presented this report:

The Craft Shop has been fully rented since June, 2004. The Board of Directors is now concentrating on support for the Museum and Archives operations.

As planned, we have established a maintenance reserve account which will be funded at \$3-4K/year to cover major repair jobs at the Craft Shop.

The next major repair anticipated is complete roof replacement, expected to be required in the next 5–10 years. The current cost estimated for the roofing job is \$14K.

The Arden Craft Shop Museum report was accepted unanimously.

9. ASSESSORS

Denis O'Regan reported that the next Assessors meeting will be April 11, followed by a public hearing on May 7. Assessors are developing a "Green Book" as an archive for their research. We are also developing a budget projection that will include funds for future legal and professional opinions about such issues as the concept of full rental value, multiple domiciles, and taxation of personal property. The minutes of all Assessor discussions are on the www.TheArdens.com website.

Marianne Cinaglia commented that the Assessors need to be cautious that their legal counsel can correctly interpret the Deed of Trust. Few do. Denis responded that the assessors have already blown their \$50 budget for the year. If this is budget item is eventually approved, future boards will have the budget available if they want to use it. In their discussions, the present assessors hope that future assessors might submit the controlling documents of the Village—the Deed of Trust, Act to Incorporate, and the Arden Lease—to legal counsel and get an opinion on such issues as multiple domiciles and personal property taxes. We've discussed these issues this year. In future years, the assessors might want to ask for a legal opinion, which could go into a permanent knowledge base. Marianne commented that she would hate to see two lawyers involved in this.

Connee McKinney expressed concern about legal consultation proposed. She said the Village has a law firm that helped us write the Act to Reincorporate. She considers the Rosenthal firm [Rosenthal, Monhait, Gross & Goddess, PA] as the town attorneys, not the Trustees' attorneys, and that firm is available for all questions concerning town business. Would hate to see another, less knowledgeable attorney get involved in these matters. These founding documents are extremely important.

Denis replied that each year's board of assessors would have the option to go to the town's attorney or some other attorney. Some issues might be adversarial and need a second attorney.

Connee: are you anticipating funds for a professional appraisal? Denis: We don't want to limit the budget request to attorney fees. Future boards of assessors might want to retain the services of a professional real estate appraiser, not to do a leasehold-by-leasehold assessment (the amount requested won't be enough), but to answer our general questions so we can build a knowledge base. That is our prime concern now, but who is hired, and for what purpose, would be up to each year's assessors.

Alton Dahl noted that we have a board of assessors because of a very serious adversarial conflict between the assessors and trustees years ago. Steven Threefoot noted that was 90 years ago. Alton: yes, but it was a serious situation. Denis: That dispute started in 1924 and lasted nine years. If the assessors had gotten separate legal opinion early on, the dispute might have been avoided.

Walter Borders, Assessor, commented that we cannot expect a single law firm to encompass all viewpoints. We need to build a knowledge base about particular questions. One town lawyer doing everything won't work.

Bill Press asked how this would affect individuals who serve on the board as assessor? Could someone be intimidated? Denis: I'd feel a lot more comfortable if we had the budget and access to legal opinion directly, to frame our questions ourselves without intermediaries.

Steven Threefoot noted we aren't voting tonight to have this line item in the budget or not. That may come in September when the budget is discussed.

The Assessors' report was accepted unanimously.

10. **AUDIT:** no report

11. **BUDGET:** Tom Frantz made the following review of the new three-year projected budget, as shown below.

NOTES ON THE THREE-YEAR BUDGET FORECAST FOR FISCAL YEARS 2006-07, 2007-08, AND 2008-09

1) *General Comments:* The three-year Budget forecast anticipates significant increases in School taxes, a gradual rise in Trustee administrative expenses and Arden committee costs, and the elimination of the State support for road grants. The increases in expenses and reductions in revenues are a source of concern. New Castle County (NCCo) and Brandywine School District taxes will rise from 53% of the Arden budget in 2005-2006 to 57% of the budget by 2008-2009. Committee expenses will continue to make up 26% of the budget, and Trustee expenses will remain at 11% of the budget.

2) *Property and School Taxes:*

(a) *County Taxes:* For the past several years, the NCCo tax rate has remained steady. The current budget assumes this will continue to be the case for 2005-06, however, it is difficult to predict what will happen beyond the current fiscal year. To mitigate the risk of an unexpected NCCo property tax rate increase, we have assumed a 2.5% increase per year in NCCo taxes for budget years 2006-2007, 2007-2008, and 2008-2009. Experience has shown there is an annual 1% creep in NCCo property assessment values. This 1% creep has been included in the figures provided.

(b) *School Taxes:* The greatest uncertainty in the projected budget is school taxes. On May 24, the Brandywine School District will be holding a capital referendum. The objective of the referendum is to raise \$139 million to renovate several school buildings and replace two others. The budget projection assumes this capital referendum will pass. *[Note: this referendum was passed.]* If this assumption is incorrect, the budget projection will be revised regarding the amount of funds needed for next year's referendum. The scheduled implementation of the school tax increase has not been made public; however, school officials have indicated the total increase will be approximately 17%. School taxes would increase by 9.8% in 2006; 4.3% in 2007; and this would gradually increase by an additional 3% by 2010.

(c) *Leaseholder rebates*: NCCo and School taxes include amounts which are rebated to qualified senior and low-income leaseholders. The 2004 rebates to Arden leaseholders totaled \$18,460.49.

3) *Sherwood Forest Purchase*: The Sherwood Forest purchase is not a re-occurring expense. The annual loan payment of \$16,180 will continue for the next 15 years.

Three Year Forecast
Fiscal Year 2006-7, FY 2007-8 and FY 2008-9

	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	
NON-BUDGET EXPENSES:	NOTES	ACTUAL	APPROPRIATED	APPROPRIATED	FORECAST	FORECAST	FORECAST
Property Taxes:							
County		57,069	57,630	57,900	59,627	62,024	64,195
School		184,201	189,727	203,500	223,357	232,013	230,306
Sub-Total: Property Taxes		\$ 241,260	\$ 247,357	\$ 261,400	\$ 283,284	\$ 294,037	\$ 294,501
Sherwood Forest Purchase							
Loan Payments		\$ -	\$ -	\$ 16,180	\$ 16,180	\$ 16,180	\$ 16,180
Trustees Administration:							
Audit		\$ 4,200	\$ 5,000	\$ 5,000	\$ 5,500	\$ 5,500	\$ 5,500
Insurance		\$ 10,371	\$ 8,600	\$ 10,500	\$ 10,500	\$ 11,000	\$ 11,000
Legal		\$ 25,114	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Miscellaneous/Operations & Fees		\$ 11,894	\$ 6,500	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Office Rent		\$ 2,100	\$ 2,160	\$ 2,220	\$ 2,280	\$ 2,340	\$ 2,400
Payroll Taxes		\$ 1,875	\$ 1,700	\$ 1,900	\$ 1,950	\$ 2,000	\$ 2,100
Salaries: Administration		\$ 9,420	\$ 9,600	\$ 9,888	\$ 10,200	\$ 10,464	\$ 10,800
Sub-Total: Trustees Administration		\$ 64,974	\$ 48,460	\$ 52,508	\$ 53,430	\$ 54,304	\$ 54,800
Other Non-Budget Expenses:							
Grants - State of Delaware							
State Grant for Roads to Civic Committee		\$ 12,000	\$ 12,000	\$ 12,000	\$ -	\$ -	\$ -
Delaware Municipal Street Aid - Roads		\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Sub-Total: Other Non-Budget Expenses		\$ 32,000	\$ 32,000	\$ 32,000	\$ 20,000	\$ 20,000	\$ 20,000
TOTAL NON-BUDGET EXPENSES		\$ 338,234	\$ 327,817	\$ 362,088	\$ 372,894	\$ 384,521	\$ 385,481
BUDGET EXPENSES:							
Advisory		\$ 125	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Archives		\$ 3,514	\$ 1,700	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Board of Assessors		\$ -	\$ 50	\$ 50	\$ 2,600	\$ 2,600	\$ 2,600
Buzz Ware Village Center							
Program/Administration		\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Maintenance			\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Renovation Projects		\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
Roof Replacement			\$ 6,000	\$ 6,000	\$ 6,000		
Roof Reintegration and window replacement						\$ 6,000	\$ 6,000
Civic Committee:							
Roads		\$ 14,265	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000
Commons		\$ 17,963	\$ 21,000	\$ 20,000	\$ 19,000	\$ 19,000	\$ 19,000
Forest					\$ 1,000	\$ 1,000	\$ 1,000
Trash Collection		\$ 34,653	\$ 43,000	\$ 41,000	\$ 42,000	\$ 42,000	\$ 42,000
Special Clean-up		\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Sub-Total Civic Committee		\$ 66,881	\$ 84,000	\$ 81,000	\$ 82,000	\$ 82,000	\$ 82,000
Community Planning:		\$ 184	\$ 1,000	\$ 1,000	\$ 500	\$ 500	\$ 500
Avery Task Force		\$ 2,000	\$ 25,000	\$ -	\$ -	\$ -	\$ -
Legislative Reference		\$ -	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Playground		\$ 1,847	\$ 1,750	\$ 1,850	\$ 1,900	\$ 1,950	\$ 1,950
Registration Committee		\$ 1,069	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200
Safety - General		\$ 380	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Town Watch Coordinator Fee		\$ 2,268	\$ 2,400	\$ 2,400	\$ 2,400	\$ 2,400	\$ 2,400
Harvey Rd. Enforcement		\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Town Expenses							
Salaries:							
Secretary		\$ 6,108	\$ 6,804	\$ 7,021	\$ 7,224	\$ 7,440	\$ 7,656
Bookkeeping - Town		\$ 2,472	\$ 2,748	\$ 2,845	\$ 2,928	\$ 3,012	\$ 3,108
Town Telephone							
Misc. Operations/Fees		\$ 220	\$ 4,000	\$ 3,500	\$ 3,750	\$ 3,750	\$ 3,750
Gild Hall Rental		\$ 1,020	\$ 900	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200
Donations:							
ACRA		\$ 1,350	\$ 1,450	\$ 1,450	\$ 1,500	\$ 1,500	\$ 1,500
Arden Page		\$ 1,350	\$ 1,450	\$ 1,450	\$ 1,500	\$ 1,500	\$ 1,500
Arden Library		\$ 550	\$ 550	\$ 550	\$ 600	\$ 600	\$ 600
Fire Companies		\$ 950	\$ 1,000	\$ 1,250	\$ 1,500	\$ 1,500	\$ 1,500
Sub-Total Town Expenses		\$ 14,020	\$ 18,902	\$ 19,266	\$ 20,202	\$ 20,502	\$ 20,814
Contingencies		\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
TOTAL BUDGET EXPENSES		\$ 101,288	\$ 156,402	\$ 128,166	\$ 132,202	\$ 126,552	\$ 126,864
TOTAL EXPENSES		\$ 439,522	\$ 484,219	\$ 490,254	\$ 505,096	\$ 511,073	\$ 512,345
		2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009

4) *Trustees Administration*: Increasing costs are expected in Trust audit and insurance expenses. In addition, Trust payroll taxes and Administration salaries are expected to increase 3.4% and 3%, respectively, over the next three years.

5) *State Grants*: The \$12,000 State of Delaware grant to the Civic committee for Arden road maintenance, although included in 2005-2006 budget, will not be received. [See page 3.] Because of the uncertainty surrounding receipt of this grant, it has been eliminated from future budgets.

6) *Committee Expenses*: The following committees have not requested changes in then-projected budgets: Advisory, Archives, Community Planning, Legislative Reference, Playground, Registration, and Safety.

7) *Board of Assessors*: The Board of Assessors has requested \$2500/year for the next three years for professional guidance, including legal or other advice, to be used in assisting the Board in fulfilling its responsibility to determine the full rental value of leasehold land in Arden. The remaining \$100 would be used for postage for mailing the required notices of public hearings.

8) *Buzz Ware Village Center Committee*: The BWVC expects no changes in its program and administration, maintenance and renovation projects budget. The BWVC will continue to accrue \$6000/year to fund a roof replacement project. The last installment of this annual accrual will be in the 2006-2007 budget. The BWVC wishes to include \$6000 per year for integration of roof lines and window replacement beginning in the 2007-2008 budget year.

9) *Civic Committee*: The Civic Committee expects to hold spending on roads at \$18,000. The committee requested separate budget line items for Commons and Forest. Tree maintenance in the commons is expected to be \$19,000, and Forest maintenance has been estimated at \$1,000. Recently, there has been discussion regarding mandatory recycling in Delaware. This may have a significant effect on the cost of trash pick up. In this budget projection, we are not expecting trash pick-up charges to change significantly. Special trash clean-up charges are maintained at \$2,000, however the Civic Committee has discussed ways to reduce this cost through specialty donation drives.

10) *Town Expenses*: The total 3-year increase is about 8%, mainly to reflect:

- i The annual increase in part-time salaries for Secretarial and Bookkeeping duties. This increase reflects an annual rate of 3%.
- ii Arden will increase its donation to support our local fire companies, ACRA, Arden Page, and the Arden Library.

After this report was made, Bill Press asked what amount Assessors' requested. Answer: \$2600 in future years compared to \$50 now. Bill noted that this is contrary to what we expected in past.

Cecilia Vore noted that there are two ways for residents to influence individual line items in the budget. When the budget is presented at the September meeting, residents can make motions to change line items. Also, when the budget goes to referendum, individual line items can be rejected.

The Budget Committee's report was accepted unanimously.

12. BUZZ WARE VILLAGE CENTER: Debbie Theis made this report.

The winter months have kept the BWVC busy with our usual meetings and renters. The Shakespeare Gild filled the building with young thespians on Saturdays in January for the Young Actors Workshop. We had a very successful art show the first weekend in March featuring Linda Celestian, Rob Montejo and D Bittinger. The committee wants to thank Phil Fisher for taking on this project of organizing art shows. On the same note, we have had a response for our request at January's town meeting for foster care for the Buzz Ware. Brooke Bovard has offered to adopt the adult bathroom. She plans to spruce it up and see that it takes on a more "cared for" appearance.

On a more serious side, the building suffered from significant foul-language graffiti the weekend of February 19th. A police report was filed. If anyone has information that would assist the police, Debbie Theis has the case number that should be referred to.

The YMCA has terminated their contract. They will honor the terms of the contract, giving us 60 days notice, which will run to the end of April. The committee will spend some time evaluating options for earning the money needed to support the building.

Amy Hill is in charge of acquiring three designs for the front of the building. The intent is to get an estimate of the cost needed to replace the windows, repair the roofs, and create an overall attractive and cohesive entrance. The money raised in our two auctions will be used for this plan. Additional money needed will hopefully come from grants. Debbie Theis and Mary Marconi have volunteered to research this.

Beverly Fleming will be the new scheduler and building manger. She will ease into this position over the next month. A notice will be placed in the *Arden Page* to inform everyone of the change.

Brooke Bovard made the following motion: to thank the YMCA, by letter from the Village Secretary, for their presence here. Motion passed unanimously.

Marianne Cinaglia asked when will there be weatherstripping between the new front doors at the Buzz. Debbie: it is on our list.

The committee's report was accepted unanimously.

13. CIVIC: Sue Rothrock made the following report.

Electronic Recycling Day for the Ardens: Don't throw that TV away! Recycle it! The first electronics recycling day will be held on Saturday, April 16 from 8am to 1 pm. Bring your old electronic items such as radios, televisions, telephones, computer parts, cameras, VCRs, etc. to the Buzz Ware parking lot. We will take them to a recycling center. A full list of acceptable items will be posted on the town bulletin boards. This program is open to residents of The Village of Arden. Ardentown, and Ardencroft.

FOREST SUB-COMMITTEE:

There has been an increased community interest in addressing issues and projects concerning the forests of the Village of Arden. The Civic Committee feels that these needs could be better met by establishing a Forest Steward-

ship Committee independent of the Civic Committee. The duties would include the maintenance and preservation of the forests under the guidance of the existing Forest Stewardship Policy and should report directly to the town assembly. This is a long-term recommendation for the benefit of the forests. At this point, the Civic Committee proposes the implementation of a sub-committee of Civic to perform this task. For the coming fiscal year, Civic will direct \$1,000 from its commons and forests budget to this Forest sub-committee. We recommend a three-person committee with members beyond those elected to the Civic Committee. A more detailed description of the duties and responsibilities of this proposed sub-committee are found in the handout on the table. Thus, Civic makes the following motion:

MOTION: The Civic Committee proposes the creation of an ad hoc sub-committee to Civic to maintain and preserve the woodlands and forests of Arden until such time that the Town Assembly creates a standing committee to perform such duties. This subcommittee is composed of three residents of the Village of Arden appointed by the Town Chair for a period of one year.

FOREST STEWARDSHIP COMMITTEE DUTIES:

1. Implement Arden's Forest Stewardship Policy to protect the forests as natural areas.
2. Maintain a notebook of regular duties and a calendar including tasks needed to fulfill the Forest Stewardship Policy.
3. Stay current on best practices in urban forestry and identify resources for professional guidance and funding.
4. Determine tree felling, removal or pruning required in the forest.
5. Identify and coordinate the removal of plant species detrimental to the health of the forest.
6. Coordinate stream watch on Perkin's Run and Naaman's Creek.
7. Survey and mark forest boundaries and determine where fencing or planting is needed to prevent encroachment from neighboring communities and leaseholders.
8. Notify neighbors and leaseholders of existing encroachment conditions and pursue remediation.
9. Improve and stabilize paths.
10. Strive to minimize creek bank erosion.
11. Compare biodiversity progress with documented forest surveys.

Elizabeth Varley seconded the motion, which was then discussed.

Brooke Bovard asked if this sub-committee would report to Civic Committee like Memorial Garden reports to Community Planning. Sue: yes.

Steve Tanzer: So this is a one-year trial period? Sue: yes.

Motion passed unanimously.

SPREADING YEWS: Sue then continued her report.

This spring, the Civic Committee began to trim the spreading yews on the Arden Green. The trimming was initiated for several reasons. Yews are more susceptible to breakage during heavy snow or ice storms when they grow larger.

An azalea located near the yews was broken last winter by heavy snow on the yew branches. They also interfere with other trees planted on the Green.

A petition was circulated to stop the trimming of the yews and to have it voted on at Town Meeting. The trimming was discussed several years ago at Town Meeting, but the work was not done because we had other necessary tree work that used up our budget. The fact that the trimming was stopped was helpful for two reasons. The person trimming the yews was not hired by Civic. They were sub-contracted by another contractor to do the job. That Sub-contractor was trimming the yews in an improper manner and at a lower than specified height. The petition list also provided me with a list of potential nominees for the Civic Committee.

The yews were planted in the mid-to-late 1960s by Don Stevens without town approval. Don planted the yews to delineate parking spaces for the Craft Shop which he owned. The town assembly disapproved of the parking at a town meeting but the yews were never removed. They were also never maintained and have become overgrown. Yews respond well to severe pruning and should be pruned in early spring. Further trimming of the yews would be done through an arborist. The height of the trimming would be from 8 to 10 feet.

I would also like to mention that yew leaves and seeds are extremely poisonous to humans and animals. The berry is the only part that is not considered toxic, however, since the seed matures within the berry, it should not be eaten. One mouthful of leaves will kill a horse or a cow within five minutes. Parents should be aware of this when their small children are at the playground.

Brooke Bovard: So we shouldn't park our cows on the Green? [Laughter]

Albert Marks: 8-10 feet? Sue: Yes, years ago we had talked to 4 to 6 feet.

Stephen Harcourt: Why not remove them?

Denis O'Regan: I'd love to see them removed.

Elizabeth Varley: Please!

June Kleban: If they were removed, could we have parking for museum?

Sue: no, the sight lines are bad, and we cannot remove the curb stones.

MOTION: Tom Frantz makes a motion to remove the yews rather than trim them, seconded by Brooke Bovard.

Lynda Kolski: We have a parking policy says none on Green, with the exception of the Arden Fair and Shakespeare productions.

Aaron Hamburger: I'm for the yews. Many of us have yews on our leaseholds, a quality evergreen. Need evergreens on our greens. Dumb to remove. I would vote against this motion.

Elizabeth Varley: yews are not quality evergreens in this environment. There are many wonderful native evergreens we could plant here.

Denis O'Regan: Even if they are quality plants, they are deadly and not original. The straight lines of hedges doesn't fit our community. Straight deadly plants don't belong there.

AMENDED MOTION: Albert Marks: Habitat there has been established since 1969. Cats hide, birds play, no interference to Fels Oak. See it as underplanting. Removing them will make the place barren. If we take them out, let's

put something in their place. I would like to amend the motion; that we replace the yews with appropriate quality non-toxic native plants at the discretion of Civic Committee. Tom Frantz and Elizabeth Varley accepted this amendment.

Cecilia Vore: Yews spoil view of Craft Shop from Field Theatre and vice versa. Bulletin board gets crowded. Removing them will give better vistas.

Mike Curtis: Once upon a time we had a Community Planning Committee to take care of these matters. [Laughter] Could we reactivate this committee?

Hugh introduces himself as "Yew" Roberts [more laughter]: The first 35 years of my life, there were no yews at that corner of the Green except me. I liked it that way. I would like to see them gone.

Ayes have it, amended motion passed.

CARE OF TREES NEAR BROADBENTS' LEASEHOLD Sue continued:

The Civic Committee was asked by a leaseholder to consider the removal of two trees in the Arden Forest adjacent to their leasehold. The leaseholder was concerned about the health of these trees and the possibility that they may fall. Two Urban Foresters from the State of Delaware inspected the trees in March and December of 2004 and determined that they were not in decline and were not likely to fall. The Forest Stewardship Policy adopted by the Village of Arden states that trees can not be taken down in the forest unless determined to be a hazard. The trees will not be removed from the forests at this time and have been added to our individual tree watch list and will be monitored for dead branches and other changes to the roots and trunk. If you are concerned about trees on your leasehold contact the Trustees. If you are concerned about trees on town property adjacent to your leasehold, contact the Civic Committee. We ask that you contact Civic through e-mail at ardencivic@theardens.com or by mail to the Village of Arden.

Following this report, Ruth Bean thanked the Civic Committee for trimming an oak near her leasehold on Meadow Lane. Sue replied that one limb was removed from this otherwise healthy tree.

Connee McKinney: Have concern of possible hazard these trees near Broadbent's represent. Two trees have come down recently, one with terrible destruction to the house. These other trees threaten the people inside. Is cabling a possibility? Sue: cabling can do damage and needs yearly maintenance.

Pete Renzetti read a letter from the Broadbents. After a huge beech tree hit their house, it was condemned. They spent ten months in neighbor's rental while the house was repaired, at considerable cost. Their home doesn't feel safe any more. Two trees still present a danger to them. They would rather not take any trees down but they see no alternative. Pete said auger anchors can be put into ground as a way of tethering the trees. Also, we can stabilize the drainage around the trees.

MOTION: Pete made the following motion: Civic Committee and Forest Subcommittee should look into ways to deal with the trees adjacent to the Broadbent's property to keep them from falling into the Broadbent's home, either by stabilizing them or cutting them down.

This motion was seconded by Steve Tanzer. Liz Broadbent showed photos, saying sooner or later the trees are going to fall down. We need help. Cutting off a few limbs won't do it. No one should go through this. Planting other trees would be fine. Put yourself in our place. People's lives are more important than a couple of trees.

Ed Rohrbach said there are hundreds of trees on Arden public land that could harm houses. We might be taking on a safety liability we don't mean to. We enjoy the trees in spite of the hazard. Broadbents are asking for special consideration we cannot grant to everyone.

Marianne: In the context of the whole village, one of the things that the Trustees try to communicate, is that development puts greater stress on the land. All the development in this neighborhood has put a lot of water into this leasehold. This house has a history of public funds put into it to make it a safe place. County funds were used to raise foundation to get it above Naaman's Creek. If this is a particularly dangerous leasehold, perhaps we should repurchase it and add it to the forest.

Lynda Kolski asked Sue if urban forester gave other options. Sue: no limb trimming would help. Cabling to ground was not mentioned. Cutting halfway would not be a solution. Cutting them down will be very expensive. Lynda: If you look at amount of water coming down the hill there, you can see how the roots could be eroded away.

MOTION AMENDED: Lynda asked to amend the motion to include a time limit; that the Civic Committee present a recommendation at the June Town Meeting. Pete accepted her amendment.

Steve Tanzer: Problems with erosion have to do with what the County did not do in previous years to control runoff.

Cecilia Vore: Supports motion but doesn't think Civic Committee deserves the tone of criticism she's heard. Civic has done a good job. Motion will give more assurance to the Broadbents.

Mary Marconi: Glad Civic did not take it on themselves to cut down these trees. I had a healthy tree taken down that was threatening my house; that is one of many precedents. These trees are on a sloping bank. Support motion.

Bill Press: How about if we ask the residents? Steven: They want it down.

Sue: Civic will not recommend action but will present the alternatives. Motion, as amended, passed with a voice vote.

The Committee's report was accepted unanimously.

14. COMMUNITY PLANNING: Jeanne Corman had two events to announce.

Annual Woods Cleanup is April 23, at 9:00 a.m. at three locations as found in *Arden Page*. This is a great opportunity to celebrate Earth Day.

Memorial Garden cleanup is the following Saturday, April 30, 9:00 to noon. (Rain day, May 1, 10:00 to 1:00) Ruth Bean asked people to please remove Christmas decorations now.

The Committee's report was accepted unanimously.

15. **LEGISLATIVE REFERENCE:** Hays Butler reported that the Committee was asked whether it wants to continue in existence. They met and decided, yes, they will continue and will compile an index of town minutes.

The Committee's report was accepted unanimously.

16. **PLAYGROUND:** Larry Walker reported that, during the past two months, the required playground equipment inspection was held, and all equipment is in safe condition. All equipment was "adult tested" to ensure its safety. The next playground equipment inspection is scheduled for April, 2005.

The Committee's report was accepted unanimously.

17. **REGISTRATION:** Cecilia Vore made the following report:

Our most recent count of eligible voters is 348.

The election for standing committees is being held tonight. Ballots will be accepted throughout the meeting. The committee will count ballots Wednesday morning and the results will be posed on bulletin boards and the town website by Thursday. Any one who wants to help count, please contact me, Cecilia Vore.

There were not enough nominees for Legislative Reference Committee to elect three new committee members. So, on tonight's ballot, there are four nominees to fill two positions. The remaining position, and an additional vacancy, will be filled at the June meeting. Anyone interested in serving on Legislative Reference should contact Elizabeth Varley. Nominations will also be taken from the floor in June.

The Committee's report was accepted unanimously.

18. **SAFETY:** Denis O'Regan reported that a major speed enforcement effort was made a week or so ago. We recently had a Town Watch patrol on horseback, but we found that the "Town Watch" magnetic signs don't stick to the sides of horses. To do a patrol on horseback, please supply your own horse, a large bag and a shovel. On a more serious note, if you observe something, call the police first, then call a Safety Committee member or the Town Watch Coordinator after that.

The Committee's report was accepted unanimously.

19. **NEW BUSINESS:** Bill Press reported that, on last Saturday night, a line of cars was parked on the far side of The Highway in front of Gild Hall. If we make arrangements for groups to rent Gild Hall, it needs to be clear to them that parking is not allowed on our thoroughfares. A line of crowded automobiles does not represent Arden.

Alton Dahl reports that those cars were parked legally; it would only be illegal if they were parked overnight.

Bill Press: What can be done?

Steven Threefoot: we can change the parking ordinance if we want, the same way we would change any ordinance.

June Kleban: Were the two parking lots filled? If there was no more room in the existing parking lots, then OK.

Bill Press: Then I can park in front of Gild Hall on Saturday night?

Alton Dahl: The Arden Gild discourages people from parking in front of Gild Hall. It is legal to park there but we discourage it anyway.

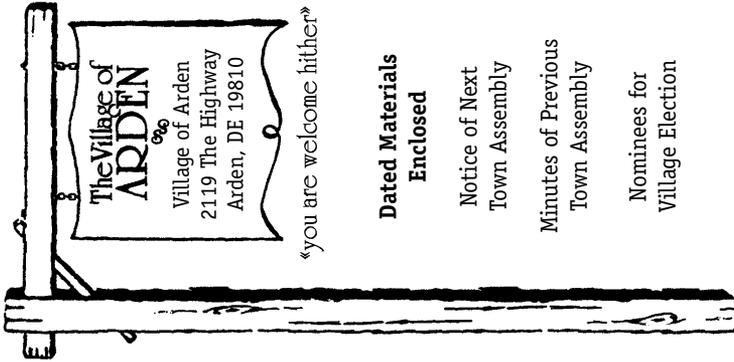
Steve Tanzer: The bands playing at Gild Hall that night were donating their time to benefit victims of the Tsunami in South Asia. Gild Hall had been donated as a venue for that benefit. All this was in the best tradition of Arden.

20. Meeting adjourned at 9:51 p.m.

Faithfully submitted,

A handwritten signature in black ink, reading "Danny N. Schweers". The signature is written in a cursive style with a large, prominent initial "D".

Danny N. Schweers,
Secretary



The Village of
ARDEN
Village of Arden
2119 The Highway
Arden, DE 19810

«you are welcome hither»

**Dated Materials
Enclosed**

Notice of Next
Town Assembly

Minutes of Previous
Town Assembly

Nominees for
Village Election