

Minutes of the
Arden, Delaware
Town Meeting
(corrected)

June 27, 2005

Minutes of the Town Assembly for the Village of Arden (corrected)
Monday, June 27, 2005
 Gild Hall – Arden, Delaware

73 residents were in attendance, as shown below. 49 of these attended the last meeting. 21 people who attended the last meeting did not attend this meeting. In recent years, attendance at June meetings was 100 in 2004, 61 in 2003, 57 in 2002, 49 in 2001, 53 in 2000, 70 in 1999, 57 in 1998, 57 in 1997, 50 in 1996, and 55 in 1995.

Bob Address	Barbara Henry	Shelley Robyn
Beverly Barnett	Elaine Hickey	Edward Rohrbach
Tori Barone	Heidi Hoegger	Warren Rosenkranz
Ruth Bean	Randall Hoopes	Danny Schweers
Samuel "Lou" Bean	Milton Isaacs	Sally Sharpe
Stephen Blades	Rodney W. Jester	Barb Shippy
Jennifer Borders	June Kleban	Sadie Somerville
Walter Borders	Lynda Kolski	Jeffrey Steen
Lizzie Broadbent	Don Lipstein	Beth Stevenson
Dale Brumbaugh	Mary Marconi	Lon Sullivan
Hays Butler	Connee Wright McKinney	June Taylor
Marianne Cinaglia	Russ McKinney	Van Taylor
Naomi Clark	Lisa Mullinax	Steven Threefoot
Terry Ann Colgan	Betty O'Regan	Elizabeth Varley
Jeanne Corman	Denis O'Regan	Mary Vernon
Mike Curtis	Helen "Cookie" Ohlson	Cecilia Vore
Alton Dahl	Ron Ozer	Larry Walker
Christine Demsey	Ruth Panella	Laura Wallace
John Demsey	Roberta Perkins	Tom Wheeler
Shannon Jack Demsey	Jeffrey Politis	
Cynthia Dewick	Anne Pricketti	<i>Also in attendance</i>
Dorinda Dove	William Press	<i>but not voting was</i>
Carl Falco	Peter A. Renzetti	<i>New Castle County</i>
Jane Frantz	Deborah M. Ricard	<i>Councilman John J.</i>
Tom Frantz	Hugh Roberts	<i>Cartier, and former</i>
David Gerbec	Charles E. Robinson	<i>resident Sam Starr.</i>
Charlie Hahn	Nanette B. Robinson	

1. MEETING CALLED TO ORDER

Steven Threefoot called the meeting to order at 7:38 p.m. The minutes of the previous meeting were accepted unanimously.

2. COMMUNICATIONS FROM THE CHAIR

Steven Threefoot reported that DelDOT (the Delaware Department of Transportation) acknowledged recent letters from the chairs of the three Ardens asking about the gateways. DelDOT's reply is that project is proceeding to be implemented over next few months.

A note was received from Connee McKinney acknowledging the tax-free status of the recent addition of five acres to Sherwood Forest. That land is no longer on NCCo (New County County) tax roles.

Marianne Cinaglia tells us T-Mobile, still hoping to erect a communication tower, is negotiating with Safeway supermarket at Naaman's and Foulk, something that would not, to the best of Steven's understanding, improve service to this area, so a tower in this area may yet be proposed.

Eva Abbott has been attending Claymont Renaissance meetings and her reports can be found on the www.TheArdens.com website.

The three villages are still negotiating with Comcast on cable TV franchise. Verizon, also, has just now contacted us about a similar cable TV franchise.

Van Temple, of Ardencroft, informs us that Lot 91, a leasehold never developed, has been offered to Ardencroft, which wants to add it to their greenways. The present owner, who lives in Wilmington, used the lot as a place to have picnics. Ardencroft would like Arden and Ardentown to contribute to them as they contributed to us last year to purchase those additional five acres of Sherwood Forest. Individuals are encouraged to contribute as well, making tax-deductible checks to the Village of Ardencroft.

New Residents: Annie Prichett (a veterinarian) was introduced by a proud Pete Renzetti, to whom she is engaged. They are to be married next year. [Joyous applause.] Also, Elaine Hickey moved here in June, and is recently retired from the Patent Office in Washington, D.C. Had read about Arden for many years and is delighted to be able to move here.

No longer with us: Bernie Brachman was a long-time resident who had a veterinary office here, and who was an active member of our community. Ruth Bean announced that Amy Lieberman, Cy and Pat's daughter, died from cancer recently. Elizabeth Varley announced the death of Dean Ringer, who grew up here. June Kleban announced the death of Larry Schein, who was a resident of Arden for about three years, and then Ardentown for many, which he helped incorporate and was a trustee; an active member of ACRA. A moment of silence was taken in their memory.

Visitors recognized: John Cartier, NCCo Councilman for the 8th District (which includes Arden), introduced himself and talked of many good things happening under the new County Executive, Chris Coons. He and his wife, Lindsay, are members of the Arden Club. Steven Threefoot commented that he recently attended a municipal leaders meeting hosted by Chris Coons, the second in a series of quarterly meetings. Steven has contact list available of those in county government.

The Village Secretary noted that Pantano Properties wants to purchase our property located on Avery Lane. This road, while on all the maps of the area, does not exist in reality. Map makers rely on NCCo records. In this case, Marsha Avery had filed a development plan which included a road but it was never built. Danny also noted that we get many odd magazines mailed to us. As an example, he held up one called *Rest Room World*.

3) TRUSTEES REPORT

Marianne Cinaglia made the following report.

3.1. The Trustees and Directors of the Ardens spoke with County Councilman John Cartier on Monday, July 20, about the proposed ordinance concerning leaseholds with additional domiciles. The ordinance will be a part of Article 8, Non-conforming Structures, and will affect only structures that have been declared “legally non-conforming” by the County. This ordinance was written by the Land Use Department at the request of the Trustees. It will permit certified, legally-nonconforming properties in Arden, Ardentown and Ardencroft to re-built on the same footprint if partially or wholly destroyed, providing no additional gross floor area is added and no new nonconformities are created. Second domiciles that were in use by 1954 are eligible to be “legally non-conforming.” The County process includes: *a)* an introduction to the Land Use Committee in July; *b)* introduction to County Council (probably at the first meeting in September); and, *c)* vote by County Council (probably at the second meeting in September.)

3.2. Trustee Marianne Cinaglia and leaseholder and resident Alton Dahl walked the Sherwood Forest and Buckingham Greene area with the engineer (William Beckman) and hydrologist (Joe Standon) from LBG to discuss possible “fixes” for the damage done by storm water runoff. The LBG team then spoke with the engineers representing the Buckingham Greene LLC. Possible solutions and their economic costs are being investigated.

3.3. A number of new houses are being built on previously empty lots in Buckingham Greene. I have spoke to Hap Ryan in Land Use to determine if the lines and grades on the lots will ensure that stormwater drains toward the street.

3.4. The Trustees are working on the nomination of a new Trustee. All candidates, whether self-nominated or nominated by fellow residents and subsequently agreed to be candidates, were considered seriously. Interviews with candidates by the Trustees will occur in mid July. We should have a recommended candidate by July 19. The Registration Committee will then prepare the Trustee referendum to be mailed to each Arden Resident in August. Results of this mailing should be completed and tabulated in mid September.

3.5. The County is working on a rental-property ordinance that will require every rental unit in New Castle County to be registered with the County. The registration will be mandatory. No fee is involved. After one year, approximately 5% of the units will be inspected annually with a 48-hour notice.

3.6. The addition of the Sherwood Forest has been declared municipal land and is therefore tax free.

3.7. The annual audit is complete; Real Reserve = \$162,083.

3.8. The Trustees’ report was accepted unanimously.

Trustee Quarterly Report, April 1 through June 24, 2005

ORDINARY INCOME/EXPENSE	ACTUAL	BUDGETED
Income		
DONATIONS		
GRANTS	950.00	
LAND RENT	367,993.36	384,000.00
LAND RENT FINANCE CHARGE	207.46	
MEMORIAL GARDEN DONATIONS	2,483.00	2,000.00
RIGHTS-OF-WAY	0.00	<u>15,000.00</u>
Uncategorized Income	<u>206.00</u>	
Total Income	371,839.82	401,000.00
Expense		
ADVISORY COMMITTEE	0.00	300.00
ARCHIVES	0.00	1,000.00
BOARD OF ASSESSORS	0.00	50.00
BUZZ WARE VILLAGE CENTER COMMITTEE	6,110.88	15,000.00
CIVIC	15,435.16	81,000.00
COMMUNITY PLANNING	0.00	1,000.00
CONTINGENCIES	0.00	2,000.00
CONTRIBUTIONS	3,450.00	4,700.00
GILD HALL RENTAL	1,200.00	1,200.00
LEGISLATIVE REFERENCE	0.00	100.00
LOAN PAYABLE (see note below)	4,044.96	16,179.84
PLAYGROUND	0.00	1,750.00
REGISTRATION	0.00	1,200.00
SAFETY	669.00	5,400.00
TAXES	207.07	261,400.00
TOWN ADMINISTRATIVE EXP.	651.47	3,500.00
TOWN BOOKEEPING SERVICE Gross Wages	647.00	2,616.00
TOWN SECRETARY	1,598.00	6,456.00
TRUSTEE ADMINISTRATIVE	6,801.54	<u>52,508.00</u>
MEMORIAL GARDEN (Not Subject to Referendum)	<u>672.18</u>	
Total Expense	41,487.26	457,359.84
Net Ordinary Income	<u>330,352.56</u>	<u>-56,359.84</u>
Net Income	330,352.56	-56,359.84

Trustees' Report: Receipts and Bank Balances as of June 24, 2005

Checking/Savings	
ARDEN BUILDING & LOAN - TRUSTEE	\$125,048.44
TRUSTEES - WILMINGTON TRUST	41,902.53
VANGUARD	
FUND 30	57,244.64
FUND 33	64,051.18
MSA - FUND 50	<u>44,788.22</u>
Total VANGUARD	<u>166,084.04</u>
Total Checking/Savings	333,035.01
Accounts Receivable	
LAND RENT RECEIVABLE	<u>-17,096.35</u>
Total Accounts Receivable	<u>- 17,096.35</u>
Total Current Assets	350,131.36

4) AUDIT COMMITTEE:

Helen "Cookie" Ohlson made the following report.

On June 6, 2005, the Audit Committee convened to review the financial statements of the Trustees of Arden and Village of Arden, Inc. After careful scrutiny, we found all to be in order. Those statements are also reviewed by Corcoran and Associates, Certified Public Accountants.

The Audit Committee's report was accepted unanimously.

5) ARCHIVES:

Lisa Mullinax made the following report.

I was re-elected chairman of the Archives committee. The Committee welcomed new committee member Terry Colgan.

Our work of sharing the Ardens' history continues at the Craft Shop Museum. Since the beginning of the year, we recorded approximately 135 visitors (those who signed the guest book, anyway) not including many visitors during the ACRA house tour. The museum hosted a group from the Henry George Schools in Philadelphia and New York, a local Questors group, a group of New Jersey schoolchildren competing in a history contest with their story of the Monopoly/Landlord Game controversy, and a local journalist researching a story about the Ardens for the *Hunt* magazine.

Archives committee members and volunteers recorded approximately 270 hours of work at the museum so far this year, hosting visitors, participating in meetings and planning activities, and cataloging the collection. June Kleban, for example, has taken on the daunting task of identifying many boxes of unlabeled photographs. Thank you to all!

Upcoming projects include hosting the ACRA children next month, a visit from the International Henry George School, and a tour of Arden and Rose Valley organized by Winterthur and led by Mark Taylor.

We would like to recognize the many generous donations in memory of Bernie Brachman.

After this report, Marianne Cinaglia asked for clarification on recent elections and was told that Barbara Macklem is now serving on the committee, filling an unexpired term, and that Terry Colgan was just elected in March.

Rodney Jester then told a bit more about the 6th Graders from New Jersey. They were doing a project on New Jersey history and chose something different—to investigate the Monopoly game’s history—in part because the game uses Atlantic City street names. On their own they discovered the previous history of the Landlord Game, patented by McGee in 1904, and they visited the Henry George School in Philadelphia before visiting the Arden Craft Shop Museum, where they saw the original Landlord Game board. They made an impressive presentation here and went on to make it in Washington, D.C., as part of a competition.

This committee’s report was accepted unanimously.

6) CRAFT SHOP MUSEUM.

Alton Dahl reported that all the apartments are rented and our financial situation is as expected. Cash balance is low now because many bills come early in year for insurance, fuel and land rent but it will be favorable by the end of the year. Two at-large board members will be elected on October 2, at a general meeting of all residents of three villages at the Craft Shop. The September issue of the *Arden Page* will contain proxy voting instructions.

The Arden Craft Shop Museum’s report was accepted unanimously, even though it did not need to be, since the Museum is not a committee.

7) ASSESSORS: Denis O’Regan made the following report:

ASSESSMENT FOR LAND RENT DUE MARCH 25, 2006

7.1) BACKGROUND

The land rent controversy that engulfed this community last year had many consequences. One of them was the election of six members of the Board of Assessors who had never before served on the Board. Another consequence was the unanimous opinion of the newly-elected Board members to avoid the divisiveness the community endured last year. To that end, the Board decided early on that education and communication were critical to our understanding of the current land rent system and to our ability to share what we learned with the community. The Board realized that this learning and communicating process would take longer than our one-year term, making it impossible to support changes to our land rent system at this time. On the other hand, having so many first-time members provided the Board with a unique opportunity to look at all the components of our land rent system with fresh eyes, and that is exactly what happened.

As a result, this year’s Board established the Arden Assessors website where residents can view the minutes of all Board meetings and reports to the Town Assembly, as well as other information pertaining to land rent assessment. The members of this year’s Board also agreed to publish articles

dealing with Board business or land rent issues in each edition of the Arden Page. Finally, the Board produced the Board of Assessors Notebook (a.k.a. The Green Book) that contains information that anyone elected to the Board of Assessors should know and which, we hope, will provide a valuable reference tool to future Boards.

Although this Board feels it is premature to make changes to our land rent system in the absence of objective, legally-defensible data, we have included a section of recommendations for consideration by future Boards. Those recommendations can be found at the end of this report.

7.2) ASSESSMENT FOR 2006

In May, the Brandywine School District passed a capital referendum which will result in a substantial increase in school taxes beginning next year. Along with some minor increases in the Village Budget and the Trustees' Administrative Expenses, the effect on Arden land rent is an increase of 15.7% per leaseholder for 2006 over 2005. Specifically, the total land rent required for 2005 was \$384,000; the amount needed for 2006 is \$444,000. This increase in land rent can be attributed to several factors:

1. A substantial increase in school taxes, as indicated above.
2. The 2005 estimate of revenue [other than land rent] was \$31,000; for 2006 the estimate of revenue, based on information provided by the Trustees, is \$21,000, resulting in a \$10,000 difference.
3. The amount of total land rent that needs to be collected for 2006 is approximately \$60,000 more than in 2005.

A detailed listing of the changes in the amount to be collected is shown below (dollars are in thousands):

	<u>2005</u>	<u>2006</u>	<u>DIFFERENCE</u>
School & County Taxes	\$252	\$277.6	\$25.6
Trust Administration	49	52.5	3.5
Sherwood Forest Loan	16	16.2	0.2
Arden Town Budget	<u>124</u>	<u>128.2</u>	<u>4.2</u>
Total	<u>\$441</u>	<u>\$474.5</u>	<u>\$33.5</u>
Change in prudent reserve	(26)	(10)	16
Estimated Revenue	<u>(31)</u>	<u>(21)</u>	<u>10</u>
TOTAL AMT. REQUIRED	\$384	\$443.5	\$59.5

Based on the rationale given in the Background section above, our plan is to continue using the 2004 land rent formula with a 15.7% increase to cover the projected increase in total land rent. Our definition of full rental value is based on the concepts presented by the 1980 Board of Assessors, which, in general, have been used by all succeeding Boards. Our specific model for next year's assessment is the one used by the 2003 Board of Assessors for land

rent due in March 2004. Land rent revenue provided from this assessment will provide adequate income for the Village to:

1. Pay New Castle County property, land, and school taxes;
2. Pay for administrative expenses incurred by the Trust;
3. Pay for the 2006 Village of Arden budget (also known as the “Community Standard of Living”) as approved by referendum; and
4. Provide a prudent reserve of approximately one-third of the total village expenses at the end of the fiscal year in March 2007, to insure the Village has the freedom to consider future community expenditures. To cushion the increase due to school taxes, this year’s Board of Assessors is using a prudent reserve of 32%.

The total land rent to be collected in the fiscal year beginning in March 2006 will be approximately \$444,000. The amount to be collected is approximately 15.7% more than the 2005 assessment. The prudent reserve, or the amount of money left in the Village’s general fund at the end of the fiscal year, will be approximately \$152,000.

7.3) DEFINITIONS

The General Rate (also called the A Rate), covering the first 6,500 square feet of a leasehold, is the area on which the primary domicile rests [or may rest if there is none]. This rate, and dollar value, is the same for all leaseholds.

The Multiple Dwelling Rate (also called the B Rate) reflects the added value of those leaseholds having the privilege under zoning regulations or allowance by the Trustees of establishing and maintaining more than one dwelling unit on a leasehold. A dwelling unit is defined as an independent living facility for one or more persons containing permanent cooking facilities (not a hot plate) and other permanent facilities for living, sleeping, eating and sanitation; existence of a kitchen is an essential ingredient of a dwelling unit.

The Lot-Size Adjustment Rate (also called the C Rate) is the rate applied to the area remaining where additional domiciles are not allowed by zoning codes or by Trustees’ action. This rate reflects the fact that large lots have less rental value per 1,000 square feet than smaller lots.

The Commercial Rate (also called the D Rate) reflects the added value of a leasehold with the privilege of accommodating commercial, as opposed to residential, use. This rate currently applies to only one lot.

Specific Location Factors make adjustments to appropriate leasehold land rent in accordance with uniformly applicable rules based on the physical situation of the leasehold.

7.4) CALCULATION OF TOTAL REVENUE REQUIRED

The total revenue required from land rent for 2006 is \$444,000. The computation, based on projected data supplied by the Budget Committee, is as follows:

1. Forecasted amount needed to pay property, land and school taxes	\$277,600
2. Forecasted amount needed for Trust administration	52,500
3. Forecasted amount needed for the Sherwood Forest Loan	16,200
4. Forecasted amount needed for the 2006 Village of Arden Budget	<u>128,200</u>
2006 Forecasted Expenditures	<u>\$475,000</u>
5. 2006/07 Prudent Reserve	
A. 2006/07 year-end target: \$152,000	
B. Less 2005/06 projection: <u>(162,000)</u>	
(10,000)	<u>(10,000)</u>
Total Revenue Required	465,000
6. Revenue from interest, grants, rights-of-way, fines, etc.	<u>21,000</u>
Total Revenue from Land Rent	<u>\$444,000</u>

7.5) RENTAL RATES FOR FISCAL YEAR 2006/07

A Rate: \$186.90 per 1,000 square feet applied to the first 6,500 square feet of each leasehold. The A Rate applies equally to all leaseholds.

B Rate: 100% of A Rate. For each dwelling unit beyond the first, the leasehold is charged the B Rate for an additional 2,000 square feet but is not charged for more than the actual area of the leasehold.

C Rate: 40% of A Rate. This rate is applied to that area of a leasehold in excess of the area charged by the A and B rates.

Base Land Rent: The sum of the charges, in dollars, from applying the A, B and C Rates to the area of a leasehold.

D Rate: A surcharge of 75% of the Base Land Rent for a leasehold with commercial privileges; no deduction for frontage on Marsh Road.

Specific Location Factors:

- | | |
|---|------|
| 1. Leaseholds adjacent to Arden or Sherwood Forests | +10% |
| 2. Leaseholds fronting on Arden or Sherwood Forests
by being across the street | + 5% |
| 3. Leaseholds adjacent to or fronting on communal green | + 5% |
| 4. Leaseholds adjacent to Harvey and/or Marsh Roads | - 5% |
| 5. Leaseholds having driveway access only to
Harvey and/or Marsh Roads | - 5% |

Notes:

- a.) *Specific Location Factor charges (in dollars) to be added to or subtracted from the sum of the Base Land Rent are obtained by multiplying the Base Land Rent for the leasehold by the appropriate factors as given above.*
- b.) *Leaseholds having less than a 25-foot opening to the forest will not be charged a woods factor. More than that frontage to the forest will be considered full access and a full factor will be charged.*
- c.) *Location factors 4 and 5 are additive if both apply.*

Examples:

Base Land Rent:	10,000 square foot lot	\$1,476.51
	20,000 square foot lot	\$2,224.11
	30,000 square foot lot	\$2,971.71
	40,000 square foot lot	\$3,719.31
	50,000 square foot lot	\$4,466.91
	80,000 square foot lot	\$6,709.71

7.6) SAMPLE LAND RENT CALCULATIONS:

The smallest residential leasehold in Arden is 7,116 square feet with a greens factor.

6,500 sq. ft. x \$186.90/M sq. ft.	\$1,214.85
616 sq. ft. x \$186.90/M sq. ft. x 40%	<u>46.05</u>
Base Land Rent	1,260.90
Greens factor \$1260.90 x 5%	<u>63.05</u>
TOTAL LAND RENT	<u>\$1,323.95</u>

The largest residential leasehold in Arden is 54,700 square feet and is adjacent to the Arden Forest.

6,500 sq. ft. x \$186.90/M. sq. ft.	\$1,214.85
48,200 sq. ft. x \$186.90/M. sq. ft. x 40%	<u>3,603.43</u>
Base Land Rent	\$4,818.15
Forest Factor: \$4,818.15 x 10%	<u>481.82</u>
TOTAL LAND RENT	<u>\$5,300.11</u>

The mean residential leasehold size in Arden is 18,815 square feet; this example includes one extra dwelling unit.

6,500 sq. ft. x \$186.90/M. sq. ft.	\$1,214.85
2,000 sq. ft x 1 x \$186.90/M sq. ft. x 100%	373.80
10,315 sq. ft. x \$186.90/M. sq. ft. x 40%	<u>771.15</u>
TOTAL LAND RENT	<u>\$2,359.80</u>

For informational purposes, a spreadsheet is available showing the effect of both the 2005 and the 2006 land rent assessments on each Arden leasehold.

7.7) CONCLUSION:

The assessment for 2005 land rent drew much-needed attention to the subject of land rent assessment and to the power wielded by the Board of Assessors. It also pointed out the necessity for further education concerning our land rent system and the need to examine whatever deficiencies the current system may have or problems it may produce. However, it has been the consistent position of this Board, from our first meeting, not to make changes to our land rent system in the absence of objective data and facts, without consulting with the community and allowing residents to be heard, and without first developing a consensus for change within the community. The members of this Board have listened to the opinions expressed by residents, and have expressed their own opinions, on different issues at Board meetings, public

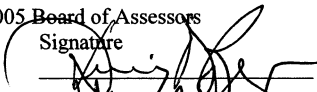
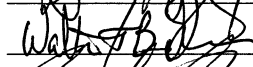


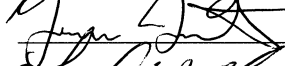
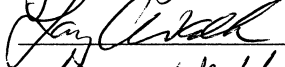
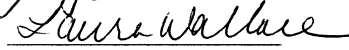
hearings and in the Arden Page. Those ideas have produced lively, but never rancorous, discussions among the members of the Board and allowed us the opportunity to examine land rent issues and practices from different points of view. We would like to thank the residents who have taken the time to attend Board meetings and public hearings this year and have shared their thoughts and ideas with us.

7.8) RECOMMENDATIONS:

There are several suggestions that this Board, respectfully, recommends that the next Board of Assessors consider:

1. That keeping the Assessors' Green Book should be made mandatory through an amendment to the Act to Reincorporate;
2. That the terms of Assessors be staggered to allow for change while maintaining continuity and a stable knowledge base;
3. That for all future Board of Assessors elections each candidate should issue a position statement to be posted publicly and on the website TheArdens.com. Such statements will serve to inform residents of the Village of Arden of the candidate's philosophy on land rent issues. Further, they will promote discussion and awareness of all issues of land rent and taxation.

7.9) VOTE ON THE FINAL REPORT

	The 2005 Board of Assessors	
	Vote	Signature
Denis O'Regan, Chair	Yes	
Walt Borders	YES	
Brooke Bovard	YES	
Jane Frantz	yes	
Tom Frantz	Yes	
Larry Walker	Yes	
Laura Wallace	Yes	

7.10) QUESTIONS

Alton Dahl noted that the revenue discussed on line 2 of section 7.2 is revenue other than land rent. Alton also noted that Rate A is assessed whether there is a domicile on the property or not. Denis obliquely suggested that the error in wording might have been in place for years, perhaps from the time when Alton had chaired the Assessors. Alton cheerfully admitted he may have been the source of the error, but it was, nonetheless, an error that needed changing.

Connee McKinney questioned amending the Act to Reincorporate to make keeping the Green Book mandatory, since this would require an act of the

Delaware General Assembly. Denis replied that this is a recommendation to future Assessors, that we want continuity and one way of doing this is to put together basic documents, though we should change Charter only grudgingly.

Cecilia Vore noted that tonight we are not approving the rate set by the Assessors, only accepting or rejecting their report.

Mike Curtis noted that the report can be rejected but not the assessment. The assessment can only be overturned by referendum, as was done last year.

Rodney Jester: We need good records kept in BWVC.

Steven Threefoot asked if anyone wished to help organize records.

Bev Barnett said she was delighted with the report. Good report! Excellent! She requested that the current Green Book go to Archives. Denis: one will go to Archives and one will go to each new Assessor.

Bill Press wondered about recommendation item 2, that the terms be staggered. What does this mean since terms are now only for one year? Denis replied that the Assessors had many discussions about how green we all were. Staggered terms of two or three years would provide continuity. This year we had no continuity; all of us were new to it. This was burdensome. Staggering terms would provide continuity and ensure that there would always be a few Assessors on the Board who had at least one year's experience.

Hugh Roberts wondered if we would need to change the Act to Reincorporate since we already have the responsibility to keep good records.

Alton Dahl noted that the Board of Assessors is not a body subject to the will of the Town Assembly, but is a body separate from the Town Assembly and the Trustees. The Assembly can make recommendations but cannot demand them.

Charles Robinson: Are county and school taxes on village going up in the coming years? Denis: Yes, school taxes. Tom Frantz: Yes, school taxes will increase over the next five years, then level off.

Mike Curtis: Last year debate was over large and small lots. How much time did board spend on difference in valuing large and small lots. Denis: We have reached a balance in community. We used the data that we had.

Sam Starr: Are there any plans to get revenue back up from the BWVC?

Someone noted that at least one of the land rent figures in the Assessors' addendum was incorrect. Denis suggested that this person come to the next meeting and we'll get to the heart of it.

8) BUDGET - NO REPORT

9) BUZZ WARE VILLAGE CENTER (BWVC)

Jane Frantz reported that she had been elected chair of the BWVC; Maria Burslem, treasurer; and that Williard Glenn came on as a member after Pam Politis, with whom he had tied in the election, bowed out. In mid-May, Beverly Fleming became the new building manager. The ACRA summer program began in June. Keith Powell is renovating the adult bathroom. We thank Rodney Jester, who donated new floor tiles. Amy Hill is our new building renovation head. We plan to work on the front entrance, windows, and roof. We plan to work with professionals, including an architect, in designing

the renovations. Weather stripping on front doors will be taken care of this summer by Denis O'Regan; on other doors, by Keith Powell. The BWVC continues to see lots of use.

Sam Starr: Are we looking for \$15,000/year tenant for the Buzz? Jane: Downside to that tenant was that we only cleared \$8,000–\$9,000 because it made such hard use of the building. We are looking for more gentle use for building. The building is available for private rentals. Denis O'Regan: streets also got hard use from the parents of the "Y" children; they zoomed up and down Sherwood Road and Orleans and The Highway.

Bev Barnett: I worked five years ago or so with Community Planning on design for landscaping. Please inform architects of those plans. Also, it would be great to have an outdoor meeting space, even the paved area in front.

The committee's report was accepted unanimously.

10) CIVIC COMMITTEE:

Steven Blades read the Committee's report prepared by Sue Rothrock.

The Forest Subcommittee of Civic has elected Sally Sharp as the Chair. The Forest Subcommittee has been active in walking through and inspecting the forest. Its members would like to ask for a moratorium on any spraying in the forest. They would also like to be informed by any leaseholders of any cutting and pulling of ivy and other invasives in the woods so they can plan what needs to be done in the future.

We have received many good comments about the removal of the yews on the Arden Green. Elizabeth Varley has helped us with a list of plants we could plant in a naturalized manner. Planting will either be done in the fall or spring. There are some holes because the soil is still settling from the grinding of the stumps.

The Village has had many trees dying due to either disease or to age and weather. When the trees are cut down, we leave the wood for anyone who wants to use it for firewood. If you see cut firewood on public land please feel free to pick it up. This saves the town on removal costs. Please check your own trees to help stop the spread of disease and fungus. Dogwoods, Sycamores, Norway Maples, Oak, Elm and Hemlocks are all being infected.

10.1) Fire Hazard Mitigation Grant Report, Discussion and Motions

Arden, Ardencroft, and Ardentown have applied for a Fire Hazard Mitigation Grant to control the spread of ivy and oilier invasives in the forests. If you are removing ivy and other invasives in the woods, please let Civic know so we may add the time spent on removal to our amount to match the grant. Ardentown and Ardencroft have approved the spraying of Rodeo or Renovate herbicides to permanently kill the ivy. These two herbicides are approved for use in aquatic locations. There is a paper with information on these two herbicides on the table. Arden can decide if they want to spray or just have the ivy pulled. Pulling is only a temporary solution and will have to be monitored and pulled again. The sprays being used in the other villages kill the plant and the root then it is inactivated and decomposed by soil microorganisms.

Steven Blades then asked for discussion.

Alton Dahl said that the Town Assembly adopted a forest policy in 1997 and it specifically outlined what might be removed or sprayed. That policy needs to be referred to before making new motions about removal or spraying.

Mary Marconi: That policy does not talk about spraying.

Alton Dahl: It mentions what might be sprayed.

MOTION MADE AND REJECTED

Lynda Kolski moved that Arden participate in the Fire Hazard Mitigation Grant by removing plants mechanically and not by spraying with herbicides.

Ron Ozer said it was not good use of money to only pull mechanically.

Elizabeth Varley said these herbicides are safe, have short half-life, and are effective.

Jennifer Borders said she had been mechanically pulling ivy and believes that herbicides are not a good alternative. But she sees the forests being consumed by ivy and other plants. Spraying is not a great solution, but is a solution that will be effective.

Jeffrey Politis, one of Forest Subcommittee members, spoke for the motion. He would rather not use chemicals in woods.

Mary Marconi, one of Forest Subcommittee members, was told years ago that RoundUp is safe but now we are told it is not. There are pockets overrun by ivy, but not the whole forest. If mechanical means are not sufficient, we can revisit the herbicide issue.

Denis O'Regan said, "our leasehold is bordered completely by ivy."

Jennifer Borders: Rodeo is approved for aquatic areas. Elaine Schmerling has talked with many people and is assured that herbicides will be targeted. Mechanical means are not enough. I'm against this motion. We need to join other two towns.

Barbara Shippy: She cut ivy around her house a year ago but doesn't see people getting rid of ivy on leaseholds; approves mechanical-only approach.

Jeff Politis: Subcommittee members found one patch of ivy found only. As a chemist, he is leery of approval of herbicide.

Bev Barnett: I have been pulling ivy in woods for ten years; mechanical means by volunteers is not sufficient. We got AmeriCorps volunteers, 20-25 worked all day for a month, cleared Water Tower and first leasehold on Hillside, experiencing heat stroke, poison ivy, and ticks. Chemicals are our only hope. I oppose indiscriminate spraying. This spraying would be done professionally through the grant. We need to eliminate this fire hazard from the forests, from the homes bordering the woods.

Mike Curtis: So we can burn the ivy to get rid of it? Flamethrowers would work!

Linda Kolski: 1) We recently celebrated centennial, 105 years never had a fire due to ivy, why a concern now? Ivy needs to be controlled. If leaseholders are concerned, they would cut back ivy on their leaseholds. There are many fire hazards; I know of no fires in NCCo due to ivy. 2) If other two Villages use herbicide and ours does not, we will be able to compare the two methods. This is of greater value than worrying about fire. 3) We should honor the unanimous recommendation of the Forest Subcommittee

Betty O'Regan: Mechanical removal only serves to prune the ivy, which comes back. Time is a factor. The longer we wait, the bigger the problem. Spray chemically, now.

Cecilia Vore: there was a stand of Bloodroot blooming in woods; now almost entirely covered by ivy. Mayapple, trout lily, etc. have suffered the same fate. Mechanical removal will be more destructive of the native flora. We have done our studies: mechanical means are not effective.

Ron Ozer: call the question. Ayes have it.

Motion is defeated.

MOTION MADE AND APPROVED:

Alton Dahl: The Village of Arden should join the Fire Mitigation Grant to use a combination of mechanical and herbicidal means to remove ivy in our forests. Elizabeth Varley seconds. In ten years we have eradicated ivy on fire lane. We had to spray ivy that came back. This is one way of approaching the problem. We ran three experiments. Two sprayings with Roundup was effective in one area. Active ingredient in Rodeo is the same. Other area all died in two spraying but two years later all vines have new buds; spraying alone.

Pete Renzetti: we need to remove the ivy once it is dead; otherwise it is dry fuel for a fire. For the motion.

Jeff Politis: Still confused about this grant. What is it proposing? Until I know, I am suspicious.

Naomi Clark: Don't know about Rodeo. What about squirrels, mice, birds, etc. if this is sprayed?

Bev Barnett: Habitat and biodiversity are the main reason I am supporting this motion. Ivy does not support the critters.

Ed Rohrbach. How much is the grant? Answer: \$10K for year for all three villages. Covers vines. Would be applied by professionals. Ed: I'm concerned with ecology of woods. Our woods are being invaded by many plants out of people's yards. Periwinkle, pachysandra, lesser celandine, norway maples. If we want to save the woods, it's more than ivy.

A vote is taken. Ayes have it.

Motion is passed.

10.2) Civic Committee Report Continued: Trees Near Broadbents' Leasehold

Civic was instructed at the last Town Meeting to make recommendations concerning the disposition of the trees located in the woods across the culvert from the Broadbent leasehold. As a review: Civic was asked to cut down two beech trees across the culvert from Broadbent's that the Broadbents considered dangerous. Because the trees are located in the forest, we asked the Delaware State Urban Forester for an opinion on the trees. We had two Urban Foresters on two separate occasions look at the trees; they determined the trees were healthy. The Broadbents had tree service companies look at the trees. The Civic Committee decided that we did not want to set a precedent of removal of healthy trees in the forests and brought it to Town Meeting for discussion. Because there is a difference of opinion from no trees being cut to five trees being cut, the Civic Committee would like to make a motion.

MOTION MADE AND REJECTED.

Move that Russell Carlson, an independent court-approved registered consulting arborist, assess the trees along the culvert. If the motion is approved: Civic would like to ask the town to fund the cost of his consultation in the same manor as consulting a lawyer. His credentials are displayed on the table. Rate : \$140 per hour plus \$70 per hour travel time. Approximate cost: \$2000 to \$3000.

Ed Rohrbach: This guy can give three answers: the trees are perfectly safe, they may do damage, or they need to come down. We don't need to spend thousands of dollars to find out. Also, this is a can of worms; many leaseholder will want trees near them taken down. I am against this motion.

Maryanne Cinaglia: Have worked with with Russell Carlson and have seen him change his opinion once it was given.

Pete Renzetti: not the usual situation, two trees have already fallen. Am in favor of having someone experienced looking at them. Can top them to make them less dangerous, check root system. Would like to hear several options.

Denis O'Regan: against motion. Like Ed, don't believe a professional will go out on a limb with a question like this. Cannot let one leaseholder push us to these extremes. We need to address the leaseholder, not hire professionals.

Connee McKinney: Oppose spending this money for the consultant. We could top the trees, eliminate the danger, for about the same money. The bar is set high on this issue. Two trees coming down is so unusual, it does not invite other leaseholders to similarly ask for our sympathy. Let's deal with the issue, not hire a consultant. Let's take the bull by the horns.

Tom Frantz: I am undecided. As chair of budget, wonder where these funds will come from whether we hire a consultant and/or deal with the trees.

Steven Threefoot: funds can come from Civic or Town Administration.

Lynda Kolski: how much? Answer: \$2-\$3K. Lynda: For that kind of money, let's go ahead and deal with the problem.

Mike Curtis: I once was an arborist and know cutting down tree is relatively inexpensive IF we don't clean it up. Cabling is not recommended but there are weather and sun-resistant ropes that stretch, unlike a cable. Topping puts all trees into irreversible decline. Better to cut trees down.

Naomi Clark: Knows reputable tree service that would not charge this kind of money. Call me before choosing a tree service.

Liz Broadbent: \$107,000 is what we spent repairing our house. Why are you so concerned about these trees instead of people? These two trees are dangerous; something should be done. Who will take care of us if our house is destroyed again. Do something to make it safe.

Question called: Ayes have it. Motion is defeated.

MOTION MADE AND APPROVED

Mike Curtis moved that the Civic Committee cut down the two beech trees to the east of the ravine near the Broadbents and let them decay naturally.

Question called. Ayes have it. Motion is approved.

The Civic Committee report is accepted unanimously.

11) COMMUNITY PLANNING:

Terry Colgan, Co-Chair, presented the following report:

At our June 13 meeting, the current Committee members welcomed former Planning Committee chairs and long-term members Bev Barnett, Lynda Kolski, Mary Marconi and Ruth Panella, and recognized them for their service to our village. We thank them for sharing their many great ideas, experience, resources and files with us.

Mike Curtis also joined us, and explained the historic precedents for, and Georgist principles behind, many of Arden's land-use practices.

We're also looking into the effect of impervious cover on the environment of our village. Within the next couple of years, New Castle County will begin assessing a Storm Water Utility Tax based on the amount of runoff that leaves a community. Impervious cover hinders the ability of water to recharge and percolate, and increases runoff.

Our first step will be to document the kinds and amounts of impervious substances that cover our village. We'll pursue a grant from DNREC to get an aerial image that shows the current kinds and amounts. Then, we will formulate a plan to suggest alternatives to reduce current amounts and limit future amounts.

The committee members are also educating themselves about New Castle County's Hometown Overlay. We believe this might provide us with alternatives that could offer Land Rent relief to leaseholders of large lots, encourage economic diversity by allowing rentals of non-conforming second domiciles, and preservation benefits. We'll be sharing what we learned at our next meeting: Monday, July 25, 7:00 p.m., at the Buzz Ware Village Center.

Report was accepted unanimously.

Memorial Garden

Ruth Bean reported that the Memorial Garden is being cleaned up by paid help and village volunteers.

12) LEGISLATIVE REFERENCE:

Hays Butler rose to say that he and Brooke Bovard tied in the last election and he will defer to her, making her the newly-elected member of the committee. There was no other report. Cecilia Vore noted that the committee still lacks two members. She recommends that, by our September meeting, the committee should have met to nominate additional members, or the committee should disband. Each committee needs two nominees for each elected position. This committee put together the *Red Book*, a very useful document, but recently, town has suffered from lack of activity from this committee.

13) PLAYGROUND:

Larry Walker made the following report:

The Playground Committee met, and organized itself. Larry Walker and Mary Vernon will be Co-chairs for the coming year. During the past three months, the required playground equipment inspections were held, and all equipment is in safe condition. It would appear that someone drove into one of the picnic tables in front of the Buzz Ware Village Center, and bent the sup-

ports. Hopefully, it can be straightened. All equipment was “adult tested” to ensure its safety. Additional playground wood chips have been ordered for the Tot Lot at the Sherwood Green to restore the shock absorbing surface material. The new soccer goal nets have arrived, and they will be installed soon.

Alton Dahl reported that his granddaughter has tested all the equipment.

June Kleban wondered who put graffiti on BWVC mural. Larry: BWVC Committee should answer. Betty O’Regan: says she will try to repair it this summer. June Kleban: we should make ACRA kids aware of this. Jennifer Borders: this happened after an unmonitored party, not an ACRA event.

Report was accepted unanimously.

14) REGISTRATION: no report

15) SAFETY:

Denis O’Regan reported that signs in Village have been touched up; others will be replaced. He has Ordinance #7 printed on his T-shirt. Fireworks, he says, should be left to professionals. [He does not say that he is a professional.] He notes that Town Watch reports are on TheArdens.com website. Notes that Safety Committee is not a police force.

Bev Barnett: I’d like to see better data collection. Our home has been damaged and our discussion has centered on cameras to monitor.

MOTION MADE AND APPROVED

Bev Barnett moved that Safety Committee investigate the purchase of appropriate video monitoring equipment and report to the Town Meeting in September. Second Ruth.

Mike Curtis: This is so un-Arden. Lynda Kolski: Smile, you’re on camera!

Denis: it is sad but in the last few years things have been getting crazy. This is not an invasion of privacy. There is no credible threat to reign in the teens.

Mary Marconi: at work we have cameras. Are we going to get street lights? That will be expensive. This is so Big Brother! This is appalling.

Elizabeth Varley: This is just a request for Safety to report to us in September.

Russ McKinney: Only people willing to press charges will make a difference.

Call for Question: Voice vote too close to call.

Vote by hands: 24 to 16, motion passed.

Betty O’Regan, Town Watch Coordinator: last month the theme was graffiti. This month it is lock your shed. 4-5 sheds broken into, power tools stolen.

The Safety Committee report was accepted unanimously.

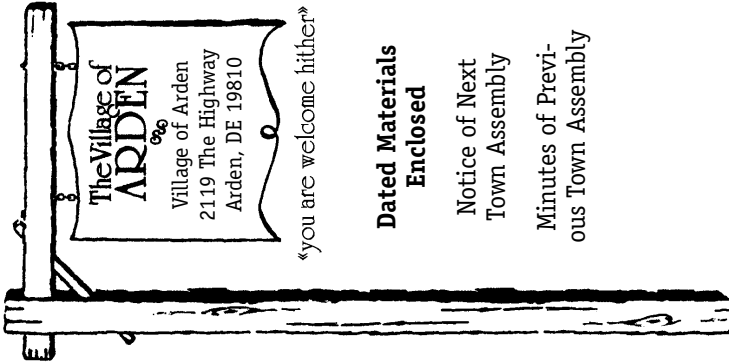
16) GOOD AND WELFARE: Ginger, the Theis’s dog, died today.

17) ADJOURNMENT: 10:25 p.m.

Faithfully submitted,

Danny Schweers, Secretary





**Dated Materials
Enclosed**

Notice of Next
Town Assembly

Minutes of Previ-
ous Town Assembly