

Minutes of the Meeting of the Town Assembly of the Village of Arden (uncorrected)  
**Monday, September 26, 2005**  
**Gild Hall – Arden, Delaware**

65 residents were in attendance, as shown below. 47 of these attended the last meeting. 27 people who attended the last meeting did not attend this meeting. In recent years, attendance at September meetings was 176 in 2004, 65 in 2003, 61 in 2002, 43 in 2001, 46 in 2000, 65 in 1999, 87 in 1998, 56 in 1997, 46 in 1996, and 54 in 1995.

Low Aumack	Aaron Hamburger	Nanette B. Robinson
Beverly Barnett	Sally Hamburger	Shelley Robyn
Ruth Bean	Barbara Henry	Edward Rohrbach
Samuel “Lou” Bean	Heidi Hoegger	Warren Rosenkranz
Stephen Blades	Randall Hoopes	Sue Rothrock
Walter Borders	Milton Isaacs	Ann Schmittinger
Brooke Bovard	Harold Kalmus	Johanne Schroeder
Dale Brumbaugh	Allan Kleban	Danny Schweers
Alan Burslem	June Kleban	Jeffrey Steen
Maria Burslem	Lynda Kolski	Steve Tanzer
Terry Ann Colgan	Susan C. Madison	Van Taylor
Mike Curtis	Mary Marconi	Bill Theis
Alton Dahl	Connee Wright McKinney	Steven Threefoot
Roy Dean	Russ McKinney	Elizabeth Varley
Cynthia Dewick	Irene O’Conner	Mary Vernon
Dorinda Dove	Betty O’Regan	Cecilia Vore
Carl Falco	Denis O’Regan	Larry Walker
Phil Fisher	Ron Ozer	Laura Wallace
Jane Frantz	Ruth Panella	Tom Wheeler
Tom Frantz	William Press	
David Gerbec	Josiane Rey	<i>Also in attendance but not</i>
Rachel Grier-Reynolds	Hugh Roberts	<i>voting were Bob Pollock</i>
Charlie Hahn	Charles E. Robinson	<i>and Sam Starr.</i>

### 1.0 MEETING CALLED TO ORDER

Steven Threefoot, Chair of the Town Assembly, called the meeting to order at 7:38 p.m.

### 2.0 MINUTES CORRECTED AND APPROVED

June Kleban noted the misspelling of Ringer on page 3. Someone else noted the misspelling of Theis on page 19. With those corrections, the minutes of the June Town Meeting were approved unanimously.

### 3.0 FROM THE CHAIR

Steven Threefoot recognized Susan Madison, who has been a Arden resident since November 1, 2004.

Steven recognized our newly-elected Trustee, Mike Curtis, who thanked the Registration Committee for the strong turnout at his election. Mike, a member of the Georgist Guild, former director of the Henry George School of Social Science in Philadelphia, former director of the Henry George Institute in New York City, said he knows the position of Trustee does more than simply preserve the Single Tax. He said, "I will do my very best to adhere to the wishes of this community."

Steven recognized the recently departed: Irene Sykulski, Yvonne King (long-time Hawaiian influence on Arden), Lesley Holden, Hurta Ware, John De Vederano, Amy Liberman Healy (Cy and Pat's daughter), and Margaret Kazan—all of whom died since our last meeting.

On a personal note, Steven commented that his family in New Orleans has been through a harrowing last month or so, with another six months to a year not knowing what to expect. Thanks from all who expressed concern. His family's house is in fairly good shape, but their community is not.

### 3.1 COMMUNICATIONS FROM THE CHAIR

Lots of letters to the editor to the *News Journal* recently about driving down Harvey Road, a contrast to how we see the traffic and our place in the community.

Negotiations with Comcast continue. Steven has the lead on the contract for the three Ardens. Ted Rosenthal, our lawyer, has reviewed the contract, pointing out strengths and weaknesses. We expect this to be concluded by January meeting. Also, Verizon has now come to us wanting a franchise.

FEMA flood insurance program, up for renewal, covers the Broadbent and Renzetti leaseholds. Steven holds up several pounds of paper sent to him from FEMA. Brooke Bovard noted that Arden voted not to participate in flood insurance program. Steven will go back and look at the minutes.

Van Temple has told Steven that efforts by Ardencroft to acquire leasehold 91 on Evergreen Lane have been revived. This may come up later in this meeting.

*Enhancing Delaware Highways* is a book from DelDOT now in the Library.

Last Thursday, Chris Coons hosted a breakfast for all municipal leaders in New Castle County (NCCo). Primary discussion point was how to deal with mass evacuations—from New Jersey across Delaware, from Wilmington to elsewhere, and from southern Delaware to northern Delaware. Discussion also touched on the sewer system in southern part of the county and how that is being handled. Beverly Barnett commented that, 10-15 years ago, the Community Planning Committee

discussed evacuation of villages. Steven noted that we have no formal forum to discuss this issue but perhaps should.

#### 4.0 KATRINA RELIEF FUNDRAISING EFFORTS APPROVED

Steven read a letter from Connee McKinney concerning Hurricane Katrina relief and possible efforts within the Ardens to raise funds.

It has become clear that rebuilding New Orleans and the Gulf area after the Category 4 Hurricane Katrina hit on Aug. 29 will take months, perhaps years, and will demand a long-term commitment of time, energy, and financial support. An estimated 1,000 people were killed, coastal towns were destroyed, and most of the city of New Orleans submerged—displacing most of its half-million residents. We will long remember those news images of sadness and despair.

As residents of a community with a long history and an on-going vital sense of place, we know what such a loss would mean to us. While many of us have contributed individually to the many organizations committed to helping in the aftermath of this hurricane, we, as a community, have not. As a community, let's do our part to soften the impact of this mighty storm on New Orleans and the Gulf area.

On Sunday, October 9 from 10:30–12:30 at the BWVC, interested residents of the three Ardens are welcome to a meeting to organize a community-wide fundraiser for Katrina relief. As part of our discussions, we will research and select a non-profit organization for our donation in name of the Ardens. To allow contributors the benefit of a tax-deduction, we would like to have their contributions made out to the "Village of Arden, Katrina Relief and Rebuilding Fund." We will need the September Town Meeting approval for that and offer a motion for that approval.

I sincerely hope that the Arden Town Meeting will approve this motion and generously support the Katrina Relief and Rebuilding Fund's efforts.

Thank you for your time and attention to this.

Order of meeting was suspended so motion could be introduced by Connee.

#### MOTION APPROVED TO ALLOW FUNDRAISING

To encourage tax-deductible, charitable giving to the Katrina Relief and Rebuilding Fund Committee, I move that the town allow contributions to this Fund be made to the Village of Arden. The Katrina Relief and Rebuilding Fund Committee will provide a report of its fundraising efforts to the January Arden Town Meeting and the Town Assembly will make the final decision based on our committee's recommendation and comments at the meeting.

The motion was seconded by Brooke Bovard and passed unanimously.

#### 4.1 VILLAGE DONATION TO HURRICANE RELIEF REJECTED

Ruth Bean made the following motion, which Connee McKinney seconded: Move that the Village of Arden 2006–2007 Budget include a line item for \$2,000

as matching funds for the Katrina Relief and Rebuilding Fund.

Charles Robinson: will vote against this measure. A year ago, we received \$1,000 from Homeland Security; can we send this in?

Ed Rohrbach: all can voluntarily contribute, but this motion forces every resident to donate involuntarily.

Elizabeth Varley: this is a worthy cause, and agree that our community should do something, but do not support this motion. The earthquake victims in Pakistan need support. We need to support all disasters, or none.

Lew Aumack: this motion makes sense as a community commitment.

Rachel Grier-Reynolds: I would be proud if our community would support another community.

Charles Robinson proposes an amendment: Rather than matching funds, he proposes instead an outright \$1,000 donation from the Village of Arden and that money come from the Homeland Security monies given to us last year. Ruth Bean does not accept amendment.

Motion was defeated in a voice vote.

#### 4.2 PARADE OF CARNIVOROUS BUTTERFLIES

Cecilia Vore rose to inform those gathered of an event to celebrate the successful addition of five acres to Sherwood Forest: a parade of carnivorous butterflies starting at 2:00 p.m. on Sunday, October 2, at the Water Tower. The parade will end at the Buzz Ware Village Center (BWVC) at 2:45 p.m. to honor Marianne Cinaglia as outgoing Trustee and Mike Curtis as incoming Trustee. Please bring refreshments.

#### 5. TRUSTEE REPORT

Aaron Hamburger made the following report.

At this Town Assembly, we officially welcome our new Trustee, Mike Curtis. As you've heard from the Registration Committee, Mike was elected Trustee on September 14, replacing Marianne Cinaglia, who retired effective with Mike's election. We will be honoring Marianne at a celebration and reception on Sunday, October 2, 2-4 p.m. at the BWVC. This event will also include the dedication of the Sherwood Forest addition/Avery land purchased by Arden. Everyone in the Ardens is invited to the celebration.

With Mike on board, we've reorganized the Trustees' responsibilities and workload. All three Trustees are equally responsible for everything we do, but for efficiency we split our duties so there's a lead person for each area. Effective immediately, our responsibilities are divided as follows.

Connee McKinney: County & School Taxes Relations with NCCo  
Property/leasehold Sales and transfers

Mike Curtis: Land rent lists and issues  
Leasehold development requiring building permits

Aaron Hamburger: Financial management

In line with this reorganization, we've assigned an extra duty to our Administrative Assistant, namely Leasehold Transfer Coordination. As a result, we will

moderately increase the salary for this position to cover the extra working hours.

Arden will be paying later this week our taxes for the 2005–2006 fiscal year. These are NCCo taxes of \$55,006 and Brandywine School District taxes of \$222,705. Total taxes are \$277,711 and includes \$22,306 in rebates due senior citizens of Arden.

Since the June Town Assembly, there have been two property sales and leasehold transfers in the Village of Arden.

County Council approved the ordinance requested by the Ardens which extends legal protection to certified nonconforming properties, i.e. extra domiciles. Should the property be destroyed, the leaseholder can rebuild the nonconforming living units. Under old law, they could not.

The Trustees have expanded the criteria for allowing tree removals. We will allow trees to be removed for “landscaping purposes” such as to create a sunny area, to change the aesthetic look of the leasehold, or because the tree is overgrown, interfering with other trees, plants or structures on the leasehold. However, under this provision leaseholders will be required to replace the removed tree by planting an equivalent tree somewhere else on the leasehold by the end of the next growing season.

6. SAFETY

Denis O’Regan made the following report:

There was a lot of unpleasant activity in the Ardens over the summer. Fortunately, things seem to be calming down. In early Sept, two vagrants were arrested, one in the woods by the Montessori School and one under the Harvey Road bridge by the railroad tracks. The most recent vandalism, occurring to a series of mailboxes on Cherry Lane, was witnessed by a dog-walker who recorded and reported a license tag number to the police. Loitering teens are being identified

**Trustees’ Report: Receipts and Bank Balances as of Sept. 26, 2005**

Checking/Savings	
ARDEN BUILDING & LOAN - TRUSTEE . . . . .	\$136,913.08
TRUSTEES - WILMINGTON TRUST . . . . .	289,141.56
VANGUARD	
FUND 30 . . . . .	18,167.25
FUND 33 . . . . .	25,006.29
MSA - FUND 50 . . . . .	<u>45,141.67</u>
Total VANGUARD . . . . .	<u>88,315.21</u>
Total Checking/Savings . . . . .	514,369.85
Accounts Receivable	
LAND RENT RECEIVABLE . . . . .	9,348.95
MEADOW LANE RECEIVABLE . . . . .	<u>683.92</u>
Total Accounts Receivable . . . . .	<u>10,032.87</u>
<b>Total Current Assets . . . . .</b>	<b>524,402.72</b>

## Trustee Quarterly Report, April 1 through Sept. 26, 2005

ORDINARY INCOME/EXPENSE	ACTUAL	BUDGETED
<b>Income</b>		
GRANTS . . . . .	950.00	
Interest—Trustees Checking Acct. . . . .	51.63	
INVESTMENT INCOME . . . . .	5,379.99	
LAND RENT . . . . .	376,019.90	384,000.00
LAND RENT FINANCE CHARGE . . . . .	386.18	
MEMORIAL GARDEN DONATIONS . . . . .	2,903.00	2,000.00
RIGHTS-OF-WAY . . . . .	0.00	<u>15,000.00</u>
Uncategorized Income . . . . .	<u>306.00</u>	
<b>Total Income . . . . .</b>	<b>385,996.70</b>	<b>401,000.00</b>
<b>Expense</b>		
ADVISORY COMMITTEE . . . . .	0.00	300.00
ARCHIVES . . . . .	0.00	1,000.00
BOARD OF ASSESSORS . . . . .	187.38	50.00
BUZZ WARE VILLAGE CENTER COMMITTEE . . . . .	647.28	15,000.00
CIVIC . . . . .	34,300.24	81,000.00
COMMUNITY PLANNING . . . . .	0.00	1,000.00
CONTINGENCIES . . . . .	0.00	2,000.00
CONTRIBUTIONS . . . . .	4,700.00	4,700.00
GILD HALL RENTAL . . . . .	1,200.00	1,200.00
LEGISLATIVE REFERENCE . . . . .	0.00	100.00
LOAN PAYABLE (see note below) . . . . .	8,089.92	16,179.84
PLAYGROUND . . . . .	360.00	1,750.00
REGISTRATION . . . . .	616.00	1,200.00
SAFETY . . . . .	1,283.29	5,400.00
TAXES . . . . .	207.07	261,400.00
TOWN ADMINISTRATIVE EXP. . . . .	1,704.64	3,500.00
TOWN BOOKEEPING SERVICE Gross Wages . . . . .	1,301.00	2,616.00
TOWN SECRETARY . . . . .	3,212.00	6,456.00
TRUSTEE ADMINISTRATIVE . . . . .	29,301.99	<u>52,508.00</u>
MEMORIAL GARDEN (Not Subject to Referendum) . . . . .	<u>1,100.69</u>	
<b>Total Expense . . . . .</b>	<b>88,211.50</b>	<b>457,359.84</b>
<b>Net Ordinary Income . . . . .</b>	<b><u>297,785.20</u></b>	<b><u>-56,359.84</u></b>
<b>Net Income . . . . .</b>	<b>297,785.20</b>	<b>-56,359.84</b>

and sometimes disbanded. Missing property (bikes, a computer, mailboxes) are being found and returned to their owners. The police are being notified when trouble occurs. Please be aware that the police will only take a report from the victim and/or witness, not the Town Watch Coordinator, who only keeps the records. To volunteer for a watch, please call Betty O'Regan at 529-1269.

Late-night and early-morning patrols continue, although it is becoming difficult again to recruit volunteers for even the ordinary times. Consider walking all or part of a patrol while the weather is still nice. DEDUCT YOUR TOWN WATCH PATROL MILEAGE FROM YOUR TAXES. Measure your next route yourself or use the figure of one of our volunteer's—16 miles.

In accordance with the June motion by Bev Barnett, and, passed by the Village Assembly, I've obtained some guidance on ball-park costs of video surveillance. It appears that a reasonable estimate for an outside contractor to install a two-camera system in the BWVC is in the range of \$10K to \$12K. In general, the system includes digital video storage and Internet accessibility. The cable service to the building is a separate cost, and, is optional. The cameras in these systems record in color, during daylight, and black and white at night, with infrared.

Costs of remote location installation, such as in the woodlands, or, any street in Arden, require battery and network support, such as WiFi connection. This approach would take some discussion, since the most affordable installation would be through a nearby home with Internet capability. The battery would require service. Do-it-yourself equipment can be purchased at a small fraction of the cost of a contractor. I've learned that the equipment can range from \$300 to \$2,000, if bought on-line, \$10,000–\$12,000 for two cameras at BWVC; more for the woods, these with feeds to a computer and hard drive.

This report was accepted unanimously.

## 7. REGISTRATION

Cecilia Vore made the following report:

The Registration Committee conducted the referendum to confirm Michael Curtis as Arden Trustee on Sept. 14, in accordance with the Deed of Trust and the Act to Reincorporate. Ballots were mailed on Aug. 10, and counted on Sept. 14.

There were 345 eligible voters at the time of the referendum. The number of votes needed to approve was 173 [a majority of those eligible to vote, not a majority of those voting]. Michael Curtis was approved as the new Arden trustee.

Voting results were:

Approve.....	213
Disapprove.....	46
Blank.....	1

Participation was 75%, with 260 valid ballots returned.

The annual Budget referendum and Assessors election will be conducted in November, with ballots mailed around Oct 14, and counted around Nov. 2. Actual dates will be noted on the ballots and ballot instructions.

The Registration Committee is in need of volunteers to deliver Welcome Packets to newcomers. Volunteers deliver the Arden book, Arden Club materials and information about Arden government. This is not just a drop-off. You

must be willing to spend around 10 to 15 minutes explaining our Town Meeting, committees, and elections. Please see Cecilia if you can help.

This report was accepted unanimously.

8. PLAYGROUND

Larry Walker made the following report:

During the past three months, the required playground equipment inspections were made, and all equipment is in safe condition. Forty cubic yards of playground wood chips were placed under equipment to replenish the “shock attenuating surface” to cushion any falls of children using the swings, slides, and climbers. Additional playground chips will be installed under the equipment on the Village Green during the fall. One of the picnic benches in front of the BWVC was badly bent, but it has been straightened.

The two soccer goals need to be brought from the fenced-in “Tot Lot” behind the BWVC, and put back on the green. New soccer nets will be installed, and other repairs made. New slashproof swing seats will be installed to replace the oldest or most worn swing seats.

After the report was made, Terry Colgan asked if people throwing swings round and round the top of the swing sets weaken the links. Larry replied that he doubts it does any harm but the committee does adult test each swing. Terry asked about the Ardentown swings, are they tested? Larry does not know.

The committee’s report was accepted unanimously.

9. LEGISLATIVE REFERENCE: No report.

10. COMMUNITY PLANNING:

Terry Colgan made the following report:

The Community Planning Committee meets monthly at the BWVC. At our last meeting, Trustee Connee McKinney joined us to discuss her understanding of the Hometown Overlay and other issues which interest both our Committee and the Arden Dreamers group. We’ll be following up with the contact people in New Castle County government whose names Connee gave us with the intention of sponsoring a public information night for Arden residents.

The Committee is also discussing strategies to encourage or provide incentives to residents to choose “greener” alternatives to impervious cover when repairing or enhancing their homes and leaseholds.

The next meeting of the Planning Committee will be this Thursday, September 29, at the BWVC at 7:30 p.m.

The committee’s report was accepted unanimously.

11. CIVIC AND FOREST

Sue Rothrock made the following report:

We have contacted our regular tree removal service and they will be available in the next several weeks to take down the trees at Broadbents. We are still waiting to receive paperwork about the grant for trimming or removal of the two poplars in that same area. Our tree service would like to work on all four trees at the same time as to minimize damage to the woods. Even if we fell the trees, we

will have to remove the small brush because the limbs with leaves on them become a fire hazard.

The fire hazard mitigation grant work has started in the Arden Woods; the area behind the Burslem's on Cherry Lane was sprayed. I asked the people who do the spraying not to spray within four feet of the path because it is a heavily traveled path. The Weed 'n' Walk volunteers will be pulling the ivy and other invasives along the path on Wednesdays in November—everyone is welcome and, if you would like to join, contact Elaine Schmerling or Jennifer Borders for more information. We also sprayed a large patch of kudzu along St. Martin's Lane. This is a very invasive weed that destroys whole forests by smothering everything in its path. I will ask Danny to put some links on the Arden website with more information on invasive and destructive vines in our forests.

Road work will be starting soon. I have not heard from Wayne Smith's office so I assume we did not receive the bond bill grant for roads again.

The Civic Committee will be sending out a copy of the leaf removal policy to all leaseholders in the next two weeks. The reason we send this policy out is to remind Arden citizens that by removing their leaves from the right of ways we can help the town to reduce the cost of removing leaves that clog our storm drains and cause more water runoff problems.

Marianne Cinaglia has had contact with the person at the Delaware Nature Society that gives stream watch workshops. There will be a workshop at the Ashland Nature Center, October 22, 1:00–4:00 p.m. There will also be a special workshop in Arden on October 23, 2:00–4:00 p.m. We encourage anyone who is interested in doing a stream watch to come to one of these workshops. Families are welcome but children must be under parental supervision. If you are interested please e-mail the Civic Committee or leave a message on my answering machine and someone will get back to you with more details. We use the information gathered at stream watch for our annual storm water report to New Castle County.

After the report, Lynda Kolski asked if the sprayers mark where they spray in the woods. Sue said, yes, they put up a sign and there is leaf dye in the spray, so what has been sprayed is visible. The spray dries in one to four hours, longer if there is no wind and it is humid. In this case, they started spraying at 7:00 a.m. Lynda asked if it was possible to put something in the *Arden Page* alerting people about what the dye means. Sue said that the sign tells what it is and noted that they stay four feet away from the path.

The committee's report was accepted unanimously.

## 12. BUZZ WARE VILLAGE CENTER

Jane Frantz gave the following report:

Since our last report, ACRA has completed another successful summer program at the Buzz Ware. At the end of the program, Willard Glenn arranged a major purge of old ACRA-related materials from the ACRA closet, and Steven Mullins installed new storage shelves in the shed. As a result, we now have plenty of storage room in both. Thanks to Willard and Steve for their hard work. The rest of the committee caught that purging spirit, and we got rid of a lot of old, worn-out furniture. [The old furniture was set outside and most was harvested by residents. We heard that Christian Toman and friends rolled one old sofa down

Harvey Road to his home in Ardencroft at 1:30 a.m. one morning.] Betty O'Regan arranged for the donation of some nice, newer furniture as replacements. We would like to say thank you to Betty for thinking of the Buzz. We are still looking for more replacement furniture, so if anyone has something to donate, please call Bev Fleming, our building manager, at the Buzz Ware number, 475-2818.

Unfortunately, our building renovation project got off track this summer due to some unforeseen family issues requiring the attention of our subcommittee chair. At our Committee meeting in August, Willard Glenn agreed to take on the role of co-chair, and he and Amy Hill, the other project co-chair, are now getting the project back on its feet. We will report news on our progress in the *Arden Page*, on the soon-to-be-started Buzz Ware website, and at the January town meeting.

On the rental front, we have several prospects for new rentals that are currently being pursued, including art shows, a jazz workshop, concerts, and other events. We will, of course, keep you posted as things progress. Jeanne Orr is currently working on the design of a promotional brochure for The Buzz which we will make available at Buzz Ware events and send out to people who request information about rentals.

The building locks were changed at the end of July. The Committee would like to thank Larry Walker for handling the lock change and getting new keys for the building. If anyone still has an old building key, please contact Bev Fleming and arrange to return it.

Over the next couple of months. The Buzz will be getting some sprucing up. Room 3, our art gallery room, will be repainted and get new storage cabinets, and the extra bathroom will finally be completed.

Lastly, the Buzz Ware now has voice mail capability. So, if you want to schedule a meeting or set up a rental, just call the Buzz Ware phone number — 475-2818 — and leave a message. Our building manager, Bev Fleming, checks the voice mail daily and will follow up.

After this report, Aaron Hamburger reminded the BWVC Committee that, at this meeting, it was to present its budget, including a statement of income and expenses. Jane was not aware of that, said they had already submitted their budget for the year, just like all the other committees. Steven Threefoot explained that, unlike the other committees, the BWVC has a budget much greater than what is included in the town budget. It has income and expenses that don't show in the town budget, and so a full report is necessary, usually given in September.

#### 12.1 MOTION APPROVED TO POSTPONE BWVC BUDGET REPORT:

Larry Walker moved and Ruth Bean seconded, that the BWVC report be postponed until the next meeting. Motion passed unanimously.

#### 12.2 FURTHER BWVC DISCUSSION

Cecilia Vore said she would like to see less furniture at the BWVC, to allow for more flexibility. Don't see need for another living room in town. Jane: let Bev Fleming know ahead of time of your event and we will move furniture out of the way and set up tables and chairs if needed.

Mary Marconi asked Jane to please explain new line item in budget to pay the building manager. Jane: In August we discussed a minimal level of compensation

and have requested \$2,000 for the year. As a committee, we felt \$2,000 was a minimum, given the level of work being done. We are drafting a job description and will make it available soon. Bev Fleming would be difficult to replace without compensation. We need someone to run the building; we have passed beyond the point where we can rely on volunteer support only. After getting feedback from the Advisory Committee, we had a second discussion and concluded, once again, that this is something we need to do. [A letter from the BWVC Committee to the Town Assembly is found below. Later on in these minutes, you will see that this request for \$2,000 was rejected by the Town Assembly.]

The committee's report was accepted unanimously.

### 12.3 LETTER REGARDING BWVC BUILDING MANAGER STIPEND

*The following letter was passed out at the meeting.*

Over the last decade, many wonderful things have happened at the Buzz Ware Village Center that have transformed it into a genuine Community Center offering rental opportunities, providing a venue for a variety of events, and serving as a community meeting place. In the coming years, we will continue developing the potential of "The Buzz" to be of greater use to the community and to become more profitable as well. For example, we hope to someday provide space for a Tri-Ardens Governmental Center which will house offices for all three Ardens. To accomplish this important mission, the Buzz Ware Village Center Committee recognizes the need to have a building manager for the Buzz Ware Village Center. We need someone who can be an emissary for the Buzz Ware Village Center and its primary contact, who can fully manage the building and its facilities, who can oversee implementation of the Village Center's many projects, and who can handle a variety of rentals.

At earlier stages in the Center's development, it was possible for volunteers to do much of the work. Over the years we have been blessed to have some amazing volunteers like Tom Wheeler, Marguerite Archer and Betty O'Regan, who worked countless hours to make The Buzz a success. But inevitably, and understandably, even these dedicated friends eventually had to step aside to devote themselves, and their limited free time, to family obligations and interests outside The Buzz. The Committee realized that the Village Center could not continue developing into an ever more vibrant community center through the efforts of a volunteer labor force alone. It became apparent that running and maintaining the building was a job in itself, one that required a building manager. The Committee soon realized that, given the level of responsibility and number of hours the job entails, this should be a paid position.

At its August meeting, the BWVC Committee voted unanimously to amend its annual budget to include a stipend for the Building Manager. In response to feedback from the Advisory Committee, the BWVC Committee held a special meeting to re-examine its request. As Ardenites, we know we must allocate our funds carefully, and, as members of the BWVC Committee, we understand our responsibility to spend Buzz Ware funds wisely. After considering all the arguments, the Committee again concluded that the Building Manager position merits the \$2,000 stipend we have requested in our budget and feels this is a minimal level of compensation for the effort and commitment required to do the job. In addition,

the Committee believes it would be nearly impossible to find a replacement for our current Building Manager, should that become necessary, without offering some level of compensation. Therefore, we are requesting a stipend of \$2,000 for the position of Building Manager for the Buzz Ware Village Center, and hope that the Community will support this request.

Respectfully,

THE BUZZ WARE VILLAGE CENTER COMMITTEE

Maria Burslem, Treasurer

Jane Frantz, Chair

Willard Glenn

Amy Hill

Allan Kleban

### 13. BUDGET COMMITTEE

Tom Frantz presented the Projected Budget for Fiscal Year 2006-2007, along with associated notes. [These can be found on the following two pages.]

Charles Robinson asked about the increase in the Board of Assessors from \$50 to \$2550, if those funds have to be used. He also wondered if the audit is bid out every year. Tom replied that if any committee does not spend their budget, it goes back into the general fund, to augment the prudent reserve or to make up for other committee going over budget. Assessors want the increase for professional, legal or other contractual services. Previous budget of \$50 is not adequate to do anything. Aaron Hamburger commented that we do not bid the audit every year. In general, you keep the same auditor year after year, so that we use a firm familiar with your books. Change should only happen every eight years or so; that's when bids would go out.

#### 13.1 MOTION REJECTED TO AMEND ASSESSORS' BUDGET

Aaron Hamburger moved to change the wording of Board of Assessors note number 12 to eliminate the word "legal" and add the sentence, "Funds cannot be used for legal advice or services." He doesn't believe we should have two lawyers representing town. Ruth Panella second.

Alton Dahl: this is disingenuous; legal opinions are at the center of this item.

Denis O'Regan: Vote against this motion. We need legal counsel separate from the Trustees and the Town Assembly.

Walter Borders: It doesn't make sense that a single law firm can represent two different entities, the Trustees and the Board of Assessors.

Mary Marconi: support motion. Don't see why we need to get into an adversarial situation.

Russ McKinney, support motion. We've only had one lawsuit, in 1935. We've had good service from our present law firm, don't want money to go for a legal fishing expedition.

Cecilia Vore: "Legal" is the meat of this line item. Vote against this motion but don't see need for second lawyer, and would move to get rid of the item entirely. [Later, she does.] If we need legal counsel, let's use our lawyer.

Tom Frantz: "Legal" isn't at the heart of this line item. The present assessors simply want future boards to have an adequate budget to do research.

## Projected Budget (Fiscal Year March 25, 2006–2007)

INCOME:	NOTES	(2006-2007) PROJECTED	(2005-2006) PROJECTED	(2004-2005) ACTUAL	(2003-2004) ACTUAL
Land Rent	1	444,000	384,000	376,000	378,263
Delaware Municipal Street Aid	2	18,000	20,000	23,180	23,586
Interest and Other Income	3	25,000	40,000	26,156	67,155
<b>SUB-TOTAL: INCOME</b>		<b>\$487,000</b>	<b>\$444,000</b>	<b>\$425,986</b>	<b>\$469,004</b>
Reserve	4	157,000	162,083	197,802	170,640
<b>TOTAL FUNDS AVAILABLE</b>		<b>\$644,000</b>	<b>\$606,083</b>	<b>623,788</b>	<b>\$639,644</b>

### NON-BUDGET EXPENSES

Property Taxes:					
County	5a	55,900	57,900	57,630	57,059
School	5b	222,705	203,500	199,305	185,048
Trustees Administration	6	55,026	52,508	58,802	64,974
Long Term Debt (Sherwood Forest Loan)	7	16,180	16,180	—	—
Grants - State of Delaware					
State Grant					
State Grant for Roads to Civic Committee	8	0	12,000	12,000	11,612
Delaware Municipal Street Aid - Roads	9	18,000	20,000	20,000	25,467
<b>SUB-TOTAL NON-BUDGET EXPENSES</b>		<b>\$366,917</b>	<b>\$362,088</b>	<b>\$347,737</b>	<b>\$344,160</b>

BUDGET EXPENSES		PROPOSED BUDGET for Referendum	APPROPRIATED (2005-2006)	ACTUAL	ACTUAL
Advisory	10	300	300	16	125
Archives	11	1,000	1,000	1,482	3,514
Board of Assessors	12	[2,600]	50	50	—
Buzz Ware VC, Program/Admin	13a	1,000	1,000	1,005	1,000
Buzz Ware VC, Building Manager	13b	[2,000]	[removed; see page 16]		
Buzz Ware Village Center, Maintenance	13c	2,000	2,000	2,000	—
Buzz Ware Village—Renovations	13d	6,000	6,000	6,000	6,000
Buzz Ware Village—Roof Renovations	13e	6,000	6,000	6,000	—
Civic Committee:				425	11,612
Roads, Commons & Forests	14a	40,500	38,000	33,619	32,228
Trash and Special Pick-up	14b	42,500	43,000	40,201	34,653
Community Planning:	15	1,000	1,000	33	184
Legislative Reference	16	100	100	—	—
Playground	17	1,800	1,750	1,770	1,847
Registration	18	700	1,200	349	1,069
Safety—General	19a	1,000	1,000	—	380
Town Watch Coordinator Fees	19b	2,400	2,400	2,451	2,268
Harvey Rd. Speed Enforcement	19c	2,000	2,000	—	—
Town Expenses					
Salaries:					
Secretary	20a	7,230	7,021	6,264	6,108
Bookkeeping—Town	20b	2,936	2,845	2,532	2,472
Town Administrative Expenses	20c	3,250	3,500	4,000	220
Donations:					
ACRA	20d	1,500	1,450	1,450	1,350
Arden Page	20e	1,500	1,450	1,450	1,350
Arden Library	20f	600	550	550	550
Fire Companies	20g	1,250	1,250	1,000	950
[Ardentown Parkland]		[5,000]	[added at meeting, see page 17]		
Gild Hall Rental	20h	1,250	1,200	900	1,020
Contingencies	21	2,000	2,000	—	238
<b>SUB-TOTAL BUDGET EXPENSES</b>		<b>[22] [\$134,416]</b>	<b>\$128,066</b>	<b>\$113,547</b>	<b>\$111,175</b>
<b>TOTAL EXPENSES</b>		<b>[22] [\$501,333]</b>	<b>\$490,154</b>	<b>\$461,284</b>	<b>\$455,335</b>

See accompanying notes to Proposed Budget FY 2006–2007: Referendum in October 2005.

## Notes to FY 2006–2007 Projected Budget

### INCOME:

1. **Land Rent** – Based on Assessor's report from June 2005 town meeting.
2. **Delaware Municipal Street Aid** – Annual street aid – reduced due to Delaware State budget constraints.
3. **Interest and other Income** – Income from the following sources:
  - a. Rights-of-way
    - i. Road – \$5300
    - ii. Cable – \$5500
    - iii. Antenna – \$4900
  - b. Investment income – \$8000
  - c. Miscellaneous " \$1300
4. **Reserve** – Estimated reserve at the end of FY 2005

### NON-DECRETIONARY EXPENSES:

5. **Property Taxes** – Increase of \$18,884
  - a. **County Taxes** – Represents a 1% yearly increase over 2005
  - b. **School Taxes** – Significant increase due to passage of school capital budget.

NOTE: The New Castle County property and school taxes are grossed up to include rebates paid to Qualifying leaseholders. The total expected 2006 rebates will be \$22,306 consisting of \$18,979 for school and \$3,327 for property taxes.
6. **Trustees Administration** – Increase of \$2,518
  - a. **Audit** – \$5,500 (increase of \$500)
  - b. **Insurance** – \$10,000 (decrease of \$500)
  - c. **Legal** – \$15,000 (no change – high due to Buckingham Green lawsuit).
  - d. **Operations, fees, miscellaneous** – \$9,000 (increase of \$1000)
  - e. **Office rent** – \$2,316 (increase of \$96)
  - f. **Payroll taxes** – \$2,050 (increase of \$150)
  - g. **Salaries** – \$11,160 (increase of \$1,272)
7. **Sherwood Forest Loan** – Purchase of Sherwood Forest property.
8. **State Grants to Civic Committee** – Eliminated from Budget.
9. **Delaware Municipal Street Aid** – Annual Street Aid – pass through expense.

### DISCRETIONARY BUDGET EXPENSES:

10. **Advisory** – no change.
11. **Archives** – no change.
12. **Board of Assessors** – Requested additional funds for next year's Assessors for Professional, Legal or other contractual services. [At meeting, this line was reduced to \$50. See page 17.]

13. **Buzz Ware Village Center:**
  - a. **Program/Administration** – Annual administration costs.
  - b. **Building Manager** – Paid stipend for building management and scheduling. [Removed at meeting.]
  - c. **Maintenance** – Annual maintenance .
  - d. **Renovations** – Miscellaneous renovations to building.
  - e. **Roof Renovations** – Third year of accruing \$6000/year for new roof.
14. **Civic**
  - a. **Roads/Commons/Forest** – Combined into a single line item – funds can be shifted between the different accounts to accommodate unexpected expenses. Estimated funds are \$18,000 for roads; \$19,000 for commons; and \$3,500 for forests.
  - b. **Trash Collection/Special Trash Pickup** – Combined into a single line item – funds can be shifted between the different accounts to accommodate unexpected expenses. Estimated funds are \$42,000 for Trash; \$500 for Special Pickup.
15. **Community Planning** – no change in budget.
16. **Legislative Reference** – no change in budget.
17. **Playground** – Increase of \$50 from last year.
18. **Registration** – Decrease of \$500 from last year.
19. **Safety:**
  - a. **General**
  - b. **Town Watch Coordinator**
  - c. **Harvey Road Speed Enforcement**
20. **Town Expenses**
  - a. **Secretary Salary** – Approximate 2.9% increase. Salary is \$6648 + \$582 for payroll taxes.
  - b. **Town Bookkeeping** – Approximate 2.9% increase. Salary is \$2700 + \$236 for payroll taxes.
  - c. **Administrative expenses** – reduced by \$250.—this covers the Town phone (\$300), registration and travel for government meetings (\$250), official town receptions (\$500), office expenses (\$200), and legal expenses (\$2000).
  - d. **ACRA Donations** – Increased by \$50.
  - e. **Arden Page Donations** – Increased by \$50.
  - f. **Arden Library Donation** – Increased by \$50.
  - g. **Fire Companies Donation** – No change in total of \$1250 – breakdown as follows:
    - i. Claymont – \$1000
    - ii. Talleyville – \$125
    - iii. Brandywine Hundred – \$125
  - h. **Gild Hall Rental** – Increase to \$1,250
21. **Contingency** – No Change.
- [22. **Totals** – At meeting, \$4,050 was subtracted and \$5,000 added to these totals.]

Lynda Kolski: As a leaseholder, I don't want to pay two lawyers to argue against each other on my behalf. Let's put money to better use.

Connee McKinney: This legal issue is a thorn in the Trustee's side. Did the Board of Assessors last year have a discussion with town attorney?

Tom Frantz: No. We were discouraged because this attorney gave two contrary opinions on an issue.

Denis O'Regan: The system is by nature adversarial. If there are two opinions between two legal entities, such as the Trustees and the Assessors, each getting legal opinions is the best way to go forward.

Ruth Panella: Isn't the legal entity to settle disputes the Town Assembly?

Russ McKinney: Patrick Moynihan once said that everyone is entitled to their own opinion but not their own facts.

Ed Rohrbach: If the Assessors have a legal question, do they have the right to request the town's lawyer for an opinion?

Steven Threefoot: They can come before the Town Assembly and get authorization to do so.

Alton Dahl: Only legal expense in the budget is for Trustees. But the Board of Assessors is not a committee of the Town Assembly. They are independent.

Terry Colgan: We elect the Board of Assessors to do an assessment; let's strike this line item.

Hugh Roberts: What type of questions would Assessors ask of a lawyer? The Board is a separate entity, allows a small segment to govern.

Tom Frantz: As a town, we seem to work on mythology, what people seem to remember. Assessors have been faced with questions but don't want answers that rely on few people's recollection. The vast majority of the questions that come before the Assessors have no precedent, just recollections.

Mary Marconi called The Question.

A voice vote is taken but is inconclusive.

Vote by hands. 18 Ayes, Nos 27. Abstain 6. Total = 51.

### 13.2 MOTION APPROVED TO REDUCE BWVC LINE ITEM

Aaron Hamburger moved that we eliminate item 13b, building manager stipend. Second by Mary Marconi. This is a worthy idea but heads us down a slippery slope. We run town and trustees on volunteer basis. Bad to pay what has been traditionally given. This is our largest committee, with support from the other two villages. All are asked to manage the facility, not one person.

Mary Marconi: Support Aaron's motion; want to see money come out of rental income, not from Town budget. We all work hard as volunteers.

Betty O'Regan: oppose motion; times have changed. People have less time in our lives and BWVC activities have grown, with more benefit to community.

Denis O'Regan: I support this motion at great personal peril, since my wife just opposed it. We need volunteerism as a culture. Don't want to buy services.

Ron Ozer: clarification, BWVC cannot simply decide to pay a building manager from funds they raise; needs Town Assembly approval.

Jane Frantz: We have written a letter to the town assembly. [See above, under BWVC report.] Since Bev Fleming took over as building manager in May, she is putting in 9 hours a week to do routine activities, plus 5 hours a week some

weeks, 500 to 600 hours a year. This is a lot. At \$2,000, this works out to \$3 to \$4 an hour. We don't want to set a precedent. We want the BWVC to be a true community center and more profitable. Some one person needs to manage the building to develop it into a true community center.

Harold Kalmus: if building was run just for Arden, volunteerism would make sense but, with tenants and rentals, it needs to be run on a professional basis.

Connee McKinney: eventually BWVC will need a manager. We don't have a job description yet, so we don't know what to expect right now. Want something more concrete, perhaps next year, but right now all I know is the job title.

Randy Hoopes: I attend the meetings and can say that Beverly Fleming is there all the time. If there it doesn't work out, drop the stipend.

Danny Schweers: I am paid, as were secretaries before me. So are the Town Watch Coordinator and the Trustee's Administrative Assistant. Paying a building manager won't start us down a slippery slope; we've been sliding for some time.

Charles Robinson: does Village withhold taxes of employees?

Steven Threefoot: Yes.

Question called.

Voice vote inconclusive. Vote by raising hands.

Ayes = 23, Nays = 19, Abstain = 5, Total = 47.

Tom Frantz: Found typo in budget. Salaries need to be reversed on notes 20a and 20b. [The salaries printed here have been corrected as requested.]

A question arose about voting, about whether a majority of those voting or a majority of those present is necessary to pass a motion. Steven Threefoot noted that only a majority of those voting at town meetings is needed. Referendums are a different matter, where a majority of eligible voters (not of those voting) is required for approval.

### 13.3 MOTION APPROVED ADDING ARDENTOWN GRANT OF \$5,000

Elizabeth Varley moved that the Village of Arden contribute \$3,000 to the Village of Ardencroft for the acquisition of Lot 91 on Evergreen Lane, Ardencroft, with the understanding that this leasehold will be added to the permanent parklands of Ardencroft, this to be a one-time line item in the budget for 2006-2007.

Bob Pollock explained the situation of how this land became available and the plans of Ardencroft to keep this leasehold in its natural state, having never been built upon. It expands the access from Evergreen Lane into adjacent parkland.

Beverly Barnett offered a friendly amendment, that the amount be increased to \$5,000, an amendment that was accepted.

Mike Curtis: Noted that when Ardencroft was formed, it would have been a good time for our village to make a financial contribution.

Bob Pollock: Noted that Ardencroft has no factors reducing land-rent on leaseholds adjacent to parkland.

Question called.

In a voice vote, motion was approved.

### 13.4 MOTION APPROVED TO REDUCE ASSESSORS' BUDGET

Cecilia Vore moved that the Assessors line item (Note 12) be reduced to \$50. She was in the middle of last year's debacle of the one lawyer giving two

conflicting opinions. Will we get four conflicting opinions if we have two lawyers? Occasion may arise where Assessors need lawyer; we can meet the occasion then. Seconded by Lynda Kolski.

Harold Kalmus: because there is so much confusion and so many opinions, this may not be an adversarial act; this may get us a learned opinion.

Ruth Panella: Agree with motion. We can have too many learned opinions.

Charles Robinson: When I served as assessor, I called several experts, some of whom we did not use because they charged for their services. The money should be there if the Assessors want it.

Alton Dahl: Real problem is one of timing; every Board of Assessors comes in after budget is passed, a budget they can have no hand in creating. It is up to the current board to set the budget for future boards.

Lynda Kolski: I will vote for motion. There is no reason for town to pay two lawyers. If there is a vital question, let the assessors ask at the moment rather than ask now for a line item.

Question called.

Voice vote inconclusive. Vote taken by raised hands.

Ayes=19, Nays=17, Abstain=4, Total = 40

#### 13.5 MOTION APPROVED TO STUDY SINGLE-DAY TRASH PICKUP

Ruth Panella moved that Civic Committee study possibility of single-day trash pickup. Motion was seconded and approved unanimously.

Budget as amended and Budget Committee's report accepted unanimously. [In an aside, Tom Frantz says he is resigning, since he and Jane are moving.]

14. AUDIT: No report.

15. ASSESSORS: Denis O'Regan noted that in their last report, one item was wrong. That typo does not affect the taxes on that leasehold.

#### 16. ARDEN CRAFT SHOP MUSEUM.

Aaron Hamburger made the following report.

Operations at the Craft Shop continue smoothly. We remain fully rented. All tenants have renewed or are expected to renew leases on schedule.

The Annual Meeting of the ACSM is at the Craft Shop this Sunday, October 2, at 4:00 p.m. immediately following the Arden celebration events at the Buzz. We will elect two people to the Board of Directors, report on finances, review the year's events, and discuss plans for the future. If you cannot come to the meeting, please return your proxy ballots which were distributed in the last *Arden Page*.

After this report, Cecilia Vote noted ways in which the ballot was confusing. The report was accepted unanimously.

17. ARCHIVES. No report.

18. OLD BUSINESS:

MOTION APPROVED: CLOSE WOODS FROM DUSK TO DAWN.

Ruth Bean moved and Elizabeth Varley seconded, that the woods be closed from dusk to dawn for the coming year. This motion was approved.

19. ADVISORY:

Elizabeth Varley asked for nominations to the Board of Assessors and noted that 15 nominations have already been made: Walter Borders, Brooke Bovard, John Demsey, Carl Falco, Harold Kalmas, Russ McKinney, Denis O'Regan, Jeff Politis, Warren Rosenkrantz, Steve Tanis, Elizabeth Varley, Larry Walker, Laura Wallace, David Warner, and Tom Wheeler. Mary Marconi's was then nominated.

Report accept unanimously.

20. NEW BUSINESS:

Aaron Hamburger requested that Civic Committee close the woods from dusk to dawn on a permanent basis, by ordinance, with three readings.

21. GOOD AND WELFARE:

Sue Rothrock says Dela had her baby; Katy is here!

22. MEETING ADJOURNED AT 10:25 P.M.

Respectfully submitted,



Danny N. Schweers, Secretary