

INSIDE: September 27, 2010 Meeting Minutes

All Village of Arden residents are encouraged to attend the next

Town Meeting

**Monday, January 24, 2011
7:30 p.m. - Gild Hall
2119 The Highway
Arden, Delaware**

AGENDA ITEMS WILL INCLUDE:

- Committee Reports
- Last opportunity for Committee Member & Town Officer nominations from the floor
- Community Planning's recommendation on Vacant Houses
- Absentee Voting

All are welcome hither

Please note:

Those attending Town Meetings are eligible to vote if they have resided in the Village of Arden six months prior to the Meeting and are 18 years of age, or older.

Minutes of the Town Assembly for the Village of Arden (uncorrected)

Monday, September 27, 2010

Gild Hall -Arden, DE

48 attendees:

Ruth Bean	Bill Theis
Cookie Ohlson	Carol Larson
Steven Threefoot	Tom Wheeler
Ron Meick	Alton Dahl
Sally Sharp	Katherine A. Threefoot
Rep. Bryon Short (NV)	Gary Quinton
Mike Curtis	David Michelson
Connee McKinney	Julia McNeil
Sam Starr (NV)	Ed Rohrbach
Esther Schmerling	Peter Renzetti
Chris Junk (NV)	Elaine Hickey
Nanette Robinson	Hugh Roberts
Charles E. Robinson	Sadie Somerville
Ray Seigfried	Rodney Jester
Mary Murphy	Elizabeth Varley
Donald Dwyer (NV)	Barbara Henry
Cynthia Dewick	Cecilia Vore
David Gerbec	Roger Garrison
David Claney	Lynda Kolski
Denis O'Regan	Jane Claney
Betty O'Regan	Jonathan Claney
Walter Borders	Beverly Barnett
Jennifer Borders	Randy Hoopes
Larry Walker	Barbara Macklem

To save postage, Arden Minutes & Agenda are addressed to one member of each household. If you do not wish to share this information among those residing at your leasehold, please contact registration@theardens.com and we will arrange separate mailings.

1.0 CALL TO ORDER

Chair Steven Threefoot called the meeting to order at 7:38 PM.

2.0 MINUTES

The Minutes of the June 28, 2010 Town Meeting were approved as presented.

3.0 NEW RESIDENTS

Chris Junk, his wife, and two children reside at 2210 Lower Lane.

Donald Dwyer has moved from Long Island to 1705 Millers Road.

4.0 RECOGNITION OF THE DEPARTED

DeNorval Bratten, who lived with his family in the Lower Gild Hall when his Dad was Gild Hall caretaker many years ago.

Wendy DeGarmo, who was a fourth generation Ardenite and very active in the Arden community.

5.0 VISITOR

State Representative Bryon Short

Rep. Short attended to answer any questions we might have and to give an update on the Harvey Rd. traffic calming and Harvey/Marsh intersection issues. The meeting of residents from the Ardens and DelDOT representatives that was held in the Gild Hall a few months ago was in response to the community's safety concerns. DelDOT ran several possibilities through their modeling system – swapping lanes and thru lanes – but this significantly increased delays at the intersection. They are going to install cameras at the intersection to do real-time control of the lights in order to control the flow of traffic. DelDOT also considered the approach to the intersection. Amy Pollack did a lot of work on this by walking on Harvey Rd. and observing. As a result, DelDOT will be repositioning speed limit signs, restriping crosswalks, widening the striping on the sides of the road, making signage changes, and possibly surface changes on the right side where Harvey Rd. meets Veale Rd.

DelDOT has been asked to look into changing the slope of Harvey Rd. where there was a recent accident of a car running into the Memorial Garden stone wall.

Questions:

Betty O'Regan – Is the goal to keep traffic moving or is safety a priority? If the Harvey/Marsh intersection is a faster route, it is not necessarily going to be a safer route. The Harvey/Orleans Rd. intersection is also an issue. The light there stays red on Orleans until a car comes to the intersection on Orleans. Could that be switched and have it red on Harvey until tripped? *Rep. Short* – The traffic engineers look at the safest way to keep traffic moving. I could share that idea with DelDOT and ask if something could be done about that light.

Bev Barnett – The state of Delaware has approved traffic cameras at red lights. Where do they stand on using traffic cameras to regulate speed? *Rep. Short* – I tried to get a law passed to do that, especially in school zones, but it did not pass in the Senate. *Bev* – You need to reintroduce it.

Peter Renzetti – Could you please suggest to DelDOT that they do at least a 30-day test on having drivers take turns going straight, turning right, and turning left on all four approaches to the intersection so that there would be no passing on the shoulder to go straight, and no right turns on Red? *Rep. Short* – Please take my card and email that information to me so that I can correctly present your idea to DelDOT.

Ruth Bean – I want to clarify that the cause of the accident whereby the car went into the Memorial Garden stone wall was speed. The speeding car had to suddenly slow and stop for a turning vehicle. It is very easy to speed on Harvey Rd. and we need to readdress traffic calming.

Esther Schmerling – Drivers on Harvey Rd. approaching Marsh turn onto Hillside Rd. to avoid the light at Marsh and then speed down Hillside. Could a sign be placed at Hillside saying that it is not a thru street? *Rep. Short* – I don't think so, since it really is a thru street.

Roger Garrison – People using the store at the corner of Sherwood and Marsh attempt to go out onto Marsh Rd. from Sherwood even though Sherwood is a One Way street going away from Marsh Rd. *Denis O'Regan* – There use to be a Do Not Enter sign at that spot but it got blown down and DelDOT needs to replace it.

6.0 COMMUNICATIONS – Chair Steven Threefoot

1. The Village received a letter from Delaware Attorney General Beau Biden and the Dept. of Justice expressing concern that citizen voting requirements in each municipality are in compliance with the State Law. Steven has forwarded the letter to our attorney who is evaluating it and will get back to him shortly. We will then let the Registration Committee know what his opinion is on how our residential voting requirements align with the State's.

2. The Delaware Energy Office informed us that the five grant applications have been awarded to the three villages totaling a little more than \$400,000. An article will appear in *The Page* explaining that the money will be spent on energy projects on the BWVC, the Gild Hall, the Craft Shop, and some for residential use. The funds must be spent by Sept. 1, 2012. Please check *The Page* and the website for more information.

7.0 TRUSTEES' REPORT – Connee McKinney

Connee read the following report:

Finances:

We have copies of the quarterly financial report available tonight. (See Attached)
We have paid the New Castle County and School taxes which are due September 30:

County taxes	\$83,274.11
School taxes:	\$268,570.11
Total County and School taxes paid:	\$351,844.22
Rebates to individual leaseholders which will be issued Oct-Nov:	\$25,130.00
Total paid	\$376,974.22

The rebates to individual leaseholders are calculated from programs administered by New Castle County. One program gives a tax exemption, and the other a tax credit. The Senior Property Tax Relief is a tax credit for those 65 and over and the other is a senior or disability income exemption. You must apply to receive the tax credit and/or exemption. There is a filing deadline to qualify for the upcoming tax year and it is based on your adjusted gross income for the previous calendar year. Please contact the New Castle County Treasurer's Office (302) 395-5520 (direct) or 395-5400 (New Castle County, main office) for an application and for any questions that you have. I have printed out one copy and have it here tonight if you want to glance over it. We will be issuing the second check to the Village to for their expected expenses. Trustee Carl Falco will be talking to the Village Treasurer about that. Please note on the Budget that we are not listing our assistant's salary. We decided after legal input that it is more important that we protect employee privacy than be transparent on this. It will be included under Operation Expenses. Please know that we are not trying to hide it but be responsible employers.

Lease Transfers: There have been two lease transfers since the June Town Meeting. One is to a business (Short Sale LLC) and the other is due to settle at the end of this month.

Leaseholds Matters: The Trustees will be including two addendums to the Trustee Memos. The updated memos will be available on the Arden.gov website or if you contact us at 475-7980.

(1) "Building Permit Process" memo regarding supporting variances to the New Castle County Board of Adjustment will now include this wording:

Current New Castle County NC-10 (residential) building code prohibits construction of a garage in front of a house. Prior to 1954 and New Castle County code, there were many Arden leaseholds where garages have been built in front of the houses. Because of these exceptions, the Trustees will support a variance for construction of a garage in front of the house; however, the Trustees reserve the right to not support a variance if the Trustees conclude that there are negative impacts to such new construction. Such negative impacts could be, but are not limited to, the impact from excessive water runoff, neighboring leaseholder objections, etc. Please note that the New Castle County Board of Adjustment grants the variances.

(2) Tree Removal Permission memo will now include this wording:

If a leaseholder has a Tulip Poplar and they want it removed, please know that the Trustees will give you permission to do so. We are concerned that many of these trees are 100' tall, that they are aging, and that they are shallow rooted. When these trees fall, they can cause extensive damage. Please contact Mike Curtis for permission to do so.

We have not moved ahead on policy for creating new Accessory Dwelling Units (ADUs). Please accept my apologies for that. Hopefully, we can present our ideas to Community Planning soon and have some community meetings about that to firm up our policy. If you have an interest in that topic, please contact one of the Trustees so that we are sure to reach out to you when we have our discussions. If you have any questions or concerns, please contact us at 475-7980 or at Trutees.of.Arden@gmail.com. Mike Curtis, Carl Falco and I are, of course, available to talk with you one-on-one.

Respectfully submitted,
Connee McKinney, Arden Trustee



Questions: None
Trustees' Report Accepted

8.0 TREASURER'S REPORT – David Michelson

David reviewed the Financial Report, which was distributed (See Attached). We will be exceeding the Trash Budget by about \$8,000 and will use the Contingency Fund money to cover that. The Playground Committee has asked for an additional \$1300 to improve the Green's playground. That money will come from what was budgeted for Gild Hall Rental which we will not be charged.

Questions:

Larry Walker – There is \$400,000 in the Schroeder Fund. How much is going to be available for grants? *David*- The fund has earned \$4,442 in interest. Last year we gained \$3,882 in interest and that amount will be available for grant requests next fiscal year. The principle will be kept intact.

Denis O'Regan – Why is the Sherwood Forest listed as an asset? *David* – It is on the books because it can be measured quantitatively. We have a purchase price and that is the way general accounting works. The auditor includes it in the audit report, however it is not marketable. David went on to explain that the Trustee's Audit report was completed before the June Town Meeting. It has become simpler to do, where as the Village finances have become more complicated. Its audit report was not completed until the middle of August. The Trustees take care of land rent and insurance, and pay the taxes. The Village pays for everything else. We write checks and pay bills every two weeks. The Auditors did the best they could. To fully understand the finances, you really have to read both reports.

Alton Dahl emphasized that the Board of Assessors cannot do their job without the Audit, therefore it needs to be done promptly, well before the June Town Meeting.

Treasurer's Report Accepted

9.0 Board of Assessors

Town Chair called for Alternative Assessments from the floor. There were none. The Assessment proposed at the June Town Meeting will go forward.

10.0 ADVISORY COMMITTEE REPORT – Bill Theis

Bill distributed the following list of nominees for the Board of Assessors:

Roger Garrison	Tom Wheeler	Bill Theis
Denis O'Regan	Peter Compo	Ed Rohrbach
Pam Cohen	Allan Burslem	Alan Threefoot
Clay Ridings	Brooke Bovard	Larry Walker
Alton Dahl	Walt Borders	

No additional nominations from the floor.

Questions: None

Advisory Committee Report Accepted

11.0 COMMITTEE REPORTS

11.1 Archives – Sadie Somerville

We had a very successful book signing in June with Mark Taylor and his book on Arden published by Arcadia. Remembrance Day has been cancelled this year and will resume next October. The Museum/Craft Shop/Archives had a booth for the first time at the Arden Fair this year. Again this year, we will sell items at the Annual Christmas Shop on Nov. 28th at the Gild Hall. We will be sending out letters for the annual giving campaign.

Questions: None

Archives Committee Report Accepted

11.2 Audit – No Report

11.3 Budget – Gary Quinton

Gary went over the distributed Draft Copy of the Budget Referendum. (See Attached) Trash Service is up \$15,000 due to rising costs and Tipping Fees. Trust Administration fees on this draft copy will be \$2500 less on the final copy. The Village salaries and audit fees have been moved to the non-Budgeted area and combined into one line item. There is a change in the amount for Buzz Ware Village Center support. It will go from \$7000 to \$8400.

There is a Budgeted Line Item 16 for a Capital Maintenance & Repair Fund. Jeffrey Politis presented this at the January Town Meeting, clarified it at the March Town Meeting, and proposed, at the June Town Meeting, that there be a \$10,000 line item for this in the September Budget. It will be used for Village grounds and buildings and would be collected over the next 3-5 year time period. It will require a Capital Spend-out Plan from all the Committee Chairs.

Questions:

Betty O'Regan – How much are Ardentown and Ardencroft giving in support of the BWVC? *Gary* – Ardencroft gives \$2000 and Ardentown gives \$1300. *Betty* – Could they be asked to contribute more comparable amounts since they use the building too and I'm not sure if it is a fair amount population-wise. *Cecilia Vore* – Arden has 250 households; Ardentown has 150 and Ardencroft has 100. *Betty* – Then that sounds like an unfair distribution for support. *Gary* – The Village of Arden does have its office in the BWVC.

Kate Threefoot – I think it is a good Idea that support of the BWVC be apportioned. However, I think that would be the responsibility of the BWVC.

Connee McKinney – The difficulty with apportioning is that Arden would lose control. At this time Arden has more to say regarding the building. The other Villages have a voice in the Committee but do not have a vote.

Denis O'Regan – We talked about this at the June Town Meeting and didn't have a handle on what the BWVC financial history was in the past year. They went over budget and the other two villages did not share in the burden. We are also moving the amount of support we give into the non-budgeted expenses and cannot vote on the amount as a line item as we have for many years. The way the BWVC expenses are accounted for has changed considerably from the way it was done 7 years ago, e.g. audio equipment was purchased which benefits all the Ardens. *Gary* – Perhaps I didn't make it clear earlier, but the \$8400 support will be moved into the Budgeted items.

Kate Threefoot – Point of clarification: the Capital Maintenance & Repair Fund is for all the Committees, not just the BWVC, and spending against it requires the approval of two Town Officers.

Connee McKinney – Point of clarification: The audio equipment that was purchased for the BWVC was paid for by a grant from New Castle County. Also, when the BWVC makes money it goes into the General Fund. The \$6000 that was spent beyond the \$7000 budgeted amount was \$6000 that the BWVC had and was going to lose if it wasn't spent. They spent it wisely on upgrading the air conditioning.

Alton Dahl – When we set up the Museum & Craft Shop we anticipated the questions that are now being raised about the BWVC. We might want to think about creating a separate 401C3 Corporation for the BWVC as was done for the Craft Shop. Also, is the process we are going through at this time that we adopt the proposal tonight? *Steven* – Yes, if we accept this Report, it will be in the Referendum.

Gary – In response to Denis' concern on having a \$10,000 Capital Maintenance & Repair Fund line item and how it would be spent: specifically any committee would have to come forward with their proposal. If it is an expense over \$2000, two Town Officers would have to approve. *Steven* – That is the policy for spending General Funds which requires transferring funds from one committee to another. However, the spending of Capital Maintenance & Repair Funds would probably require the approval of the Town Assembly. We would need to establish a policy for this fund.

Gary – A correction also has to be made regarding Line 24 in the Notes section: Lines b & c need to be reversed.

11.4 Buzz Ware Village Center – Randy Hoopes

Budget Committee Chair Jeffrey Politis attended the last BWVC Committee meeting to help us work out the budget and get it as clear and transparent as possible.

Many events are scheduled at the Buzz in the coming months. Please check the schedule online. The long term rentals are great, and with the short term rental of Peddlers & Potions during the Fair we raised \$4000. The rental rate for non-Ardens residents has been raised 10%. No one has dropped out as a result of that increase and we have not received any complaints about it.

In the past years we've gotten a new roof, new windows, and we've upgraded the AC. The next thing we will work on will be improving the outside appearance of the building. We have renovation fund raisers coming up.

We now have our own parking crew. George no longer handles both the Gild Hall and BWVC parking when there are simultaneous big events at those buildings.

The Committee would like to invite everyone to attend our monthly meetings, especially if they have any questions or input. By attending you can get a sense of what we are doing. We meet on the last Wednesday of the month.

Questions:

Mike Curtis – That was a good report. Perhaps the Committee could put together a report on how the building is used proportionally e.g. how many committee meetings, functions held by the different Villages, outside rentals, etc.

Buzz Ware Village Center Committee Report Accepted

11.5 Civic – Tom Wheeler & Ed Rohrback

The Committee has approved the removal of a large Tulip Poplar along the fire lane off The Highway on the way to Sherwood Ln. It is very large and posing a danger to neighboring properties.

Road repair work will be done for a sum of \$9525. There is a list of the repair locations if anyone is interested in seeing it. The Committee will evaluate a storm drainage problem on Orleans Rd.

The Sherwood Green survey has been completed. We now know exactly where the Green's property lines are. The survey has been turned over to the Town, Trustees, and adjoining leaseholder.

Reminder - Residents must procure an excavation permit when planning road excavation adjacent to their leasehold. An article about this will appear in the next issue of *The Page*.

Questions-

Alton Dahl – Recently road work was done on Meadow Lane at the foot of the bridge. Unfortunately concrete was not poured all the way to the pavement and water is running under the pavement when it rains and it will slowly eat away the pavement. *Ed* – We will take care of it.

Jennifer Borders – Is anything actively being done about the issue of parking cars on the Sherwood Green during Gild Hall & BWVC events? *Tom* – That is one reason why the survey was done and why Rodney Jester introduced a proposal at the last meeting which was resoundingly voted down. At this time the issue is on hold.

Jennifer – I think it needs to be worked on actively, perhaps with Community Planning. The Green is not only being damaged but it is also being used without compensation to the Village. Perhaps we need to work with the Arden Club to resolve the issue.

Civic Committee Report Accepted

11.6 Community Planning – Ray Seigfried

Recently a car ran off of Harvey Rd. and did major damage to the stone wall around the Memorial Garden. Ruth Bean gave the following report: The accident happened on Sept. 17th. The father of the teenager who was driving the car is taking financial responsibility for repairing the wall. We got several quotes from contractors and the father is going with the lowest bid. Peter Renzetti feels it is a valid proposal. The contractor will be sending the required license and insurance papers.

Ruth made the following Motion:

MOVED:

That we direct Community Planning to investigate the possibility of getting speed tables put on Harvey Rd.

Seconded

Motion passed – Ayes have it

Ray made the following report:

The proposal we presented at the last Town Meeting regarding vacant houses included time frames and financial penalties. That proposal was not accepted. *The News Journal* recently carried an article about vacant homes in Delaware saying that they were being broken into and wild parties being held. That has not been the case here in Arden but it is an issue. We will work on another proposal.

The Committee met with Ardentown and Ardencroft and now all three Villages have agreed to the County Code exceptions that we voted on at the last Town Meeting. That is now before the Dept. of Land Use and they are writing up legislation for those exceptions. Ray will attend the County Council meetings and we should know their decision in a couple of months.

Questions:

Connee McKinney is concerned about the father of the teenager who ran his car into the stone wall taking care of the matter. Is our Town insurance aware of that? *Chair Steven Threefoot* – Tom Horning, our insurance representative, was contacted and said it was an okay approach. *Ruth* – A form will be signed by the father, a representative from Community Planning, myself, and Peter Renzetti, saying that before final payment is made, they will have the chance to look over the work and see if it has been done to the satisfaction of all parties. *Peter Renzetti* – The contractor's references and former work will be checked beforehand.

Community Planning Report Accepted

11.7 Forest – Elizabeth Varley

Elizabeth announced the 3rd reading of the proposed changes to Ordinance #4 and read the changes that are underlined and in italics in the distributed copies. (See Attached) A typo in Section 2 was corrected by changing “in Arden with a permit” to “in Arden without a permit.”

Questions: None

Chair Steven Threefoot – All in favor of accepting these changes to Ordinance #4? Ayes have it. The Changes to Ordinance #4 pass and are approved as presented and corrected.

Elizabeth read the following report:

An \$1800 grant for Tree Management from the Delaware Department of Agriculture, Urban Forestry Division has been awarded to the Village of Arden. With these funds, we plan on clearing stumps and overgrowth on the corner of Marsh and Millers Road, as well as removing a few larger trees leaning over the road. At this site, we would like to establish lower growing native plants so that the sight lines at the corner will be improved for drivers. In addition, we hope to benefit wildlife and slow runoff into the creek with well chosen replanting. The grant requires matching funds and/or volunteer labor. Our first volunteer session will be Sunday, October 10 at 10 am, to pull invasive plants (ivy and wisteria). COME OUT AND HELP! It all counts toward our matching funds!

We are talking to DP&L and AT&T about the support wires girdling a tree on Millers Road. When this work takes place we will be doing clearing in other areas, such as the drainage ditch into the woods at the end of Woodland Lane.

We have been out in the woods clearing paths. Please report any areas of the path that need clearing.

A number of **red** oaks are dying from a bacterial disease. While walking the woods, please be on the lookout for **white** oak acorns and spread them around so that we can establish oaks that will last for the next few hundred years. Red Oaks have small points at the tips of their leaves. White Oaks have round ends to their leaves.

We intend to reestablish our standing as a "Tree City USA". This helps the State Foresters in their standing with the US Forest Service and helps with their obtaining federal funds that eventually reach us.

Questions:

Bev Barnett – What is the difference between a white oak and red oak acorn? *Elizabeth* - I believe the white oak is more rounded, but I will have to check. *Ed Rohrbach* – The white oak acorns are abundant in the forest right now. The caps separate easily and the acorn is oblong. The red oak are rounded and squatter.

Forest Committee Report Accepted

11.8 Playground – Larry Walker

Since the June Town Meeting, the required Playground Equipment Inspections were held, and all equipment was inspected to determine that it was in good order. Several items were repaired to correct problems. As has been our practice, an Inspection was held right before the Arden Fair to ensure that there would be no

problems with the equipment when the Village has a huge influx of visitors, along with the many children that heavily use the playground equipment that day.

In early September, a child fell off the jungle gym in front of the BWVC, and she broke her arm. She landed on the playground mulch, but fell awkwardly, with her arm outstretched backwards to break her fall. The child broke both bones in her left forearm, but is expected to make a full recovery. There were no problems with either the equipment, or the layer of fairly new playground mulch around the jungle gym. It was simply an unfortunate accident. This has been the first serious accident on our playground equipment in over 15 years.

The major maintenance project for this year was to be the renovation of the area under the swings, jungle gym, and slide at the “Millers Road” end of the Village Green. The project budget is \$3,000, and the Committee anticipates spending \$1,500 this year for routine maintenance and repairs, leaving us with only \$1,500 for the project. Our Committee requested the Town Officers to transfer the \$1,300 for “Gild Hall Rental” to the Playground Committee for this one time project expense, and it was approved. If there is a shortfall as the project nears completion, the Committee will minimize the installation of playground mulch in “open areas.” In April 2011 with the new Committee Budget in place, the proper installation of the playground mulch will be completed.

Submitted by,

Mary Vernon and Larry Walker, Co-Chairs

Questions: None

Playground Committee Report Accepted

11.9 Registration – Cecilia Vore

The Registration Committee will conduct the annual Budget Referendum and the election of the Arden Board of Assessors in October and November. The committee will review the list of eligible voters on a date to be determined next week. Ballots will be mailed around Oct. 11, and will be counted around Nov. 4. The deadline for returning ballots will be printed on the ballot instructions that are mailed to each resident. Results will be posted on the Village bulletin boards and the website the day following the vote count. Please notify a member of the Registration Committee tonight if there are any changes to the eligible voters in your household.

Respectfully submitted,

Cecilia Vore, chair

Questions: None

Registration Committee Report Accepted

11.10 Safety– Denis O’Regan

A couple of weeks ago there was a large fire in Indian Circle attended by a lot of young people under the legal drinking age. Two Safety Committee members and one spouse went to investigate. Most of the people ran off; vehicle license plate numbers were taken down. Three or four of the youngsters remained and continued to consume their beer. Three New Castle County police officers arrived and failed to act on the illegal drinking and driving (the young people were allowed to drive away), and the illegal use of the area after sunset. We will have a meeting with our NC County police liaison, Officer Amy Kevis concerning the lack of law enforcement.

We are scheduling with the State Police to have radar signs placed on Harvey Rd. on a regular basis.

Committee member, Matt Strohl, has moved away. We need to replace him. Our Alternate, John DiGiacoma, has offered to serve. If there is anyone else who would like to serve, please speak up now. If not, we would like the Town Assembly to approve John to replace Matt.

No nominees from the floor. Ayes have it. The Assembly approved replacing Matt Strohl on the Safety Committee with John DiGiacoma.

Questions:

Betty O'Regan - This fire at Indian Circle occurred during a particularly dry season. Has the Committee ever considered calling the Fire Marshall? *Denis* – They don't work after hours and they don't have a response team. The Fire Co. would probably not respond unless it is out of control. *Alton Dahl* – Couldn't you call 911 and say there's a fire in the woods? *Denis* – Yes, and I imagine they would come.

Cecilia Vore – When you meet with the police liaison please strongly emphasize our concern about their ignoring the seriousness of underage drinking. It is very dangerous and their actions are sending a very bad message. *Denis* – Indeed it will be dealt with seriously.

Carol Larson – Did you recognize any of the kids and is there a way to get the message to their parents? *Denis* – We did get license plate numbers. I was not there this time but Peter Renzetti was. *Peter* – There were people from Maryland and other areas. I got pictures of kids running out, but don't know who they are. Local kids come in and invite their friends from other areas. Unless we get support [from the police] on the following up on license numbers and going to the parents to tell them about the violations, there is not much we can do. We would like to see the police come in without sirens and catch these people. *Roger Garrison* – Are our parks Public Parks? *Denis* – Yes. All County Parks are closed sunset to sunrise.

Safety Committee Report Accepted

12.0 Old Business

12.1 Energy Efficiency and Conservation Block Grants (EECBG) – The status was already covered under **Communications**.

12.2 Absentee Voting – Marianne Cinaglia, who is working on this project, is not present. Chair Steven Threefoot has discussed Absentee Voting with our attorney. A process will be proposed at the January Town Meeting.

13.0 New Business

13.1 Over 80's Reception – This will be held on Sunday, November 14, 4-6 PM at the BWVC.

13.2 Tot Lot – Larry Walker – Since the Community Garden has taken over the former Tot Lot, the Playground Committee will be looking into purchasing playground equipment suitable for preschool age children. The Committee will make a recommendation for purchase and installation at the January Town Meeting.

Questions:

Alton Dahl – Is it possible to move the equipment that was in the former Tot Lot to the playground area? *Larry* – The only equipment that is left from the former Tot Lot is the structure for the swings. We'd have to see if it could be moved. *Alton* – Does this mean we've made a mistake by giving up the former Tot Lot? *Larry* – It was a Town decision.

Denis O'Regan – The former Tot Lot had a fence around it, which was an advantage since it kept dogs out of it. Are you considering putting up fencing? *Larry* – The Tot Lot was fenced in because there was a daycare center at the BWVC. It is a State requirement for daycare centers to have a fence around their playground area. The Committee has not considered it. Normally parents will be with children that age. *Denis* – I think we should consider it since a parent may not be able to prevent a dog from approaching a child.

14.0 Good & Welfare

Steven Threefoot – Ken Lipstein had a stroke on Arden Fair Day and another one a couple of days later. He is now in therapy.

Cynthia Dewick – Two large red foxes were recently seen in the Memorial Garden.

Alton Dahl – Wendy DeGarmo served on the Board of the Arden Building & loan for many years.

Meeting Adjourned at 9:42 PM

Respectfully submitted,

Elaine Hickey
Secretary
Village of Arden

Attachments on the Following Pages

**Trustees of Arden
Balance Sheet
As of August 24, 2010**

Assets	
Arden B&L	\$173,978.88
Wilmington Trust	433,413.92
Vanguard	
Vanguard Fund 11	1.29
Vanguard Fund 32 Bequest	71,037.09
Vanguard Fund 33	4,462.37
Vanguard Fund 49 Bequest	71,342.18
Vanguard Fund 30 Bequest	81,262.41
Subtotal Vanguard	228,105.34
Total Current Cash & Equiv	\$835,498.14
Income	
Land Rent & Related Income	\$536,764.71
Investment Income All Sources	<u>7,396.40</u>
Total Income	\$544,161.11
Expenses	
New Castle County	0.00
Village of Arden	95,000.00
Insurance	3,610.00
Audit	6,000.00
Bookkeeping	1,654.20
Legal	1,334.90
Engineering/Other	0.00
General Administration	5,185.47
Total Expenses	\$112,784.57

Trustee:

Mike Curtis

Admin. Asst.

Judith MacNeil

Village of Arden
Statement of Financial Position
As of Sept 24, 2010

ASSETS

Checking/Savings

1000 - TD Bank Operating Account	565	General operating
1005 - ING Direct	65,480	General operating

Total Checking/Savings - Village Funds	66,046	
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1010 - TD Bank MSA Checking Account	128	Municipal Street Aid
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1004 - 2 CD's - Firstrust Bank	219,772	Schroeder Bequest
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1020 - Wilmington Trust 2943-0071	174,884	Schroeder Bequest
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Total Schroeder Bequest	394,656	
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1030 - Arden Building & Loan	11,671	Hamburger Lecture Series
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1031 - Arden Building & Loan	569	Buzzware Funds
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1100 - Due From Trustees of Arden	91,500	Second payment of FY11 budget
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1500 - Sherwood Forest	859,379	Purchase price of Avery property
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TOTAL ASSETS	1,423,949	
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LIABILITIES & EQUITY**LIABILITIES**

2000 - Accounts Payable	12,258	Delmarva \$344.75, Dowling \$8,525, Rickerman \$3,228, Forsberg \$160
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2010 - Payroll Liabilities	583	
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2300 - Mortgage Arden Bldg & Loan	101,836	Avery Property Mortgage
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Total Liabilities	114,677	
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Total Equity	1,309,271	(Schroeder Bequest = \$394,656)
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TOTAL LIABILITIES & EQUITY	1,423,949	
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Village of Arden
Statement of Financial Activity
4/1-9/24/10

	4/1-9/24/10	Budget	Footnotes	% to Budget
Revenue				
4000 · General Funds - Village	91,500	183,000		50.00%
4200 - Grants	10,447	-	1	
4510 · Franchise Fee Receipts	3,802	12,100		31.42%
4900 · Interest Income	659	700		94.12%
Total Revenue	106,407	195,800		54.34%
Expenses				
6000 · Payroll & Payroll Taxes	5,756	12,184		47.24%
6300 · Administrative Expenses	2,340	4,250		55.07%
6900 · Audit,Bkping,PR Expenses	3,195	9,400		33.98%
7010 · Gild Hall Rental	-	1,300	2	0.00%
8000 · Committee Expenses	37,599	66,790		56.29%
8010 · Contributions & Donations	5,300	5,300		100.00%
Contingency Fund	-	9,500		0.00%
Grant Expense	6,112	-	1	
8030 · Trash Service	31,881	58,100	3	54.87%
9000 · Debt Service	8,035	16,176		49.67%
Total Expense	100,217	183,000		54.76%
Surplus (deficit)	6,190	12,800		
Committee				
	<u>Actuals YTD</u>	<u>Budget</u>		
Advisory		300		0.00%
Archives	497	1,440		34.53%
Assessors		50		0.00%
Civic	35,751	50,000		71.50%
Community Planning		1,000		0.00%
Forest		8,000		0.00%
Playground	1,350	3,000		45.00%
Registration		1,000		0.00%
Safety		2,000		0.00%
	37,599	66,790		56.29%
Footnotes:				
1	DEMA \$4,335 Energy Grant \$6,112			
2	On August 25th the playground committee requested and the Village Officers approved shifting the \$1,300 budgeted for the Gild Hall Rental to the Playground Committee line item.			
3	Trash collection fees went up 20% effective July 1 and it is expected the total costs for the fiscal year will be \$66,596 or \$8,496 over budget			

Buzz Ware Village Center
Statement of Financial Activity
 Sept 24, 2010

	BuzzWare		% to Budget	Buzz renovation Apr '10 - Sept 24 '10
	Apr '10 - Sept 24 '10	Budget		
Revenue				
4000 - General Funds - Village	3,500	7,000	50.00%	
4010 - Donations	2,650	-		4,812
4100 - Event Revenue	-	3,000	0.00%	-
4400 - Rentals	8,392	23,802	35.26%	-
Total Revenue	14,542	33,802	43.02%	4,812
Expenses				
6000 - Payroll & PR Taxes	5,490	14,133	38.85%	-
6300 - Administrative Expenses	-	155	0.00%	-
6310 - Janitorial supplies	465	917	50.66%	-
6500 - Equipment Purchases	-	250	0.00%	470
6900 - Audit,Bkping,PR Expenses	97	225	43.22%	-
7020 - Utilities	2,756	9,637	28.92%	-
7060 - Licenses/Permits/Alarm/Monitoring	347	785	44.26%	-
7500 - Renovations	-	1,000	0.00%	-
7600 - Repairs & Maintenance	1,005	4,000	25.14%	-
8000 - Program Expenses	53	2,800	1.89%	312
Total Expense	10,216	33,802	30.22%	782
Surplus (deficit)	4,326	-	12.80%	4,030
Carried forward balance	-			300
Surplus (deficit)	4,326			4,330

Village of Arden
 Statement of Special Village Funds
 Sept 24, 2010

	Special Village Funds			
	Hamburger Lecture Series Apr '10 - Sept 24 '10	J. Schroeder Bequest Apr '10 - Sept 24 '10	Memorial Garden Apr '10 - Sept 24 '10	MSA Apr '10 - Sept 24 '10
Revenue				
4010 - Donations	-	-	3,736	-
4500 - Interest Income	-	620	-	-
Total Revenue	-	620	3,736	-
Expenses				
8000 - Program Expenses	-	-	2,146	-
Total Expense	-	-	2,146	-
4399 Carried forward fund balance	11,571	393,827	5,848	128
Fund balance	11,571	394,447	7,438	128

2011 – 2012 ARDEN BUDGET BALLOT

For the expenditure of town funds for the fiscal year beginning March 25, 2011, and ending March 24, 2012
See accompanying notes to Fiscal Year 2011-2012 Arden Budget Ballot on back of this form.

<u>PROJECTED INCOME</u>		<u>PROJECTED EXPENSES</u>	
	<u>Notes</u>	<u>Non-Budget Expenses</u>	<u>Notes</u>
Land Rent	1 \$ 591,000	County Taxes	5a \$ 97,925
Delaware Municipal Street Aid	2 \$ 14,116	School Taxes	5b \$313,140
Interest and other Income	3 \$ 24,300	Trash Service	6 \$ 72,000
Buzz Ware Village Center	4 \$ 29,634	Trust Administration	7 \$ 39,400
		Village Non-budget	8 \$ 27,684
		Buzz Ware Operations	9 \$ 31,948
		Buzz Ware support	10 \$ 7,000
		Long-term Debt Service	11 \$ 16,176
		Delaware Municipal Street Aid	12 \$ 14,116
Total Projected Income	\$ 659,050	Total Non-Budget Expenses	\$619,389
Reserve Funds	<u>\$ 129,482</u>	Proposed Budget Expenses	<u>\$ 89,540</u>
TOTAL Funds Available	\$ 788,532	TOTAL Expenses	\$708,929

DIRECTIONS FOR VOTING: Please choose **one** of the following - either #1 or #2:

#1. Approve or disapprove the entire budget by marking an X in the box next to your choice.

- I approve** of the entire budget.....
- I disapprove** of the entire budget

OR

#2. Disapprove individual items by marking an X in the accompanying box ().

Any items not marked will be counted as approved.

If you choose to disapprove individual items below, DO NOT mark either of the items in #1 above.

	NOTES*	disapprove		NOTES*	disapprove
Advisory Committee	13	\$ 200 <input type="checkbox"/>	Safety- Speed Enforcement	23	\$ 1,000 <input type="checkbox"/>
Archives	14	\$ 1,440 <input type="checkbox"/>	Donations – ACRA	24a	\$ 1,500 <input type="checkbox"/>
Board of Assessors	15	\$ 50 <input type="checkbox"/>	Donations – Arden Page	24b	\$ 1,500 <input type="checkbox"/>
Capital, Maintenance, and Repair Fund	16	\$ 10,000 <input type="checkbox"/>	Donations – Arden Library	24c	\$ 800 <input type="checkbox"/>
Civic Committee	17	\$ 51,250 <input type="checkbox"/>	Donations – Fire Companies	24d	\$ 1,600 <input type="checkbox"/>
Community Planning	18	\$ 1,000 <input type="checkbox"/>	Donations – Arden Club	24e	\$ 500 <input type="checkbox"/>
Forests Committee	19	\$ 5,000 <input type="checkbox"/>	Contingencies	25	\$9,500 <input type="checkbox"/>
Playground Committee	20	\$ 3,000 <input type="checkbox"/>			
Registration Committee	21	\$ 200 <input type="checkbox"/>			
Safety Committee: General	22	\$ 1,000 <input type="checkbox"/>			

TOTAL PROPOSED BUDGET EXPENSES: \$ 89,540

POLICY STATEMENT: The total approved expenditure limits the fiscal year expenditure to that amount unless additional funds are approved by referendum. Funds may be shifted between line items with approval of the committees involved and the Treasurer.

*Notes to 2011 - 2012 ARDEN BUDGET BALLOT • Prepared Sept 2010***INCOME:**

1. **Land Rent** – Based on Assessor's report from June 2010 town meeting. Note that Trustee will transfer \$198,435 to the town to cover towns budget.
 2. **Delaware Municipal Street Aid** – Annual street aid. The State of Delaware provide is providing funds for the FY 2011.
 3. **Interest and other Income** – Income from the following sources:
 - a. **Rights-of-way**
 - i. **Cable** – \$6,500
 - ii. **Antenna** – \$5,600
 - iii. **Meadow Lane** – \$700
 - b. **Investment income** – \$10,500
 - c. **Miscellaneous** – \$1,000
- Reserve** – Combination of Trustees' Prudent Reserve (\$99,519) and Town's Prudent Reserve (\$29,963) totals \$129,482. This figure of \$129,482 is supplied by the Trustees. The calculation of the Budget committee is in agreement.
4. **Buzz Ware Village Center** – Estimated income from rentals, programs, and gifts based on 2010/11 values.

NON-DISCRETIONARY EXPENSES:

5. **Property Taxes** – Increase of \$14,609 over 2010-2011 budget.
 - a. **County Taxes** – New Castle County taxes are estimated to stay flat compared to YE 2011 levels.
 - b. **School Taxes** – School Taxes are estimated to rise approximately 5% over YE 2011.

NOTE: The New Castle County property and school taxes are grossed up to include rebates paid to qualifying lease-holders.
6. **Trash/Recycle Service** – Increase cost of \$14,900 based on new service contract.
7. **Trust Administration**
 - a. **Audit** – \$5,000
 - b. **Insurance** – \$10,000 (Trust and Village)
 - c. **Legal** – \$3,200
 - d. **Operation and Fees** – \$10,000
 - e. **Office Rent** – \$2,400
 - f. **Payroll taxes** – \$1,000
 - g. **Salaries** – \$7,800
8. **Village Non-budget** – moved salaries to non-budget expense (as discussed in March town meeting)
 - a. **Operation and Fees** – \$15,500
 - i. **Audit** – \$6,000
 - ii. **Printing, postage, phone, internet** - \$3,940
 - iii. **Admin** - \$5,560
 - b. **Salaries** - \$10,504
 - c. **Payroll taxes** – \$1,680
9. **BWVC Operations** – Estimated expenses for operating and maintaining the facilities (includes cleaning, utilities, routine maintenance, etc.)
10. **Moved to non-budget item** based on continued support from town over last several years. Money used to cover expense vs income shortfall of operating budget.

11. **Long-term Debt Service** – Purchase of Sherwood Forest property.
12. **Delaware Municipal Street Aid** – Annual Street Aid – pass-through expense.
13. **Advisory** – Decreased by \$100

DISCRETIONARY BUDGET EXPENSES:

14. **Archives** – No change
15. **Board of Assessors** – No change
16. **Capital, Maintenance, and Repair Fund** – Newly created fund to be used per the proposal presented during the June 2010 town meeting. This is a carry over fund to allow the village to request funds for either capital, maintenance or repairs
17. **Civic** – Increase of \$1,250.
18. **Community Planning** – No change
19. **Forests** – Decrease of \$3000
20. **Playground** – No change
21. **Registration** – Decrease \$800
22. **Safety** – Town Watch Coordinator – Eliminated
23. **Speed Enforcement** – Fees for Harvey Rd. - No Change
24. **Town Expenses**
 - a. **ACRA Donations** – No change
 - b. **Arden Page Donations** – \$100 increase.
 - c. **Arden Library Donation** – No change
 - d. **Fire Companies Donation** – No change
 - e. **Arden Club Donation** – Changed from Rental; decreased \$700
25. **Contingencies** – No Change

Deadline:
Ballots must be received by
{DRAFT} – TO BE SET BY
REGISTRATION COMMITTEE PRIOR
TO MAILING

Third Reading:

Village of Arden Ordinance #4

Use of the Commons and Forests

Adopted by the Town Assembly June 28, 2010. Underlined text replaces Ordinance #4 adopted July 1973.

Section 1. Purpose. The residents of Arden wish to preserve the community forests, greens and other commons for the enjoyment of themselves and their invited guests. It shall be unlawful for any person to commit any of the following acts.

Section 2. No person or group shall sleep or camp overnight on the greens or other commons in Arden with a permit (written or electronic) from the Civic Committee. No person or group shall sleep or camp overnight in the forest without written or electronic permission from the Chairman of the Forest Committee or his/her designates. If permission is not granted, the reason for the refusal shall be made in writing to the applicant.

Section 3. No person shall litter the commons or forests of Arden. Littering of any kind in the woods, streams or commons is prohibited. "Litter" includes but is not limited to cans, paper, building material, etc., and shall also include organic material such as piles of leaves, hedge clippings and Christmas trees.

Section 4. Open fires shall not be permitted on the greens and forests except at places and times designated by the Civic or Forest Committee by permit written or electronic. However, no fires shall be permitted at times the State Fire Marshal proclaims a ban on outdoor fires.

Section 5. No person shall fell a standing tree (dead or living) in the forests or common lands without possessing authorization from the Civic or Forest Committee. Removal of wood from fallen trees in the forests shall be restricted to residents of Arden and subject to the current Forests Stewardship Policy.

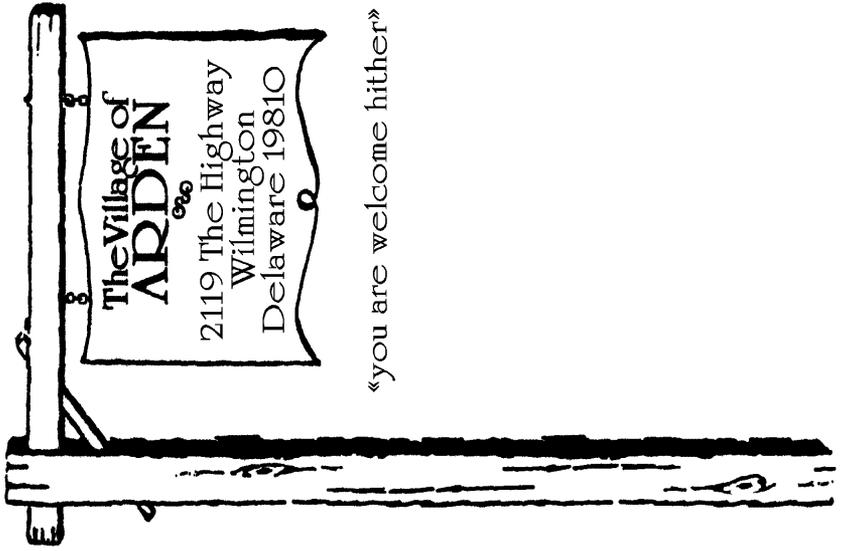
Section 6. No person shall damage or destroy recreational equipment or benches on the commons or forests of Arden.

Section 7. No person shall drive a motor vehicle on the greens, forests or pedestrian paths of Arden except in parking areas designated by the Civic or Forest Committee.

Section 8. The Civic Committee shall establish rules for the use of commons including but not restricted to, consumption of alcoholic beverages, use of recreational equipment, and requests for exclusive use of a specific area. The Forest Committee shall establish rules for Sherwood and Arden Forests. The rules are to be posted at several places in the Village. The rules will take effect and can be changed after a majority vote of the Town Assembly. Violation of the rules shall be considered a violation of this ordinance.

Section 9. Violation of this ordinance shall be punishable by a fine of not less than \$50 nor exceeding \$150. Each instance of violation shall be considered a separate offense.

Section 10. Any party who violates this ordinance and/or refuses to remove litter or repair damage including graffiti in a timely manner shall be subject to a fine of \$100 and costs of the clean-up.



The Village of
ARDEN
est. 1981
2119 The Highway
Wilmington
Delaware 19810

«you are welcome hither»