

Town Meeting

Monday, March 28, 2011
7:30 p.m. - Gild Hall
2119 The Highway
Arden, Delaware

AGENDA ITEMS WILL INCLUDE:

- Voting for Officers & Committees
- Ad hoc Committee report on Absentee Voting
- Committee Reports

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.

Election of Committees and Officers at March Town Meeting

Ballots are distributed and collected at the start of the meeting, but voting continues throughout the meeting for latecomers.

A sample Ballot appears on the following page:

BALLOT

Village of Arden

Committees & Officers • March 28, 2011

Nominees are in random order. Blank spaces are for write-ins.
Vote by marking an **X** in front of the name.

Officers vote for 1 for each office

ADVISORY CHAIR vote for 1

Bill Theis

TOWN ASSEMBLY CHAIR vote for 1

Steven Threefoot

TOWN SECRETARY vote for 1

Elaine Hickey

Committees electing 2

AUDIT vote for 2

Gary Quinton
 Lizzie Broadbent
 Laura Wallace
 Warren Rosenkranz

REGISTRATION vote for 2

Mary Murphy
 Roger Garrison
 Ruth Bean
 Barbara Henry

Committees electing 3 members. Vote for 3 for each committee.

ARCHIVES vote for 3

Barbara Macklem
 Mary Vernon
 Jane Clancy
 Lisa Mullinax
 Michael Falstad
 Donny Lipstein

COMMUNITY PLANNING vote for 3

Lillian Shah
 Harold Kalmus
 Ray Seigfried
 Ron Meick
 Sally Sharp
 Nancy Ellis

BUDGET vote for 3

Lynn Svenning
 Larry Strange
 Barbara Macklem
 Jeff Politis
 Warren Rosenkranz
 Gary Quinton

FOREST vote for 3

Chris Junk
 Katrina Streiff
 Patrick Barry
 Carol Larson
 Jennifer Borders
 Deborah Ricard

BWVC vote for 3

Deborah Ricard
 Laura Wallace
 Maria Burslem
 Elizabeth Varley
 Russ McKinney
 Bill Theis

PLAYGROUND vote for 3

Mary Vernon
 Dale Tatom
 Eliot Levin
 Sarah Vernon
 Liz Resko
 Jeff Politis

CMC vote for 3

Ken Sutton
 Rodney Jester
 Mike Sutton
 Valerie Hutchinson
 Mickey Fitzharris
 Jan Westerhouse

SAFETY vote for 3

Clay Ridings
 Pete Compo
 John DiGiacoma
 Tucker Ranck
 Denis O'Regan
 David Clancy

Election of Committees & Officers at start of meeting. Ballots may be completed throughout the meeting.
You must be 18 years or older and a resident of Arden for 6 months or more to vote in this election.

Minutes of the Town Assembly for the Village of Arden

Monday, January 24, 2011

Gild Hall -Arden, DE

57 attendees:

Ray Seigfried	Jim Laurino
Elaine Hickey	Debbie Ricard
Kate Sayer	M.P. Moon
Marvin Sayer	Warren Rosenkranz
David Michelson	Patrick Barry
Gary E. Quinton	Marianne Cinaglia
Ron Ozer	Ruth Bean
Julia McNeil	Elizabeth Varley
Steven Threefoot	Carol Larson
Cookie Ohlson	Clay Ridings
Jeffrey Politis	Sally Sharp
Connec McKinney	David Claney
Mike Curtis	Lynda Kolski
Marge Roberts	Dale Brumbaugh
Steven Blades	Boff Whalley (NV)
Nanette Robinson	Jennifer Borders
Charles E. Robinson	Bill Theis
Mary Murphy	Lisa Mullinax
Hugh Roberts	Ed Rohrbach
Van Taylor	Beverly Barnett
Rodney Jester	Larry Walker
Sadie Somerville	Barbara Macklein
Jan Westerhouse	Heidi Hoegger
Tom Wheeler	Cecilia Vore
Larry Strange	Cynthia Dewick
Jonathan Claney	David Gerbec
Jane Claney	Ron Meick
Peter Renzetti	Debbie Theis
John Cartier, New Castle County Councilman (NV)	

1.0 Call to Order

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

2.0 Minutes

The Minutes of the September 27, 2010 Town Meeting were approved as presented.

3.0 New Residents

Jim Laurino moved into 2207 Orleans Rd. in April.

Boff Whalley, along with his wife and two children, are here from England for a year and living in a home on The Sweep.

4.0 Recognition of the Departed

Irene (Renee) Heymann, a longtime resident of Arden who later moved to Maine, died there on January 6th. She was Ruth Bean's sister-in-law. She is also survived by two children in the Ardens, Chip Sharkey and Ted Heymann.

Inge Czojor who lived in Ardencroft, died on October 26th.

Dale Sampson-Levin died on October 18th.

5.0 Visitors - John Cartier, New Castle County Councilman

New Castle County government has been transformed. County Executive Chris Coons is now in the US Senate; Council President Paul Clark is now County Executive; and former State Representative Tom Kovach became Council President at the recent Special Election.

Councilman Cartier said that he has been involved in the litigation issue involving the Buckingham Greene and Sherwood Forest concerning the damage done by runoff. It is an important priority. He will be working with Council attorney Carol Dulin, and with the Arden Trustees to hopefully bring closure to the problem of no remediation for the damage despite our winning the litigation.

He has received our request for exceptions to some of the New Castle County Land Use Codes. There should be a vote on it in late spring. He does not anticipate any problems with their granting the exceptions.

Questions:

Ray Seigfried – Thank you for everything you have done for us and continue to do. There has been mention in the newspaper that New Castle County is going bankrupt. Any update on that? *John* - New Castle County government is not going bankrupt. We remain strong. We have an AAA bond rating, enjoyed by only 2% of the about 4000 counties in America. That newspaper report was a minority report, or dissenting opinion, put out by one of the members of the transition team. It exaggerated our financial problems. This fiscal year we passed a budget with no tax increases except for a sewer fee increase. We have a \$40 million general reserve, and a \$32 million rainy day fund. New Castle County remains very modestly priced in terms of property taxes and is financially sound. We are not laying off workers and we are maintaining our services despite this very difficult economic climate. I credit the leadership of the former Executive Chris Coons and County Council for leaving us in this position to ride out this very difficult recession. You can look at a checkbook presentation on the County website (nccde.org).

Larry Walker – The Village of Arden is a community of readers. A new Claymont Library is going to be built. Darley Green is offering a free site. The County is interested in purchasing another site. Free vs. purchase. Is there something we don't understand? *John* – Very good question. We have appropriated, between State and County government, the capital construction budget for a new community library. The money has been allocated and now we are at the point of site selection. The Commonwealth Group at Darley Green has offered a 1.3 acre site in the development, that was going to be open space, a pool, and a community building. Another site has emerged – the former Catholic Children's Home on Green Street - which is a 13 acre site and would allow for future growth and a park in the heart of Claymont. If we acquire it, federal HUD money will be used. So, both sites can be acquired without using county capital dollars. The site selection process will have to close very quickly because we have time clocks on capital money to build libraries. The site will most likely be picked at the end of the month or early next month.

6.0 COMMUNICATIONS- None

7.0 TRUSTEES REPORT – Connee McKinney

Connee read the following report:

The Trustees have several items to report this evening:

Finances: Copies of the quarterly financial report are available. (See Attached) We continue to make adjustments to the report to make the Trustees' finances clearer. The land rent bills are being prepared and will be mailed before February 15. Leaseholder land rent is due March 25, 2011, which is when the new fiscal year begins. We are again including a letter that gives details about your individual land rent bill. Please review it and contact us if you have any questions or concerns about that information. Thank you to Mike and Julia for the extra effort taken to prepare those detailed letters and to Lynda Kolski who originally proposed it at an earlier town meeting.

Lease Transfers: There have been three lease transfers since the September town meeting and two names added to leases. Welcome to Ross HIPPY at 1806 Inn Lane, Glen Fedale at 2033 Marsh Road, and Jan-Erik Sigbakken at 2009 Millers Road.

Legal: Roger Akin, our attorney on the Buckingham Greene lawsuit for all of these years, has taken a position with the Delaware State Department so he will no longer be able to represent Arden. He has graciously offered a few names of other attorneys that we could contact, but, at present, we have not determined what our next steps for legal representation will be. Separate from that, we are talking with John Cartier, our New Castle County Councilman, and others for guidance on ways to resolve this 16-year-old case.

Village Matters: We are continuing to work with Community Planning to address the vacant housing issue. It is a thorny issue to take on and there is no shortage of opinions Village-wide on how to address it. We appreciate that Community Planning has taken their time to consider it. Community Planning will report on any particulars regarding those efforts.

We also met with the Civic Committee to discuss their recent survey of the Sherwood Green and how that impacts a neighboring leasehold. It is a complicated problem with documents dating back to 1946 that need to be reconciled with the current survey. The Trustees' will make our best effort to resolve it.

Trustee Matters: Last Sunday, the Trustees and Directors from Arden, Ardentown, and Ardencroft met to share information on a range of issues from calculating our financial reserves to lease transfer policies and comparing and contrasting the Trustees/Directors roles in the three communities. It was a very interesting meeting. We will be meeting again in June or July and likely twice a year going forward.

If you have any questions or suggestions, please contact us at (302) 475-7980, Trustees.of.Arden@gmail.com or Mike Curtis, Carl Falco and I are, of course, available to talk to you one-on-one.

Respectfully submitted,

Connee McKinney, Arden Trustee

Questions - None

The Trustees Report Accepted

8.0 BOARD OF ASSESSORS – Tom Wheeler

The Board's meeting schedule has been published on the website and will also appear in the *Arden Page*.

Questions: None

Board of Assessors' Report Accepted

9.0 TREASURER REPORT - David Michelson

David went over the distributed Statements of Financial Position & Activity and the Statement of Special Village Funds. (See Attached) Trash Collection - \$58,100 was budgeted, but we will go almost \$8500 over that amount due to rising Collection Fees. We will use the Contingency Fund to make up for that difference.

Questions:

Larry Walker – What is the process for apply for Schroeder Bequest Funds? *Town Chair, Steven Threefoot* – 1) The amount that is available for the next fiscal year will be announced at the September Town Meeting. 2) Committees will submit their proposals to the Town Officers prior to the January Town Meeting when they will be announced to the Town Assembly. 3) The Officers will review the proposals and discuss their recommendations at the Advisory Committee Meeting in March. 4) With the guidance of the Advisory Committee,

the Officers will make their decision and announce it at the March Town meeting. All funds go through the standing committees. This process is a streamlined version of the original process that was suggested 3-4 years ago which designated a project administrator working with the Officers. Now, the Advisory Committee will fill that role.

Treasurer's Report Accepted

10.0 COMMITTEE REPORTS

10.1 Advisory Committee – Bill Theis

Bill thanked the Committee Chairs for submitting their nominations for the March elections. Cecilia Vore posted the committee nominations at the front of the room and on the handout. Several more nominations are needed. Chair Steven Threefoot called for nominations from the floor. Gary Quinton was nominated for Audit and Jane Claney for Archives. The assembly was encouraged to call or email Bill with additional nominations but to be sure that the nominees are willing to run and to serve.

Bill announced that the Forest Committee and the Playground Committee have both submitted grant proposals for the Schroeder Bequest Funds. A decision will be announced at the March Town Meeting.

Questions: None

Advisory Committee Report Accepted

10.2 Safety – Bill Theis

The New Castle County police reported that there were 11 calls from Arden, 4 from Ardencroft, and 6 from Ardentown. Of those 21 calls, 4 were for theft or burglary. This is the normal rate for the entire Brandywine Hundred area. Their recommendations are to leave outside lights on, use motion detection lights outside, timed-lights inside, and to lock all windows and doors. Chair Steven Threefoot mentioned that the Town's laptop computer was stolen in one of the recent burglaries.

Questions :

Ed Rohrbach – Were these all daytime burglaries? *Bill* – The one on Millers Rd. occurred in the middle of the night. *David Claney* - One theft happened while I was at home during the day. It was a theft involving an unlocked car. *Bill* – Another daytime break-in also occurred while the person was in their home.

Safety Committee Report Accepted

10.3 Registration – Cecilia Vore

Cecilia read the following report:

This report has two parts: the first will be given by me regarding activities of the Registration Committee since the last Town Meeting. The second part will be given by Ruth Bean and is an update on the Arden Book.

The Registration Committee conducted the annual Budget Referendum and Election of the Board of Assessors. Ballots were counted on Wednesday, Nov. 3, 2010. To our best calculation, there were 338 residents eligible to vote in these elections. We received 208 valid envelopes containing ballots; There was 61.5% participation.

Under the rules for approval, the budget needed 170 yes votes to pass. Every item on the budget was approved. The votes in detail are as follows: 150 votes for "Approve Entire Budget," 6 "Disapprove Entire Budget" and 46 ballots with itemized disapprovals. There was one invalid ballot. The town secretary was given a copy of the final tally for all items for the records.

The individual disapprovals were as follows:

Advisory Committee	2	Safety- Speed Enforcement.	17
Archives	7	Buzz Ware Support	9
Board of Assessors	3	Donations - ACRA	3
Capital, Maintenance & Repair	23	Donations - Arden Page	0
Civic Committee	7	Donations - Arden Library	4
Community Planning	2	Donations - Fire Companies	1
Forest Committee	8	Donations - Arden Club	13
Playground Committee	5	Contingencies	18
Registration Committee	1	<i>Any item needed 27 disapprovals to be</i>	
Safety Committee: General	1	<i>defeated.</i>	

The following residents were elected to the Board of Assessors in order: Alton Dahl (convener); Walter Borders, Bill Theis, Denis O'Regan, Gary Quinton, Alan Burslem and Tom Wheeler. Election results were posted on Town bulletin boards and the Town website.

The Registration Committee will conduct the election of officers and standing committees at the March Town Assembly. The election will be held by secret ballot at the beginning of the meeting, and voting will continue throughout the meeting. Residents who have lived in the village for at least 6 months and are 18 years or older on the night of the election are eligible to vote.

On Jan 17, I spoke with Ted Rosenthal, the lawyer for the Village of Arden, about our compliance with existing state election laws. This was in response to a letter that was sent by the Attorney General's office to all Delaware municipalities in the summer. Mr. Rosenthal is confident that we are in compliance with state laws. As regards absentee voting for committees and officers, now under discussion, he believes we are in compliance currently, without any absentee voting procedure. If the Town Assembly chooses to approve an absentee voting procedure in the future, that would also be in compliance.

That concludes the first part of this report,

Respectfully,

Cecilia Vore, Chair, Arden Registration Committee

Ruth Bean read the following, the second part of the Registration Report:

As the "keeper" of the Arden Welcome Hither packets I recently realized that the enclosed book for the Ardens, first distributed in the Centennial year, may need a few updates. Having spoken to Connee, Steve, and also Cecelia, we agree that an insert bringing up changes should be put together. We think that a "one pager" would be enough, and it could then be put on the web for the Ardens. Since the book is part of the Registration Committee and I was made responsible for keeping a record of the books sold and distributed ten years ago, I will try to convene people involved and would ask that any committees which feel that their information may need to be updated please let me know.

At this time I also would like to review the process of distributing these books. The Village of Arden paid for the printing and then sold the requested numbers of books at the printing price to the other Ardens and then to the Archives Museum. Every new resident should receive a Welcome Hither packet which includes the book, (if you did not receive one let me know). Other books may be purchased from me and are sold at the price which Archives charges, which is \$6.00 a copy. I have a box of books at my house, and there are other boxes at the Town Office. The moneys gained from the sales are sent to the Village to recoup the original cost of printing. Town officers receive books to pass out to legislators, or other people which might benefit Arden, an example being during the efforts to obtain Historic status for the villages the Community Planning Committee passed out copies to people who needed more information. We also feel that new legislators should receive a copy in case they are not familiar with the Ardens. We would like to proceed and would hope to have a copy of the "revision sheet" available at the June Town Meeting.

Questions: None

Registration Committee Report Accepted

10.4 Playground – Larry Walker

Larry read the following report:

Since the last Town Meeting, the two required playground equipment inspections were held, and all equipment was inspected to determine that it was in good order. In addition, all equipment was adult tested for safety. All equipment is in safe condition.

The last project for this Fiscal Year will be the renovation of the area under the swings and slide at the "Millers Road" end of the Village Green, and the work is scheduled for March 2011. The old mulch will be removed, perimeter wood curbs will be installed, and the area will be filled with playground mulch. It will better delineate the "Fall Zones" that the Committee maintains, and it will renew the shock absorbing material under the playground equipment.

Submitted by,

Mary Vernon and Larry Walker, Co-Chairs

Questions: None

Playground Committee Report Accepted

10.5 Forest - Elizabeth Varley

Elizabeth read the following report:

Forest Restoration and DDA Grant - Work 95% finished on Delaware Department of Agriculture Grant. Dead and dangerous trees removed, heavy brush cleared. We will continue when snow cover is gone.

We spent two days of Weed-n-Walk to take out wisteria and multiflora rose:

October 10, 2010: Removed wisteria, Carol Larson, Elaine Schmerling, Jane and Jon Claney, Helga Melton, Judy Butler, Joan Fitzgerald. December 3, 2010: Cut out multiflora rose. Elaine Schmerling, Carol Larson, Helga Melton. Many thanks to all volunteers who came out to help! Watch for more scheduled days of Weed-n-Walk through out all the Ardens forests in conjunction with residents of Ardentown and Ardencroft. We announce them in the *Arden Page*. Please consider coming out and joining us – it's a monumental task.

Adopt-a-plot - The Forest Committee plans to encourage residents to adopt a small area to keep clear of invasive plants. This is especially appropriate for those residents who have leaseholds near the woods and can monitor the area from day to day.

Monitoring Forest Quality - Please let the Forest Committee know when you see unusual activity in the woods. There was a large project by United Water (or their affiliate) painting the water tower. We would like to be sure they treat the forest (and humans!) with respect. This did not seem to be the case. *Port-a-potty still in forest as of 1-24-2011.*

We submitted a proposal for planting the northeast corner of Marsh and Millers Roads with native plants that have high value for wildlife including pollinators, bees and butterflies in order to utilize the Schroeder bequest.

One large leaning Tulip tree near Del Tufo leasehold was taken down in December.

We continue to:

- *Monitor for encroachments
- *Clear walking trails. Please report any problems we miss.
- *Maintain health of forests by monitoring water erosion and invasive plant spread.
- *Education: Series of informative articles in the Arden page.

We sent in an application (along with Ardentown) to become (or remain) an official Tree City in large part because it helps the State of Delaware Urban Forestry staff with their accounting to Federal agencies.

Arbor Day is Friday, April 29.

Christina River Watershed clean-up is April 16, 8-12

Questions:

David Claney – It has come to my attention through someone who burns wood to heat their house, that trees in the forest are stumped 20'-30' high. Could they be stumped lower so the wood could be used as heating fuel? *Forest Committee Chair Carol Larson* – We stump high so that the trees can remain as habitats for wildlife and at the same time not cause damage if they fall. *David* – Is it okay to

cut them lower and to use the wood? *Carol* – We can put your name on the list of people who use wood for heat to contact when we need to get rid of excess dead wood in the forest. We prefer to do that instead of chipping all the excess wood.

Forest Committee Report Accepted

10.6 Community Planning – Ray Seigfried

Vacant House Letter and Process -Ray distributed the following sample letter that the Committee proposes to send to leaseholders with vacant houses:

Community Planning Committee

Vacant Houses

Dear [Leaseholder name],

As a courtesy, we are making you aware that an Arden Vacant Housing Ordinance is currently under consideration by the Village. The Village of Arden Community Planning Committee and the Trustees of Arden have held public meetings discussing resident's concerns about vacant housing in our community.

At these meetings, residents' concerns focused on health and safety issues that arise when a dwelling is unoccupied for a long period of time. The specific health and safety issues mentioned by residents were mold, rodents and fire.

In addition, attendees stated that a spirit of civic engagement is an important component of community building and is a feature of Arden that is attractive to new residents. This sense of involvement keeps many of our current residents here a lifetime. When a dwelling is unoccupied for a period of time, the neighborhood is deprived of any possible participation in community life by a resident or a family member. We are a small enough community to feel that loss.

It is our understanding that your leasehold has been vacant for longer than one [1] year. In the spirit of civic engagement, we would like to understand what your plans are for your leasehold and would appreciate a letter from you regarding this.

If you have any questions or concerns about this information, please contact us at: Village of Arden Secretary 302-475-2516 or Trustees of Arden Assistant 302-475-7980.

Sincerely,

Trustees

Process

1. During the month of November Registration Committee will notify the Village Secretary of all houses vacant for over one year.
2. Village Secretary will notify the Trustees and together will send out the vacancy letter.
3. Trustees will inform the Village of their action at the March Town Meeting.

Ray explained that the Committee has had several public meetings, discussed at Town Meetings, and has worked with the Trustees on this issue. As a first step they would like to send this letter to leaseholders who have vacant houses for longer than one year. Ray then made the following Motion:

MOVED

The Community Planning Committee would like to propose that the Vacant House Process spelled out in the handout begin in Nov. 2011.

Seconded

Discussion:

Charles Robinson – Could you give an example of the action the Trustees would report on? *Ray* – Basically if three letters went out to three leaseholds, they would report on whether or not there were any responses and if so, what the responses were. *Charles* – Do we also get a report on what authority the Trustees have and the action they will take regarding the leaseholder's response, e.g. we will close the place down, etc.? *Ray* – There is no action on the part of the Trustees other than sending the letter.

Call for the Question:

The Motion is to propose the identified process in the presented letter and that this letter go out to vacant leaseholders annually starting in Nov. 2011.

Motion passed. Ayes have it. There were some No votes.

Possible Fee for Vacant Houses

Ray discussed the possibility of charging a fee for Vacant Houses as a second step. In the City of Wilmington, if a house has been vacant, after a year they levy a fee of \$500, after 2 years - \$1000, 3-4 years - \$2000 and so on. At our Town Meetings there has been great feedback and questions about legal issues. The City of Wilmington has been challenged legally on this but won every time by citing Chapter 25 in the State Law which gives them the right to charge such fees. Legally it does appear to be something we could do if we chose to do so. Ray asked if the Assembly is interested in having the Committee look into a fee structure.

Discussion:

Tom Wheeler – Regarding Chapter 25, if we have the right to charge for non-occupancy, then maybe we also have the right to charge for occupancy. *Ray* – I

know that it says “for vacancy” but I do not know the other. *Tom* – So we don’t understand the Law? *Ray* – I am not an attorney. All I can tell you is that the City of Wilmington has been very successful on using this law for Vacant Houses.

Marianne Cinaglia – What if the vacant house is on the market and no one wants to buy it? Do you still have to pay a fee?

Jeffrey Politis – I encourage you to continue with the plan of charging a fee.

Jim Laurino – Can you tell us a little more about the history of these houses?

Ray – I did not mention any houses that are vacant. I just said that a letter will go out if a house is left vacant for over a year. That is the first step. A possible second step would be to levy a fee as the City of Wilmington does.

Ruth Bean – Why do the Trustees have to wait until November? The Town Assembly seems to be in favor. *Ray* – Registration has a complete Town listing at that time.

Cecilia Vore – That is true and that would be a convenient time to provide a list. I think it is a good idea to write letters to try to get people to take care of their property. However, the people with vacant houses are paying their land rent. I believe we have a right to do whatever we wish with our property as long as it is not creating a fire or health hazard. That includes keeping the property vacant. Some of the places that are vacant have been vacant for many years because the owners are totally dysfunctional. Legislation is not going to work in these cases.

Jennifer Borders – Could you give us a sense of the scope of this problem, e.g. how many houses, how long have they been vacant, and how much have the neighbors been complaining. *Ray* – This issue has been brought up before Community Planning for many years. To my knowledge there are 3 or 4 vacant houses and it has been the sense of the community that something should be done to stimulate participation from the owners to do something about getting their houses rented or sold.

Beverly Barnett – Arden has 198 leaseholds. Of those, three or four are long term vacancies. One has been vacant 18 years and another, for 6-7 years.

Mike Curtis – We could give a dividend to every resident family. It would just be a bookkeeping thing. If you were not living in the house you would not get the dividend. If it was around \$10,000/yr., I have a feeling it might get some action.

Speed Tables for Harvey Rd.

The committee has looked into the possibility of getting speed tables on Harvey Rd. There have been countless efforts since 2004 to install speed bumps or speed tables on Harvey Rd. in order to calm the speed of traffic. Every time we have attempted to slow traffic on Harvey Rd. the Fire Co. is dead set against anything that would slow their emergency equipment. At this time we are going to put the speed table issue on hold.

Land Use Code Exceptions

Our request for exceptions to some of the County Land Use codes will hopefully be approved in April.

Water Main Breaks

In September and October there were extensive water main breaks in the Ardens and many of us had no water. One house was flooded. The breaks were due to a miscalculation of the water pressure while United Water was doing maintenance. Some residents have received very high water bills from this period of time.

Discussion:

Chair Steven Threefoot – Please check your water bills and make sure they are comparable to previous years. If they are significantly higher, contact United Water, and also send a letter to the Village. The pressure surge that caused many of the main breaks could have caused minor breaks that will show up later.

Tom Wheeler – I have talked to United Water over the years. They will happily send you your bill history so that you can easily see any disparity.

Clay Ridings – If you think you have a problem with your water between your house and the street, turn off everything in your home and stick a 2x4 onto your shut off and you can hear water running through. That will tell you if you have a leak between your house and the street.

Sally Sharp – There was an Ardentown resident who sustained \$2300 in water damage and \$300 in landscaping damage. She has been reimbursed by the water company and the insurance company.

Rodney Jester – I too had a leak between my house and the street and was reimbursed for the damage.

Beverly Barnett – Going back to the speed issue on Harvey Rd.: What we need is for the State Legislature to allow the State of Delaware to use speed cameras. Delaware doesn't even allow them to be used through work zones. When speed cameras are legal in Delaware, I believe we will be able to effectively start calming the Harvey Rd. traffic.

Ruth Bean reported that there will be a Memorial Garden clean-up day scheduled for Saturday, April 30. The rain date is May 1.

Community Planning Committee Report Accepted**10.7 Civic – Tom Wheeler**

The committee has painted street signs with a Tudor brown background paint and attached reflective glass beads to make the signs more visible.

We are looking into getting markers placed on our fire hydrants so that they can be located when there is a lot of snow. The Fire Marshall has been contacted regarding this issue.

Jim Burslem has been contracted to clear the roads when there is over three inches of snowfall and to salt when there is freezing rain.

Monkey Ball trees were removed from Grocery Lane.

DeDOT has placed sand barrels around town.

We continue to work with the Trustees on the boundary issue between the Sherwood Green and the adjacent leasehold which had been granted additional land in 1946.

Questions:

Elaine Hickey – The sand barrel at The Highway and Orleans Rd. does not have a lid on it. The sand is frozen. Someone should contact DeDOT and ask them to put lids on the barrels.

Civic Committee Report Accepted

10.8 Buzz Ware Village Center – Gary Quinton

Gary read the following report from Warren Rosenkranz:

Thank you all for attending the New Years Day Brunch. It was sold out again this year and provided a great gathering event for all of the residents and friends of the Ardens. The free-flowing champagne and gourmet dishes kept everyone happy and still resulted in a small profit to benefit the BWVC Renovation Fund. Thank you to all of the BWVC Committee members and friends who worked hard to make this event memorable and successful.

I'd like to thank Gary Quinton for all of his hard work on getting the 200 ampere electrical service installation project started and we will hopefully have the installation finished before the next Village meeting.

A quick note on the Energy Efficiency and Conservation Block Grant (*EECBG*) benefiting the BWVC-

We have started the bidding process and will close the bidding on Feb 3rd. Selection of successful bidders will be made shortly thereafter. We are hoping all work will be completed by the end of March.

Questions - None

Buzz Ware Village Center Report Accepted

10.9 Budget – Jeffrey Polits

Steve Tanzer will not be running for the Budget Committee this year. Jeffrey thanked him for his service on the Committee for the last 6-8 years.

Requests are going out to all the Committees to get their three-year budget projections to the Budget Committee as soon as possible. The Town's three-year budget projection will be presented at the March Town Meeting.

Questions – None

Budget Committee Report Accepted

10.10 Audit – Cookie Ohlson

Cookie read the following report:

On December 8, 2010 an internal audit was conducted on the Arden books and accounts. All was in order.

Helen "Cookie" Ohlson, Audit Chair

Questions - None

Audit Committee Report Accepted

10.11 Archives – Lisa Mullinax

Lisa read the following report:

We renewed the contract of our curator, Keith Minsinger, in October. Keith has been a great help in getting us organized and in cataloging the collection. Among his projects for the coming year, he will be helping us find and apply for grants for various key projects such as preserving and expanding our oral history collection.

We held our first giving campaign (fund raising letter) in October. We sold many Arden picture books, with all proceeds going to the Museum.

The monthly Afternoon with the Artist exhibitions, organized by Debbie Ricard, continue and attract a great turnout.

Significant recent acquisitions include: spoons and creamer that belonged to the Wares and made by Margaret Wood, a photo of the Arden baseball team, a letter by Don Stephens, a manuscript in Esperanto, a "thrilling account" of life in a single tax colony, an Arden Forge table lamp, a costume for Mikado circa 1950, ceramics by Cecilia Troupe, a Mother Bloor Birthday Button, a comprehensive archive of Ardensingers posters playbills from Ron Fava, and most recently, thanks to Mark Taylor, two tables and a bench by Don Stephens and two sets of candlesticks from The Arden Forge.

Please stop by the Museum and see these wonderful objects! We are open Wednesday, 7:30 to 9 and Sunday 1 -3.

Stats as of October 2010:

Visitors (from guest book): approximately 210

Volunteer hours: approximately 270

Respectfully submitted,
Lisa Mullinax

Questions:

Mike Curtis – Does the Village of Arden own the collection or does the Arden Craft Shop Museum own it? *Lisa* – The collection belongs to the Committee which consists of the combined committees of the three Towns: Arden, Ardentown, and Ardencroft. The Arden Craft Shop Museum Inc. is responsible for the building.

Archives Committee Report Accepted

11.0 OLD BUSINESS

11.1 Absentee Voting – Marianne Cinaglia

Marianne stated that she first presented this idea at the 2009 June Town Meeting and it has been discussed at Town Meetings since then. She is proposing a process to move forward with the idea of Absentee Voting. Marianne made the following motion:

MOVED

That the following procedure be adapted [sic] to guide the process of discussion and amending of: Arden Ordinance 15: Absentee Voting
Copy of ordinance available to people at Jan. 24, 2011 meeting and distributed with next *Arden Page*.

Town Chair will appoint at least two more neutral committee members by February 1. The June 2010 minutes state that “ Chair Steven Threefoot stated– We will establish a committee other than the Registration Committee to look further into this and go through a process to have something for the September (2010) Town Meeting.”

- Committee or Town Chair obtains opinion of our lawyer on non necessity/ necessity to change Town Charter in writing by February 10.
- Schedule meeting for in-person comments (February 10 at 7 at Buzz Ware or Saturday, March 6 at 2 PM at Buzz Ware).
- Request that site on Arden website or another convenient place be created to accommodate receiving and reading of electronic comments.
- Comments can also be made by letter to members of the committee.
- Have ordinance or other mechanism (if necessary because of legal requirements) ready for vote at March meeting.

Chair Steven Threefoot asked if, for clarification purposes, there were any comments about the Motion as presented. He made the comment, as a Point of Order, that an ordinance would work here and that attorneys don't like to do written opinions until they have to. An ordinance requires three readings. He suggested we strike the word "vote" and say "first reading" instead. It was also suggested that the Motion state that it is a "proposed" ordinance.

Motion Seconded.

Discussion:

Elizabeth Varley – I will vote against the Motion and urge others to do the same. I do not feel we need another ordinance and do not feel our voting procedure is a problem.

Kate Sayer – I don't understand the difficulty in allowing people, who are residents and care about what happens in the Village but not here at the time of the March Town Meeting, to vote by absentee ballot. The Budget Referendum and last voting we had was done through the mail. Why would you not want us to continue to be interested in the Village and support it?

Steven Threefoot – Point of Order. The Motion on the floor is to accept that this committee go forward. Please make sure you direct your discussion to that.

Lynda Kolski - I am strongly in favor of this. We need a process to move the Motion forward so that the Town has a chance to vote one way or the other. I strongly recommend that the Town vote for this. As Kate pointed out, we vote in referendum for Budgets and Assessors. In today's world there are a lot of demands on our lives and not everybody can make it to Town Meeting all the time.

Steven Threefoot – Point of Order. I would like to make a Motion to amend the Motion on the floor to state that this is for Committee & Officer Elections only and not for every vote before the Town Assembly.

Seconded

Discussion – None

Amendment passed. Ayes have it. One No vote.

Cecilia Vore – I question the need to have an ordinance. This is an election procedure. I think it could be adopted as an official Election Policy or Procedure without making it an Ordinance.

Marianne Cinaglia – This was put together as an ordinance so that discussion could get started.

Jeffrey Politis – I think this is a good idea to put this together and go forward. I would probably be for the Motion. I propose an amendment to the Motion to say that meetings will be decided upon and posted once the committee has gathered.

Seconded

Amendment to the Motion passed. Ayes have it.

Call for the Question

MOVED

That the following procedure be adapted to guide the process of discussion and amending of: proposed Arden Ordinance 15: Absentee Voting for election of Town Officers and Committee Members

- Copy of proposed ordinance available to people at Jan. 24, 2011 Town Meeting and distributed with next *Arden Page*.
- Town Chair will appoint at least two more neutral committee members by February 1. The June 2010 minutes state that “ Chair Steven Threefoot stated– We will establish a committee other than the Registration Committee to look further into this and go through a process to have something for the September (2010) Town Meeting.”
- Committee or Town Chair obtains opinion of our lawyer on non necessity/ necessity to change Town Charter in writing by February 10.
- Committee will schedule and post meeting for in-person comments.
- Request that site on Arden website or another convenient place be created to accommodate receiving and reading of electronic comments.
- Comments can also be made by letter to members of the committee.
- Have ordinance or other mechanism (if necessary because of legal requirements) ready for first reading at March meeting.

Motion passed. Ayes have it with some No votes.

Chair Steven Threefoot asked if anyone would like to volunteer for this committee for Absentee Voting, and to please call if interested.

12.0 NEW BUSINESS – None

13.0 GOOD & WELFARE – None

14.0 Meeting Adjourned – 9:19 PM

Respectfully submitted-

Elaine Hickey

Secretary

Town of Arden

ATTACHMENTS

Trustees of Arden
Quarterly Report
December 24, 2010

Assets

Arden B&L	\$173,978.88
Wilmington Trust	11,622.94
Vanguard Multiple	229,604.29
Total Current Cash & Equiv	\$415,206.11

Income

Land Rent & Related Income	\$542,720.30
Investment Income All Sources	8,501.53
Total Income	\$551,221.83

Expenses

New Castle County	373,653.65
Village of Arden	140,000.00
Insurance	8,553.00
Third Party Audit	6,000.00
Third Party Bookkeeping	2,466.70
Third Party Legal	2,106.20
Third Party Engineering/Other	0.00
General Administration	7,506.33
Total Expenses	\$540,285.88

Trustee: *Mike Curtis*

Admin. Asst: *Jula Marshall*

UNAUDITED
FOR DISTRIBUTION
AND DISCUSSION
PURPOSES ONLY
FOR ARDEN
TOWN ASSEMBLY
1/24/11

Village of Arden
Statement of Financial Position
As of Jan 24, 2011

Checking/Savings		
1000 · TD Bank Operating Account	4,431	General operating
1005 · ING Direct	62,667	General operating
Total Checking/Savings - Village Funds	67,098	
1010 · TD Bank MSA Checking Account	14,244	Municipal Street Aid
1004 · 2 CD's - Firstrust Bank	219,772	Schroeder Bequest
1020 · Wilmington Trust 2943-0071	174,945	Schroeder Bequest
Total Schroeder Bequest	394,717	
1030 · Arden Building & Loan	11,671	Hamburger Lecture Series
1031 · Arden Building & Loan	569	Buzzware Funds
1100 · Due From Trustees of Arden	46,500	Second payment of FY11 budget
TOTAL ASSETS	534,799	
LIABILITIES		
2000 · Accounts Payable	7,919	
2010 · Payroll Liabilities	319	
2300 · Mortgage Arden Bldg & Loan	101,836	Avery Property Mortgage
Total Liabilities	110,074	
Total Equity	424,725	(Schroeder Bequest = \$394,717)
TOTAL LIABILITIES & EQUITY	534,799	

UNAUDITED
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AND DISCUSSION
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FOR ARDEN
TOWN ASSEMBLY
1/24/11

Village of Arden
Statement of Financial Activity
4/1- 1/24/11

	4/1-1/24/11	Budget	Footnotes	% to Budget
Revenue				
4000 · General Funds - Village	133,000	183,000		72.68%
4200 - Grants	10,447	-	1	
4510 · Franchise Fee Receipts	12,439	12,100		102.80%
4900 · Interest Income	1,183	700		169.06%
Total Revenue	157,069	195,800		80.22%
Expenses				
6000 · Payroll & Payroll Taxes	9,335	12,184		76.61%
6300 · Administrative Expenses	3,700	4,250		87.07%
6900 · Audit,Bkping,PR Expenses	3,212	9,400		34.17%
7010 · Gild Hall Rental	-	1,300	2	0.00%
8000 · Committee Expenses	49,690	66,790		74.40%
8010 · Contributions & Donations	5,300	5,300		100.00%
Contingency Fund	-	9,500		0.00%
Grant Expense	6,112	-	1	
8030 · Trash Service	55,188	58,100	3	94.99%
9000 · Debt Service	13,392	16,176		82.79%
Total Expense	145,930	183,000		79.74%
Surplus (deficit)	11,139	12,800		
Committee	Actuals YTD	Budget		
Advisory		300		0.00%
Archives	1,022	1,440		70.97%
Assessors		50		0.00%
Civic	42,068	50,000		84.14%
Community Planning		1,000		0.00%
Forest	5,250	8,000		65.63%
Playground	1,350	3,000		45.00%
Registration		1,000		0.00%
Safety		2,000		0.00%
	49,690	66,790		74.40%
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			

Village of Arden
Statement of Special Village Funds
January 24 2011

UNAUDITED
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 1/24/11

	Special Village Funds				MSA
	Hamburger Lecture Series Apr '10 - Jan 24 '11	J. Schroeder Bequest Apr '10 - Jan 24 '11	Memorial Garden Apr '10 - Jan 24 '11		
Revenue					
4010 - Donations	-	-	3,936		-
4900 - Interest Income	-	652	-		14,116
Total Revenue		652	3,936		14,116
Expenses					
8000 - Program Expenses	-	-	2,956		-
Total Expense		-	2,956		-
4999 Carried forward fund balance	11,671	393,827	5,848		39
Fund balance	11,671	394,479	6,828		14,155
Balance Available for Grants		3,862			

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Village of Arden
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TOTAL LIABILITIES & EQUITY	<u>534,799</u>	

**Village of Arden
Ordinance 15**

Absentee Voting for Town Officers and Committee Members

Section 1. Purpose: Arden shall have a procedure that enables residents of the Village who are unable to attend the March Town Meeting to cast a ballot that shall be counted in the total for the Village election of Town Officers and Committees.

Section 2. Residents are eligible to vote by absentee ballot because he/she is unable to attend the Town Meeting for the following reasons:

- Because such person is in the public service of the United States or of this State, or of this State;
- Because such person is in the armed forces of the United States or the Merchant Marines of the United States, or attached to and serving with the armed forces of the United States in the American Red Cross or United Service Organizations or other group;
- Because of the nature of such person's business or occupation, including the business or occupation of providing care to a parent, spouse or child who is living at home and requires constant care;
- Because such person is sick or physically disabled; or
- Because such person is absent from the municipality while on vacation or attending college/training school or involved in a humanitarian mission;
- Because such person is unable to vote at a certain time or on a certain day due to the tenets or teachings of that person's religion.

Section 3. Reminders of procedures for absentee voting shall be included in the notices of the March Town Meeting and the February Arden Page. These procedures include filing for Affidavit and receiving and returning the Absentee ballot.

Section 4. Filing for Affidavit

- a. An elector desiring to vote by absentee ballot in an election for which the elector is a qualified elector may request an absentee ballot from the Registration Committee by filing a written affidavit with the municipality no earlier than 45 days before the election and no later than 12:00 noon the day before the election. An elector may submit a written or electronic request to the Village for the Village-prepared affidavit form, which the Village shall forward to the elector upon receipt of a request therefore.
- b. Affidavits filed pursuant to this section shall be prepared by the Registration Committee and request the following information:

The election or elections for which the elector is requesting an absentee ballot;

Include at least the following information:

The elector's name;

The address within the Village at which the elector establishes eligibility to vote;

The address to which the elector requests that the absentee ballot be mailed;

The reason that the elector cannot appear at the regular polling place on the day of the election which reason shall be any of the reasons listed in Section 2 of this document.

The elector's signature.

Section 5. Distribution of ballots, envelopes, and instructions; envelope specifications; prepaid postage

Resident completes affidavit and returns it by mail or electronic means or by personal delivery no later than 12 noon the day before the election.

Registration Committee forwards ballot/presents ballot to resident as soon as it is prepared but at least 21 days before the election along with a mailing envelope/signature envelope to requesting resident. The same procedures used in the annual budget referendum will be used for return of absentee ballots. Postage for ballot envelopes shall be the responsibility of the Village.

If the request for absentee ballot occurs within five days of the election, the Registration Committee may include the affidavit and ballot in one delivery with directions on proper completion and submission.

Section 6. Return of the Ballot

Resident returns ballot by mail, by delivering it, or causing it to be delivered as specified by the Registration Committee before the polls close on the day of the election.

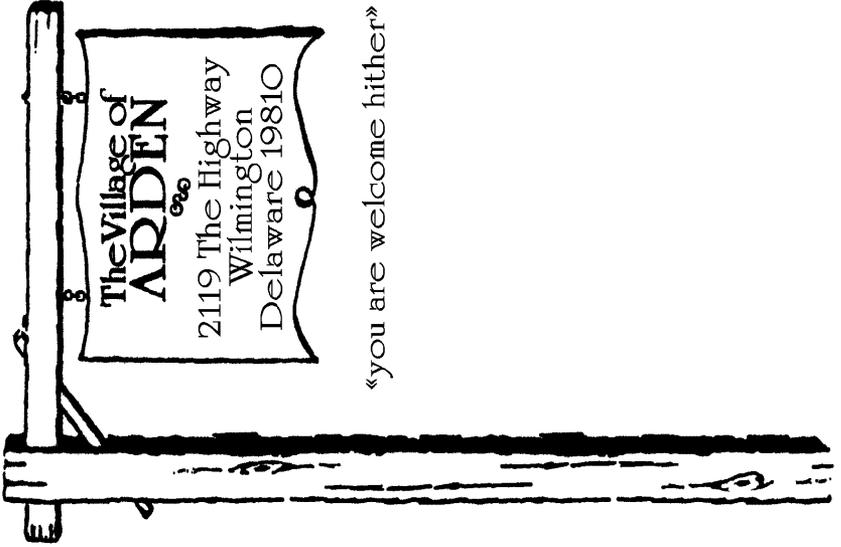
Absentee ballots will be counted at the same time as the ballots completed at the March Town Meeting

**Based on State of Delaware Title 15: Special, Municipal and Other Elections
CHAPTER 75. MUNICIPAL ELECTIONS**

Subchapter V. Absentee Voting in Municipal Elections Except for the City of Wilmington

<http://delcode.delaware.gov/title15/c075/sc05/index.shtml> and procedures for Village of Arden Budget Referenda

Notes



The Village of
ARDEN

2119 The Highway
Wilmington
Delaware 19810

«you are welcome hither»