

Minutes
Arden Town Meeting
Monday, March 25, 2013
Gild Hall

Attendees: 69 line 58 Unidentifiable signature

Call to Order

Chair Danny Schweeers called the meeting to order at 7:35 P.M.

Cecilia read rules for Committee nominations and voting process. Passed out ballots and voting was open throughout town meeting.

Approval of the Minutes

The Minutes of the January 28, 2013 Town Meeting were not presented for approval. Oversight:

New Residents None

Recognition of the Departed Hugh Roberts provided two names can check whith him

Visitors (Recorder 01/03 13m23s)

Michael S. Powell, Delaware state coordinator of DNREC (WWW.dnrec.delaware.gov Michael.powell@state.de.us 302.739.9921).

Main Reason to join FEMA flood plain insurance:

*Makes flood insurance available and affordable through NIFT.

*Flood insurance is going to be typical condition of the banks for a loan.

The village can just join and not have to adopt an ordinance since Arden Village already has flood plain enforcement by NCC that already meet the federal requirements.

*Flood insurance covers (check with insurance agent for details list) Limited list: homes, outbuildings, structural damage to building, contents etc. Basements more limited coverage (not contents in basement).

Q:

Ed Rohbach; Can you purchase flood insurance if you are not in flood plane?

Ray: Yes

Jeff Politits: Down side? Cost? Why would we not do this?

M. Powell: No downside because NCC, Department of Land Use, is already enforcing flood plain regulations for the village which meets or exceeds the federal minimum.

Carol Larson: Next year, 2014, new flood plain maps and how would that affect Naaman's Creek?. M. Powell: No studies that he is aware for Naaman's Creek at the present time.

Carol Larson: Limit to number of flood plain claims.

M. Powell: No limit and no cancellation on repeated claims at present. Congress is trying to build-in a rate increase for those with repeated claims.

Recording 01/3 0h 25m 43s:

2. Marianne Cinaglia: Several Announcements and introduced Katlin Hestler of Americorp

:* National Americorp week is the second week of March.

*Two Americorp initiatives in Delaware: 1) help National Guard and veterans with substance abuse problems 2) NCC group that helped last year with our invasive plants is going to help with the repairs to the Smyrna Boys Club.

*Katlin Hestler of Americorp is stationed at the Talleyville Fire Company. Katlin spoke about the opportunities in Americorp and their many community based programs on the National, state and local level. For further information about these programs : AMERICORPS.GOV or call toll-free 1.800.942.2677.

Did not enter into publisher

CCOBH (Council of Community of Brandywine Hundred)

Marianne highlighted Tom Gordon's Feb 21 meeting.

Issues NCC many economic problems, Astra Zeneca down, revisiting UDC..

Official cooperation county and police.

Work with the state police

Propose sale of port of Wilmington pushed to the side not best \

Extended traffic before 141 and 41

100 year storm

Another general meeting police action in brandywine 100

Clean up nammans April 6 Sweeneys at 8 am

Communications: **01/03 0h 35m 38 s**

Danny schweers attended the ArdenCroft meeting in which they served dinner within the first hour.

ArdenCroft invited a NCC NCC police officer to attend their town meeting to discussing town watch.

two way people in homes looking out windows and shre with neighbors.

Recorder 01/03 0h 36m 44S

Trustees' Report – Mike Curtis read the following report:

Recorder 01/03 0h 41 m 12s

Questions:

*Ruth Panella: Why was the potential to purchase the property not discussed at town meeting? Mike: A motion was not brought to the town to discuss it.

44:25*David Norheimer: Why was equal transfer of land agreed upon? The land he wants for easement appears to be valuable to both parties (Wynn and Arden) and the land Wynn is giving up in exchange is not a particular loss to the property owner and not a particular gain to the community (value as forest).

Mike: The forest would transfer some land to the civic committee (right of way) and then, leaseholder in exchange, would not get any more land. But the right of way would be expanded. It is not a trade giving him anything in particular. He simply would get a smaller lot but he would have access to the road directly in front of his garage.

45 10

Carol: We get an easement for that corner that is basically under water part of the time and he can use it as creek buffer. It would remain part of his leasehold but it would be defined differently. Mike: It can be done either way as

a subdivision or as an easement. Carol: It is easement on his land and would not transfer ownership? Mike: He can not use it exclusively and that is what the easement would do. Point has a big drainage pipe. There can be no building on it.

4727

4807 *Steve Harcourt: The plan that the trustees approved was not the plan sent to the NCC. What is the point of your approving a plan if someone can change them? Now we have a precedence that your wishes do not have to be followed. If you can't enforce your authority, then you do not have any authority.

Mike: Do you think we should raise everyone's land rent and take them to court?

Do not use

Al Marks: Don't build to garage. Problem is solved.

51:28 Ed Rohbach: we do not have to let him have access to his garage. It is just a matter of trying to make an equitable adjustment for a mistake. He made a mistake where you can not get into his garage. We would like to accommodate to the extent that we can and to the extent that it does not cost us anything

52 11

52:32 Lynda Kolski. . Where is the path in relation to this easement? If we give him the easement, does that mean the path is now part of his leasehold? Mike: The easement means that he and the public can use that area in front of his leasehold. It does not give him exclusive use. Forest gives up some land to the right of way which is public land for vehicles in exchange for the leasehold giving up some land to the parkland. The size of the park land would not be reduced.

.5302

Lynda Kolski: Are we swapping for equal pieces land or are we giving him an easement? They are two different things. Terms are very important. Two legal terms.

54:18 Jennifer Border : Proposal of two easements. One easement granted by the town to leaseholder to drive over to accommodate access to garage that would take a portion from the forest. Allow him and public to drive/walk but not parking in that area. The other easement proposed there would be a slice of the leasehold. Public path still be there. Not giving him piece of land.

nothing set yet ideas not agreed to by all parties the it would be a slice of the leasehold. Two granted one by town to leaseholder drive over it and public Linda not giving him at the other portotio to compenstat the the forest to comments at e from the lease holder down by the creek. We can do planting, restoration is appropriate.

Danny Schweers: To provide access to garage the forest is going to give land to the civic committee. The town is not giving the leaseholder any exclusive use. The proposal is we are doing him a favor and he will give the forest an easement that will no longer be a part of his leasehold. He is going to give something up in exchange for the access. The town is not giving him any land.

57 55

55:01 Jennifer Borders: In theory yes. We are making a large accommodation for his house.

58 49

59:32 Lynda Kolski: There is no point to have any process in place if there is no consequence. Once you set this precedence and there are no consequences, you cannot go back and reprimand anyone else if they do the same thing. The point is this was a significant error and there needs to be some consequence.

you can not go back and reprimand anyone else. Gorss errore or minor erro point signeficamnt error an dneed s a consequence. There is a process in place. We all live by it and if any ohte resident is going to live by that process

Mike th consequence is he has to negotioat if he can drive to his garage

Ed we can impose any conditions we want. If he dos not like it then he does nto hav to use his garage.

Lynda if proccss that happens and oit is not followed there needs to be

01/03

1 01 23

1: 01:42 Pam Politis: **we donto like w a pennu wise** All of our land value is based on some kind of predictability. If it is completely unknown what anyone can get away with on our leasehold that will jeopardizes fundamentally how we operate as a community. It might be a hassle today but if we are not deliberate and diligent about this we might be facing exactly this situation repeatedly. It is a political process. Ultimately Pam thinks it will cost the Trustees much more if they are not consistent and predictable in the process. Therefore, Pam encourages the Trustee very strongly about protecting the land consistent with the Charter. 1:03:20

It jepardis it mikdgd be a hassel todaayu and if we are not delibertat we will face this over.
We were denied by trustees I wish that we went ahead and then negotiated a deal.
I encourage trustees very strongly about protecting the land consistent with the charter.

Ultimately cost the trustee aren't consistent and predictable in this process. You have not done any enforcement.
1:05:00 Jeff I expect the trustees to do what the Trustees are suppose to do. You guys gave permission for a very specific building lot that is not what is build and I am not afraid of litigation. You guys should do what you said you were going to do

1:0Drumblin: setting presdence is dangerous. Questiokl two pieces what is would be done with the footprint civic committee will answer this.

1:06: 2nd question erosion available for public sound like taking on additional cost or shouldering more does not seem like an equitable trade to both parties

01:07:113:Ceciloi I do not like when epoepole are aogant but the mistake the shifting of the peoprty and th actual plans and it is not that much land. We have slued and we spendt so much money and out of principle. This property that belongs to an individual and what he put son that land along with county code. Not much land in questions. In past the village sued and it was costly. Out of principle cost a lto of mone. Litigation is expensive. Property owner can put on his land is his business as long as it conforms to county code.

Cecilai is not comfortable with litigation because historically suing out of principal was costly. Not a lot of land in exchange and as long as it meets county code it should not be our business.

Alton Dahl Is it correcty that the right a way at th point contains large water swerega/comment is if we have already built a pipe for the town across that land infringeing on the person here and if we cant let him park his car has been used for cars as long as I can remember.

Why not remove you pipe

*Booke What Cecilia said: " that the leaseholder bought the peoprty" Georgist in this case the thing that you ttransfer that you transfer is the building and it is the trusetee that trnser the lease. This is a mttter of wherth the trustees are going to issue a lease independent in thsensedn of the town and th welfare of the trust. We are talking about the good of th trust and that is whay it is goijng to get into the potential damage to the trust.

01:11:31David Norhimer. I think he is building a nice house. He looking forward to his new neighbor. No tear down on principal I am not saying tear down as a solution however I think we should negotioat a little longer. He spent a certain amount of money aif there is going to be an erosion think more like business people. Negotiate a little harder

1:14:30 Rodney Jester For years that land was used in man y ways illegally. No one complained. (Not tureO) Nothing was done Logical resolution.

1:15:30 Bill These We had a meeting about the drainage. Bob Wynn said he would take care of that drainage if there is a problem.

Bob Wynn

Our Meeting of resolution with county . We had the head land use, head of chief engineer, chief legal person of the county. and what we discovered was our FMA line which we originally thought as our 100 year flood plain to

design the house to was null and void. FEMA and county did not have to do anything towards FEMA and they could declare their own flood plain line. The map he got was true and accurate . but anyway what happened in that meeting the county insisted on us moving this up and we did not know where it was going to be moved to between the county and our engineers to work this out. The county was sore because apparently someone form the forest committee come in hassled the chief engineer. They were sore because you have done us a favor because you have taken out a house out of the flood plain and demolished it on your own nickel which Bob said he is sitting here with a couple of hundred thousand dollars at risk. Lawyer said you do not have a nickel at risk . the trustees have given you authority to build , the town has and we have ssion, if you cant build there it is a taken and we are on the hook for one million dollars. I do not have the new planes and that was his mistake and he should have gotten them t you immediately. But it was late in the game. But you did not know that the new plans exited (1:19:40). You work it out and tell me where you want to give me access. That is what I am going to do. I am going to wait.

I should have gotten the new plane t you and it was his mistake. I had not ide

Bob discussed his meeting for a resolution with the county in which they discovered that FMA flood line which was originally thought as 100 year flood plain to design the house was null and void. He said he did not have the new plans in his possession and he said it was his mistake and he should have gotten them t to the Trustees immediately but it was too late in the game. Besides the Village did not know the plans existed. If he cannot build, according to his lawyer, he is on the hook for one million dollars. You work it out and tell me where you want to give me access.

Eleen Dolmitch: promise something it is a taken. Forget this statement.

Jeffrey Steen; overstatement taken

SUMMARY of discussion for Trustees report

Ruth Panella: Why was the potential to purchase Wynn property not discussed at town meeting? Mike: A motion was not brought to the town to discuss it.

David Norheimer: Why was equal transfer of land agreed upon? Lynda Kolski: Are we swapping equal pieces land or are we giving him an easement? If we give him the easement, does that mean the path is now part of his leasehold? Mike: The easement means that he and the public can use that area in front of his leasehold. It does not give him exclusive use. Danny Schweers summarized responses per Mike Curtis, Carol Larson and Jennifer Boarder as follows: To provide access to garage the Forest Committee is going to give land to the Civic committee. The town is not giving the leaseholder any exclusive use. The proposal (not finalized) is we are doing him a favor and he will give the Forest committee an easement that will no longer be a part of his leasehold. He is going to give something up in exchange for the access. The town is not giving him any land to use exclusively.

Steve Harcourt: The plan that the trustees approved was not the plan sent to the NCC. What is the point of your approving a plan if someone can change them? Now we have a precedence that your wishes do not have to be followed. If you can't enforce your authority, then you do not have any authority. Lynda Kolski: There is no point to have any process in place if there is no consequence. Once you set this precedence and there are no consequences, you cannot go back and reprimand anyone else if they do the same thing. The point is this was a significant error and there needs to be some consequence. Pam Politis: All of our land value is based on some kind of predictability. If it is completely unknown what anyone can get away with on our leasehold, that will jeopardize fundamentally how we operate as a community. It might be a hassle today but if we are not deliberate and diligent about this we might be facing exactly this situation repeatedly. It is a political process. Ultimately Pam thinks it will cost the Trustees much more if they are not consistent and predictable in the process. Therefore, Pan encourages the Trustees very strongly about protecting the land consistent with the Charter. Jeffrey Politis: The Trustees gave permission for a very specific building lot and that is not what was built. Jeffrey is not afraid of litigation. The Trustees should do what you said you were going to do.

Cecilia Vore: She is not comfortable with litigation because historically suing for the purpose of principal has been costly for the Village. Wynn purchased the property. There is not a lot of land involved in exchange and as long as

it meets county code it should not be the towns business as to what he puts on his land. Brook Bovard: Clarification of Cecilia's statement about the leaseholder" purchased "the property. Brooke feels as though it is important to discuss Georgist terms because it is a matter of whether the Trustees are going to issue a lease independent of the sense of the town and the welfare of the trust. In this case, the thing that your transfer when you transfer leasehold in Arden is the building and the Trustees transfer the lease. We are talking about the good of the trust and the land we are taking care of. That is why it is going to get into, not the pragmatic but, the potential damage to the trust.

Bill Theise: We had a meeting about the drainage and Bob Wynn said he would take care of that drainage if there is a problem.

Bob discussed his meeting for a resolution with the county in which they discovered that FMA flood line which was originally thought as 100 year flood plain to design the house was null and void. He said he did not have the new plans in his possession and he said it was his mistake because he should have gotten them t to the Trustees immediately but it was too late in the game. Besides the Village did not know the plans existed. If he cannot build, according to his lawyer, he is on the hook for one million dollars. He will wait and said you work it out and tell me where you want to give me access. Ellen Dolmetsch: One million dollars? Mike: It is called a "taken". If the government does something to diminish the value of your land, then they have to compensate you.

Advisory committee: Bill Theis

1:23:33 Bill thanked all who put their names for nominations to run for town committees and thanked community chairs for taking care of all the work involved . Danny Sweers, Cookie Ohlson, Cecilia Vore, Carol Larson, Bill Theis attened the annual Delaware league of local governments in Washing to meet with our representatives and senators. Thanked Liz Resko for driving the group down to DC.

1:24:19 Board of Assessors: Brooke Bovard

The Board of Assessors continues to meet. We have had two meetings since last town meeting. We had good attendance at the last meeting which convened at 7:05. We discussed domiciles and agreed in principle to continue the system of lot size as we used in previous years. Meeting adjourned 7:25 and our next meeting will be April 15 at 7 PM at BWVC.

Q: None.

1:25:56

Archives Lisa:

Read following report:

Trustees' Report Accepted

Treasurer's Report –Chair, David Michelson out of town. Danny read the following report

reviewed the Financial statements as of March 2013:

Statement of Financial Position as of March, 2013 (see attached)

Statement of Financial Activity (Revenue and Expense)(see attached)

Special Village Funds . (See Attached) .

The Treasurer's Report Accepted

Advisory Committee Report – Bill Theis

Advisory Report Accepted

Board of Assessors – Denise O’Regan

COMMITTEE REPORTS

Archives– Lisa Mullinax

Questions:

Archives Report Accepted

Audit– Cookie Ohlson
Audit Committee Report Accepted

Budget – Jeffrey Politis.
.
Budget Committee Report Accepted

Buzz Ware Village Center – Bill Theises

Civic–Tom Wheeler

Important Fels oak is splitting. Contact david rickerman 3 4 quarter inch holes augmented on top to hold it together. It is workable. Longwood demonstrates trees live a long time in this compacity.
Meter pit Sherwood green civic took care of it \$5,000 repair.

Contacted by county st Martind sewerage repair. It is in forest. It is a storm ser repair and ocme back with a proposal. Fix it now before it breakds.

Moving down st martyins 50 feet safety issue grate like to replce with somaller holes not loose people
Small expenditure. Woodland road ordered new survey of road and road legally is not exactly where it is. Civic forest trustee meet we decided ot enough information and asked survey to come back and will meet again and discuss it more.

Question house according to the new plan. Is it really where it should be 8.3 from peoprty line yes. Civic wee need more information and waiting.

Ed Rohback not a storm sewer it is a sanitary sewer.

Brook Bo civic has jurisdiction over memoria no community planning

Carol salt running down. Can we try some other system up off of gournd so salt does not get itno

Ed it is mostly sand.

It is a deldot issue

Dromlin what is being done with the footprint gravel or paved? Tom that has not been resolved. Tom we can pave it. Make it a pores surface discussed at BWmeeting. Kenny said that would not be a problem. See what happens . it is not resolved. Imperviative surface.

Dewitt Cynthia paved road close to leasehold but does not go directly to leasehold. It is possible that would be paved

Who expense whould that come

Tom does nto know at thispoint

How will that decision be made? Tom think it would be trustee, forest, civic and talk to Wynn. It is a negotiation.

Would like dialog at th town level Cynthia said

Jennifer We are interest ed in pervious (water goes down int0) allow rain water especially a path not paved will that proved not impact the the trees

Ruth has talked about the posibilit easement path that fgollow behind the behind the present

Tom the suggestion has not been discussed

Meeting on Thurs witj cici trustee 6 pm at the leasehold.

we try to make a call as whether to plow.

Civic Committee Report Accepted

Community Planning– Ray Seigfried

Mike Powel brief history of FMA program. Resolution at the june meeting for consideration Vacancy ordance since November and have we identified 12 leasholer

4 appeal 4 fwaver 4 no response.

4 appeal one

One has registered and paid amount. Five move a head with a lean on their property.

Barbara Henry: an nual memmor sat april 27y 9 am 12

Brook Plan bury Dan Block in memorial garden. What is the critiera to bury one in m

Barbara Henry . it is just lived in Arden.

Community Planning Report Accepted.

Change agenda order was approved as follows: Playground , Safety and registration,Forest

Forest– Carol Larson read the following report

Jennifer The property would not be exchanged. I would like to get a sense if this is a good idea. A show of hands please.

Pam What was the thinking about this? Why the corner what about that part. Carol this side is where the ditch we could do some remediation.

Ed as the contractor has graded the lot 6 to 8 feet beyond the lot all along the length of the house. Covering what is about 640 sq feet of town land. But it might not seem like a lot to run the water down the existing path. I hope we are not going to continue

Carol had same concern. Find out if any grade was possible and some of the construction stones removed. Look forward to see I do not know what remedy undles swe stop

Ed to the palm which keeps all the run off on the leasehold

Carol there was a bump out seem to be front step and was not on the plan NCC we have a complaint about that.

Ray Siegfried I am confused civic fores trusee and leasehold how is this decision going to come about? How is it ultimately going to be decided.

Jennifer Ultimately it is the towns decisions and that is why we are looking for a go ahead on the we are going to be working together because the some wisdom there. I am hoping and people are acting in good will our are conjoined but there are continuing issues. One is grading with this property.

Jeff steen First time he is seeing this drawing suggest benefit granting Wynn an easement. On the other hand if something is being giving up that that portion revert to the town and not an easement. It would be much cleaner for the town to clearly know the boundaries. Easement would be enough.

Benefits easement access to use does not have to be

Revert to town into subject.

Jennifer that would be permanent

Tom easement easy to manage . If that were approved what is the problem. Property lines are respected.

Danny tentative agreement do we want to go ahead

Jennifer and to tom there were questions and do not think it was formally explored but I thought it was more costly . We can find out

Ed if it was just an easement wouldn't the property holder landscape it the way he wants to.

Jennifer that would be written into

Jeffery Politis agree with tom transferring the land to the town is not in our best interests. My concern with any of the plan not this individual plan. Drive that goes throughout the woods to garage and we will see cars parked in the driveway. Not easement but higher package.

Carol some fencing or pillars to mark pathway. Plantings some kind of delineate. We know the house is very close. Part of the process

Book remediation that misses the point of easement. If you have right to walk across my yard that does mean

What does the forest committee want from us:

Jennifer show of hands move forward idea negotiate an easement

Brook do we need who gets to make these decisions sorta of 6 or sorta that does not qualify it is not a criticism I think we need a clear structure and I think that is what forest was asking for

Tom you can say 6 or end of

Brook but you have to say that

Tom I am willing to say that again I know of two easement in town one was parking purposes. The easement purpose gives the benefit put his parking. An easement is giving to forest and they can control that. Someone could decide to put butterfly bushes.

Jennifer you are right One we decide we agree with that we can do what we want.

Ray Siegfried I agree with Brook. We have a public obligation for transparency. Money is freedom information at least a two week notice. I do not know if we are following that. I am becoming more I would like to ask really following the procedures.

Jennifer we are having problems and we it will slow down the process not the building

Danny civic spends its budget but civic meets with downing construction they do not meet with everyone. We have given them

Ed whatever agreement come up with at this meeting former or future it is all going to be subject to the town assembly

This is a meeting to bring consensus to the town.

Jeff stop the building till we can get this resolved. I am concerned

Motion:

The town request the county to impose a cease and desist order on the leasehold until such time as plan can be approved by town assembly

I would like what is doing for drainage. A realistic way before we talk about easement Katrina shreff

Carol Problem is

Jeff steen regard to your question to move in broad direction but rather than voting on your motion

Ellen Dolmish I would appreciate have a large map so we all can see this map and point to it as a group.

David Please consider

Jeff cese and descist would be put on by the conty

Pam John Carter cease and give time to work out. Investments stops today it mitigates damages. I would be in favor to give us some time. I respect the civic and forest it would be nice if the town could give us clear guidance. The vice in this situation

Al marks earlie I suggest no garage but then I look at this map and ther is no garge. Where are you going to have access to the car 8. 3 that is not enough room for parking. He is within boundries.

Red area looks like a

If we are going trade anything that would be grteat.

Carol we

To speak to garge issues the Renzet plan it had no garage. They could still drive to the leasehold.

Mariann Cinagleia still speaking to the motion. Constantly remind NCC about employees of the county keep changed and they always understand what we stand for and that has in this discussion

Steve agree with Pam . well we already we cant do anything about it. That is the point of Cease and decsess then we stop

Questions called

You decide if we stop discussion or not

Discussion continues

Jeff Politis clarify real question how are we gong to get to that agreement. We are trying to make a rush decions ultimately we are going to make a mistake. All I ma asking is to make an informed decision . Get to a good point. Please vote for motion so we have time.

Ruth Panela: I understand fully what Pam says if things move along therw will be nothing to negotioate. It would be lovely if Mr wyann says ofcours I woill give you time.I am not sure if we are voting if John Cart

Jeff the motion I have

Lynda wise thing to do because there are a lot of issues here and it is not as clear cut as it seems. What they think and have town participation. This will result in impacting that needs to be resolved in a clear way this is hwo we handled it and this is too many important decision here. We need to take ourtime and do it right once it isdoen it is doen. Many more uncomfortable

Bill Theis sound like slippy lsoope. Vot against this. Two weeks notify we are waling there take a look. Sit down with bob wirtie it up and
Vote on Motion:

25 to 16 approved

Jennifer we want to make sure further town meeting before June. We will be keeping you informed.

Post on town website and bulletin board.

Carl Falco:

There are standard procedures for calling special town meeting.

Carl Falco Thisdiscuision a sendse of the meeing whether forest specif plan so we are not in la la land . Do you sill want that sense of the meeting.

Jennifer :yes we are proposing the town continue an easement to the leasehold of sq foo and in exchange for an equal amount of sq foot to be added to forest . it does not inclu

Turn around in

Show of hands

Something to explore any ideas

Forest commettee approved

Oldno

New business

Ruth Panela **Motion:** Does the forest and civic study the creek side behind the wynn leashold structure in order to consider negotiating an easement for a path.f

Jeff

Enough money this money came from Johanna to benefit the woodlands. To use these funds to purchase that leasehold with the agreement of the present owner.

Motion I move that the village pass a motion declaring a sense of the village that it explore purchase of the lease currently held by Mr Robert Wynn and his son Kenneth Wynn. The purchase would be made with funds from the bequest of Johann Schroder. The purchase amount would be an amount agreeable to Mr Wynn and to the village.

Barbara Macklam loss of rent

Danny most of money county school district

Cecilia that train left the station already. The amount of money to purchase that property could be spent a lot better
Brook table this motion because of all other things liked cease and desist.

Danny Jeff do you want to table this motion

Jeff No. One of the alternatives considered as to one of this I appreciate Cecilia or inability to inertia. Those who do not want to use Johanna funds

600,000 with attachments. If the village is not going to use the money as to which it was intended

Lynda Just because we have it does not mean we have to spend it. Things come up and that is what it was intended for.

Time to discuss that was at the time the Renzitties were selling it. I agree with Cecilia.

Tom it is hard to know what Johanna wanted but in his estimation purchase it if it is for sale.

Dave Clancy: it is one thing of measuring what her request.

Bob Wynn Cecilia and I went over this last year and I was willing then. All kinds of fees so the price is up. \$350,000 a question David what can we use this money for?

Lynda Kolski Avery 875 and we are going to spend on half that much. Not make sense.

Ruth Thank Tom who was executor of her estate and delighted what he said and I believe him when preserve woodland

Jeff steen I appreciate all

19 to 13 approved

Jeff questions is some designated to explore it. Village Forest, civic, trustees

Jennifer create an ad hoc committee to move forward.

Good and welfare Ernesto has been diagnosed with a brain tumor. He received a fellowship and a tour. There is a fund raiser university. She has the link to that fund.

Adjourn 11:5

Forest Committee Report Accepted.

Playground– Jeff Read report. Fels oak relocate playground look into along with civic

.

Playground Committee Report Accepted.

Registration– Cecilia Vore

Read the following report;
She added more than what she sent\no questions

Registration Committee Report Accepted.

Safety– Dave Claney read the following report

Ed rohabach speed sign. Deldot just put it there and we are addressing it presently.

Bill this: Talk to John Carteir

Strange traffic in town especial Brae Rd. Sheri Phalan. She called police and not sure if anyone ever showed up.
Response is not appropriate for the

Lynda Kolsi Her response was immediate however police commented that he was already in area.

Safety Committee Report Accepted

Old Business- None

New Business

Good & Welfare

Brook bovard Vote small electric district. Want a good turnout in state of Delaware.

Meeting Adjourned at PM

Respectfully submitted,
Elizabeth Resko, Secretary, Village of Arden

ATTACHMENTS

UNAUDITED
 FOR DISTRIBUTION
 AND DISCUSSION
 PURPOSES ONLY
 FOR ARDEN
 TOWN ASSEMBLY
 9/26/11

Village of Arden

Special Village Funds											
	BuzzWare	Budget	% to Budget	Buzz renovation	Hamburger Lecture Series	J. Schroeder Bequest	Memorial Garden	MSA	ECCBG		
	3/25/11-9/26/11			3/25/11-9/26/11	3/25/11-9/26/11	3/25/11-9/26/11	3/25/11-9/26/11	3/25/11-9/26/11	3/25/11-9/26/11		
Revenue											
4000 - General Funds - Village		7,000	0.00%								
4010 - Donations	3,250	5,000		4,843			2,946				
4200 - Grant Revenue	-	-	#DIV/0!								75,000
4400 - Rentals	8,851	21,802	40.60%								
4900 - Interest Income	-	-				1,371					
Total Revenue	12,101	33,802	35.80%	4,843		1,371	2,946				75,000
Expenses											
6000 - Payroll & PR Taxes	5,589	14,133	39.54%								
6300 - Administrative Expenses	170	155	109.88%								
6310 - Janitorial Supplies	507	917	55.31%								
6500 - Equipment Purchases		250	0.00%								
6900 - Audit,Bkping,PR Expenses	16	225	7.22%								
7020 - Utilities	3,249	9,537	34.07%								
7060 - Licenses/Permits/Fees/AlarmMonitoring	500	765	63.74%								
7500 - Renovations		1,000	0.00%								
7600 - Repairs & Maintenance	616	4,000	15.39%								
8000 - Program Expenses		2,800	0.00%	1,129			1,216				8,919
Total Expense	10,647	33,802	31.50%	1,129			1,216				8,919
Surplus (Deficit)	1,454	-		3,714		1,371	1,730				66,081
4599 Carried forward fund balance				1,146	12,342	394,479	6,091	14,244			
Fund balance				4,850	12,342	395,850	7,821	14,244			66,081
Balance Available for Grants						4,000					

Alternative Assessment Proposal 2011 for presentation to the Town Meeting in September

This Assessment Proposal adopts the principle of the Community Standard of Living Method of Arden Assessment in use since 1980 as the basis for determining total land rent.

The "Community Standard of Living Method of Arden Assessment" defines total "Full Rental Value" of the leaseholds as the sum of town expenses (both "non-budget" in the form of county and school taxes, and "budget" as embodied in the town's budget), and the cost of administering the trust, while maintaining a "prudent reserve". This method divides full rental value by acreage of land held privately in leaseholds, such divisions determined by assessment formulas. The formulas, which are intended to reflect the relative value of leaseholds, are based on lot size, zoning privileges and location factors (see rates and factors below).

This Proposal continues to endorse the principles of real estate practice in the wider community, which are embodied as a multi-tier evaluation of leasehold area. The "**A rate**" is the base rate, common to all leaseholds – assigned to the first 7,116 square feet, the area of the smallest leasehold in Arden. The multiple domicile rate (the "**B rate**") is set by this Proposal at 80% of the "A rate". For each dwelling unit beyond the first, the leasehold is charged the B Rate for an additional 7,116 square feet but is not charged for more than the actual area of the leasehold. The "**C rate**" is applied to the amount of land on a leasehold not covered by the A or B rates. It is assessed at 40% of the "A rate." The "**D rate**" is the commercial rate, only applied to one leasehold. It continues at a surcharge of 75%, with no deduction for frontage on Marsh Road. The A, B, and D rates in this Proposal, expressed as a per cent of the A rate, are identical to those used by Boards of Assessors for many years.

The specific location factors are as follows.

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

Notes

1. The specific location factor charges (in dollars) to be added to or subtracted from the sum of the Base Land Rent are obtained by multiplying the Base Land Rent for the leasehold by the appropriate specific location factors as given above.
2. Leaseholds having less than a 25 foot opening to the forest will not be charged a woods factor. More than that frontage to the forest will be considered a full access and charged a full factor.

3Location factors 4 and 5 are additive if both are applicable.

Based on information obtained presented the following figures. In order to meet the 2011-12 forecast expenditures of \$656,882 and to produce a reserve of \$137,734, the A Rate is set at \$236 per thousand square feet.

This Alternative Proposal accepts these data and calculations. from the Budget Committee, the Village Treasurer and the Trustees, the Board of Assessors

1) Forecast Expenditures

School & County Taxes	\$399,432
Trust Administration	38,900
Sherwood Forest Loan	16,176

Arden Town Budget	202,374
Total Forecast Expenditures	\$656,882

2) Forecast Revenue

Forecast Revenue from sources other than land rent	\$28,000
Total Revenue from land rent	\$593,000
Total expected revenue	\$621,000

3) Prudent Reserve

Expected difference between expenditures and revenue	\$(36,000)
Projected March 2012 prudent reserve	\$174,000

Target prudent reserve projected for March 30, 2013	\$138,000
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THE 2011 ALTERNATIVE ASSESSMENT PROPOSAL
Presented to the Town Assembly by

Alton Dahl
Tom Wheeler

Examples of base rentals comparing this proposal to the Board of Assessors:

<u>No of leaseholds</u> <u>In this range</u>	<u>Lot Size</u> <u>(sqft)</u>	<u>This Proposal</u>	<u>Assessors</u>	<u>Difference</u>
1	7116	\$1679	\$1,850	+\$171
18	10,000	\$1,952	\$2,089	+\$137
131	20,500	\$2,896	\$2,917+\$0	
36	30,000	\$3,840	\$3,745-\$95	
13	40,000	\$4,784	\$4,573-\$211	
7	55,700	\$6,321	\$5,873-\$448	
1	83,500	\$8,977	\$8,175-\$802	

Examples of rate calculations using this proposal:

1. A 20,000 sq. ft. lot containing one dwelling unit, on a village green and adjacent to a forest:

7,116 sq. ft. X \$236 / M sq. ft.	\$1,679
12,884 sq. ft. X \$236 / M sq. ft. X 40%	\$1,216
Base Land Rent	\$2,896

Forest Factor - \$2,834 / X 10%	\$290
Greens Factor -\$2,834 / X 5%	\$145
Total Land Rent	\$3,330

2. A 30,000 sq. ft. lot containing three dwelling units and adjacent to Arden Forest:

7,116 sq. ft. X \$236 / M sq. ft.	\$1,679
7,116 sq. ft. X 2 X \$236 / M sq. ft. X 80%	\$2,687
8,652 sq. ft. X \$236 / M sq. ft. X 40%	\$817
Base Land Rent	\$5,183

Forest Factor - \$5073 X 10%	\$507
Total Land Rent	\$5,701

2012 – 2013 ARDEN BUDGET BALLOT

For the expenditure of town funds for the fiscal year beginning March 25, 2012, and ending March 24, 2013
See accompanying notes to Fiscal Year 2012-2013 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	\$ 593,000	County Taxes	5a	\$ 91,329
Delaware Municipal Street Aid	2	\$ 14,116	School Taxes	5b	\$300,861
Interest and other Income	3	\$ 21,800	Trash Service	6	\$ 75,000
Buzz Ware Village Center	4	\$ 29,000	Trust Administration	7	\$ 35,600
			Village Non-budget	8	\$ 27,684
			Buzz Ware Operations	9	\$ 29,000
			Long-term Debt Service	10	\$ 16,176
			Delaware Municipal Street Aid	11	\$ 14,116
Total Projected Income		\$ 657,916	Total Non-Budget Expenses		\$ 589,766
Reserve Funds	3	<u>\$ 167,000</u>	Proposed Budget Expenses		<u>\$ 103,190</u>
TOTAL Funds Available		\$ 825,616	TOTAL Expenses		\$ 692,956

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*	
Advisory Committee	12	\$ 200	<input type="checkbox"/>	Safety- Speed Enforcement	22	\$ 1,000
Archives	13	\$ 1,440	<input type="checkbox"/>	Buzz Ware Support	23	\$ 7,000
Board of Assessors	14	\$ 50	<input type="checkbox"/>	Donations – ACRA	24a	\$ 1,500
Capital, Maintenance, and Repair Fund	15	\$ 10,000	<input type="checkbox"/>	Donations – Arden Page	24b	\$ 1,500
Civic Committee	16	\$ 53,000	<input type="checkbox"/>	Donations – Arden Library	24c	\$ 800
Community Planning	17	\$ 1,000	<input type="checkbox"/>	Donations – Fire Companies	24d	\$ 1,600
Forests Committee	18	\$ 8,000	<input type="checkbox"/>	Donations – Arden Club	24e	\$ 500
Playground Committee	19	\$ 4,300	<input type="checkbox"/>	Contingencies	25	\$ 10,000
Registration Committee	20	\$ 200	<input type="checkbox"/>	Budget	26	\$ 100
Safety Committee: General	21	\$ 1,000	<input type="checkbox"/>			

TOTAL PROPOSED BUDGET EXPENSES: \$ 103,190

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 2012 - 2013 ARDEN BUDGET BALLOT • Prepared Sept. 2011

INCOME:

1. **Land Rent** – Based on Assessor's report from June 2011 town meeting. Note that Trustee will transfer money to the town to cover towns budget.
2. **Delaware Municipal Street Aid** – Annual street aid. The State of Delaware is providing funds for the FY 2012.
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** – \$8,000
 - c. **Miscellaneous** – \$1,000

Reserve – Combination of Trustees' Prudent Reserve (\$132,000) and Town's Prudent Reserve (\$25,000) and accrued capital fund of \$10,000. If alternative assessment is approved the reserve number will change.
4. **Buzz Ware Village Center** – Estimated income from rentals, programs, and gifts based on 2011/12 values.

NON-DISCRETIONARY EXPENSES:

5. **Property Taxes** – Decrease of \$18875 2011-2012 budget.
 - a. **County Taxes** – New Castle County taxes are estimated to stay flat compared to YE 2012 levels.
 - b. **School Taxes** – School Taxes are estimated to be flat. If referendum passes prudent reserve will be needed to cover difference.
- NOTE: The New Castle County property and school taxes are grossed up to include rebates paid to qualifying leaseholders.
6. **Trash/Recycle Service** – Increase cost of \$3,000.
 7. **Trust Administration**
 - a. **Audit** – \$3,000
 - b. **Insurance** – \$10,000 (Trust and Village)
 - c. **Professional/Legal** – \$3,200
 - d. **Administrative/Operations** – \$17,000
 - e. **Office Rent** – \$2,400
 8. **Village Non-budget**
 - 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. **Long-term Debt Service** – Purchase of Sherwood Forest property.
 11. **Delaware Municipal Street Aid** – Annual Street Aid – pass-through expense.

DISCRETIONARY BUDGET EXPENSES:

12. **Advisory** – No change
13. **Archives** – No change
14. **Board of Assessors** – No change
15. **Capital, Maintenance, and Repair Fund** – Continuation of fund created at June 2010 town meeting. This is a carryover fund to allow the village to request funds for capital, maintenance or repairs.
16. **Civic** – Increase of \$1,750.
17. **Community Planning** – No change
18. **Forests** – Increase of \$3000.
19. **Playground** – Increase of \$1300
20. **Registration** – No change
21. **Safety** – No change
22. **Speed Enforcement** – Fees for Harvey Rd. - No Change
23. **Buzz Ware Support** – Village support for BWVC based on prior years' experience (Maintenance/Operations). These funds would only be used in case of budget income shortfall from rentals.
24. **Town Expenses**
 - a. **ACRA Donations** – No change
 - b. **Arden Page Donations** – No change
 - c. **Arden Library Donation** – No Change
 - d. **Fire Companies Donation** – No change
 - e. **Arden Club Donation** – No Change
25. **Contingencies** – Increase of \$500
26. **Budget** – \$100 for administrative expenses

Deadline:

**Ballots must be received by
6pm November 3, 2011**