

June 26, 2017 13.0 New Business:

**A. MOTION TO REINSTATE LEGISLATIVE COMMITTEE**

Reinstate the Legislation Reference Committee with the following membership and duties.

A - The Legislative Reference Committee shall consist of three residents of Arden, elected by a majority of those voting at the regular March meeting. The term shall be two years, two members elected on the odd numbers years and one on even numbered years.

B - Duties of the committee are:

1. Insure that there is an identified collection of documents, kept all in one place and available at each Town Assembly Meeting, that contain all the legislated actions by which The Village of Arden is governed. The collection will include: The Town Charter (An Act to Reincorporation the Village of Arden: Delaware State Law, Chapter 125, Volume 56, Approved October 13,1967, amended May 27, 1971 (voting age), June 21,1982 (legality of secret ballots), June 1, 1993 (Increase membership of Registration Committee to 5); The Deed of Trust; Town Ordinances; Bylaws that describe all committees, date of institution, terms of office and their duties, date of duty additions/changes and other policies passed by vote of Town Assembly; and the general contents of the fall referendum. This set of documents should be available both on line on the Village Government website and in hard copy available to all residents of the Village.
2. Bring to the attention of Assembly any instances of conflict within or among the documents.
3. Update the web version of modified documents immediately after change/addition is enacted by Town Assembly and denote the status of the enactment according to the meeting minutes as 'approved' or 'unapproved' by the following town assembly meeting. Include updated pages with fall referendum mailing.
4. Make a collection of policies found in minutes that have NOT been enacted into law by vote of the Town Assembly for the information of the Assembly.
5. At least one member should attend each Town Assembly Meeting, both regularly scheduled

and special meetings with copy of document collection in hand.

6. Prepare a description of the differences between a direct democracy and both a representative democracy and a bureaucratic structure. Include the who, what, where, how, and why of residents' actions in the Village and at Town Assembly Meetings.

**Motion to table Legislative Reference Committee Motion**

**Hand Vote**

**Yes 36**

**No 8**

~

June 26, 2017 13.0 New Business

**B. MOTION TO ESTABLISH AD HOC COMMITTEE TO STUDY ISSUE OF TOWNASSEMBLY FORUM WEBSITE**

Form an Ad Hoc committee to investigate possible platforms for a Town Assembly (TA) Forum

website with access limited to restricted to the residents of the Village of Arden (the TA) that will

allow a conversation about Town issues among residents.

**Motion Defeated in Voice Vote.**

~

March 2017 12.0 Forest/Community Planning Committee's Joint Motion Proposing

**Arden to Purchase Property at 5 Mill Race Road.**

**Motion**

It is moved that the Village of Arden purchase land at 5 Mill Race Road, Highland Woods parcel #0604500085 for public use to remain as undeveloped natural woodlands as part of the Arden Forest, and obtain up to \$110,000 from the Schroeder/Pendulum Fund as the source to acquire this land.

Hand Vote

Yes 78

No 2

Abstentions 2

**Motion Approved**

~

January 2017 - 5.0 Visitors

**Motion#1 - Support** for Beaver Valley from Village of Arden

We move to secure from the Village of Arden a letter of strong support for the Brandywine Conservancy's commitment to purchase the two hundred forty (240) acres of land in Beaver Valley, PA adjacent to Delaware's First State Nation Historical Park. Affiliated organizations include Save The Valley, Beaver Valley Conservancy and Beaver Valley Preservation Alliance.

**Motion Passed Unanimously**

~

**Motion #2 – Funding** Beaver Valley from Village of Arden

We move to approve the donation of one thousand dollars (\$1,000) by the Village of Arden to the Brandywine Conservancy for the sole use of the Beaver Valley Pennsylvania purchase with available funds at the end of fiscal year as determined by treasurer.

**Motion Passed 32 to 27**

~

September 2016 7.1 Advisory Committee Report - **Resolution of Recognition for Jennifer (Jenny) Montgomery**

Whereas: Jennifer (Jenny) Montgomery has served as the US Postal carrier for the Village of Arden from November 1999 through October 2016;

And, has met the needs in the community with personalized service;

And, has bridged the gap between community and governmental agencies by engaging the community and befriending the residents of the Village of Arden;

And, has become an integral part of life in the Village of Arden through her many engagements with the community beyond that of a mail carrier;

While, performing her official duties of delivering the mail throughout the Village of Arden with diligence, exuberance, and joy;

Be it resolved that the Village of Arden extends its appreciation of Jenny's service to the Village of Arden and for her involvement in our community.

**Resolution Unanimously Accepted.**

~

September 2016 3.0 Town Chair Communications Report - **Clarification of Motion**

After some discussion with the parliamentarian, it appears that Robert's Rules does allow for a motion to be altered after the question has been called. To do this under Robert's, a specific motion would have to be made and requires unanimous consent of the Assembly. However, our charter only requires a majority on all motions. I will continue to get clarity on this matter – once he has had a chance to listen to the March meeting.

~

September 2016 3.1 Change in Law - **State and Federal Voting Eligibility in Arden Elections**

In compliance with state and federal law, we have eliminated the 6-month waiting period for voter eligibility in Arden elections. The Registration Committee is revising all our voting instructions to reflect this change. If you live in the Village of Arden, if your Arden address is your permanent domicile, and you are 18 years of age or older, you are now eligible to vote in Arden elections.

~

March 2016 12.6 Community Planning -**Resolution of Recognition of Ruth Bean Resolution Unanimously Accepted.**

~

March 2016 12.8 Playground Committee **Mound Slide**

Main Motion

I move that all continuing work on the Arden Green be suspended until:

- a) No part of the mound slide project is more than 6 feet above grade and the plastic slide is no more than 30 degrees from horizontal, and all other listed specifications from the Village meeting minutes and diagrams from when the motion was passed are brought into compliance.
- b) The Village insurance underwriter has deemed the slide and plans safe for use for children less than eight years of age.

Amend Motion

Motion from 6' to 6' 8".

Amended Motion Passed

Original Motion with Amendment of 6'8".

I move that all continuing work on the Arden green be suspended until a) No part of the mound slide project is more than 6 feet 8 inches above grade and the plastic slide is no more than 30 degrees from horizontal and all other listed specifications from the Village meeting minutes and diagrams from when the motion was passed are brought into compliance. b) The Village insurance underwriter has deemed the slide and plans safe for use for children less than eight years of age.

27 Yes

32 No

**Original Motion with Amendment of 6'8" was defeated.**

~

January 25, 2016- 5.0 Visitors **Videotape Town Assembly Meeting**

Jeff Politis, Town Assembly Chairman, asked if there was any objection to having Town Assembly meeting videotaped. No objections were raised.

**Unanimous consent** to allow the Town Assembly to be videotaped,

~

January 25, 2016 - 9.0 Advisory

**Resolution of Recognition of Danny Schweers**

**Whereas**, Danny Schweers diligently served as The Village of Arden's Town Assembly Chair from 2012-2015,

**Whereas**, during those years he chaired with an inclusive and caring leadership style which resolved several contentious issues,

**Whereas**, Danny worked collaboratively with the other chairs of the Ardens over the management of Buzz Ware Village Center, and

**Whereas**, Danny represented The Village of Arden effectively with both New Castle County and the State of Delaware;

**Therefore**, the Committees, Officers and Residents of Arden do hereby extend to Danny Schweers its sincere thanks and appreciation for his leadership and contributions as Chair of the Village of Arden.

**Resolution Unanimously Accepted.**

~

September 28, 2015 11.0 **Labyrinth**

**Motion** -We move to install/build a labyrinth on the northwest corner of the Arden Green, near the Soldiers and Sailors Memorial, as shown in the exhibits presented at the June Meeting.

**Amend Motion:** The approval is dependent on Labyrinth meeting ADA compliance.

**Amended motion was approved.**

**Motion** for secret ballot. **Defeated.**

**Motion Approved**

~

September 28, 2015 12.4 BWVC

**Committee Election:** No other nominees from the floor. Debbi Sheiker voted to serve out the **term vacated** by John (Martin) which ends March of 2017.

**Motion Approved.**

~

September 28, 2015 12.4 BWVC **Motion to Request Capital from the Village Fund**

Due to the need to do extensive maintenance work and repairs required to the exterior of the Buzz Ware Village Center, and the estimated costs for this work exceeds the Buzz Ware renovation fund,

It is **moved** that in accordance with the capital reserve policy of the Village of Arden, the Buzz Ware Village Center Committee requests approval from the town assembly to spend funds from the Village's capital reserve to cover 75% of the cost, or \$25,000, whichever is less, to perform the necessary renovation work on the exterior of the Buzz Ware, the walk-way from the street, and apron in the front of the building. The additional funds will be provided from the Buzz Ware Renovation account, grants, and gifts. **Motion Approved.**

~

September 28 2015 12.7 Community Planning Committee

**FEMA Flood Insurance;**

At our January meeting Town Assembly approved an amendment to our *Resolution for the National Flood Insurance Program*. At our March meeting, I reported that there was no progress from FEMA on our resolution. In July, I received notice that the maps had changed, which requires us once again to modify our resolution to include both map panels. A copy of this change is presented before you for consideration and approval. The **motion** for this change is as follows: Community Planning Committee motions that,

**Town** Assembly accept the additional phase of “and FIRM panel 10003C0086K dated 2/4/2015” as part of section 1. of our Resolution for the National Flood Insurance Program.

**Motion Approved.**

~

September 28 2015 12.9 Playground **Slide Mound**

Chairman reminded that first; the January approved motion was based on the Committee approving an idea. It was not approved on a specific drawing. It was approved to go ahead without having to go back to the town. It was approved “as is” with the Playground Committee given the authority to design and install the mound. Secondly, the approval of the Pendulum funds had conditions attached to it that nothing can be done with those funds until the town officers had approved a plan similar to what Jeff (Steen) is suggesting.

**Motion:** No earthwork shall commence with regard to the construction of the mound until such time as the village has approved a scaled drawing of the mound proposal, a cost estimate for the mound proposal and the time line for construction of the mound. **Amend Motion:** To include all proper compliances documented. **Amended Motion Denied. Motion Defeated.**

~

June 22 2015 - 10.0 ADVISORY REPORT **Vacancy Position**

**Motion:** Advisory Chair position vacant: Nominee Steven Threefoot.

**Motion Approved.**

~

June 22 2015 – COMMUNITY PLANNING COMMITTEE

**Motion** to approve the Adopting the New Castle County Multi-Jurisdictional all **hazard Mitigation** Plan resolution.

**Motion Approved** (pg. 13).

~

June 22 2015- NEW BUSINESS – (pg. 17 **Labyrinth**)

**Motion:** We move to install/build a labyrinth on the northwest corner of the Arden Green, near the Soldiers and Sailors Memorial, as shown in the exhibits presented at this meeting.

**Motion tabled until next Town Assembly September 2015.**

~

March 23, 2015 – TREASURER REPORT

**Motion-** The Village Officers are authorized to **open an account with Raymond James & Associates, Inc.** for the purpose of investing the Pendulum Fund per the Village's investment guidelines. The four Village Officers shall be authorized signers on the Raymond James account.

**Motion Approved.**

~

March 23 2015- CIVIC COMMITTEE

**Motion:** A sign directing passersby to the Arden Craft shop museum be added to **sign post** at the corner of Orleans Rd and Harvey Road.

**Motion Approved.**

~

March 23 2015 – COMMUNITY PLANNING COMMITTEE

**Motion -** The Village establishes **Community Gardens** located near Buzz Ware on the Sherwood Green as a **sub-committee** of Community Planning Committee.

**Motion Approved.**

~

January 26, 2015 – PLAYGROUND COMMITTEE

**Motion:** Move that the town approves installing an embankment slide on the South end of the Arden Green as shown in the drawings presented at this meeting.

**Motion to Amend** Approval is contingent on obtaining funding for the project without using land rent.

**Motion Approved.**

~

January 26, 2015 – COMMUNITY PLANNING COMMITTEE

**Motion:** Community Planning Committee moves that Town Assembly amend our FEMA resolution as follows:

Item 8: To notify FEMA and State NFIP Coordinator within 30 days of changes to Local Service Agreement with New Castle County.

**Motioned Approved.**

~

September 22, 2014 – PLAYGROUND COMMITTEE

**Motion:** Move to approve Jim Laurino to complete the term of Albert Marks on the Playground Committee.

**Motion Approved.**

~

September 22, 2014 – CIVIC COMMITTEE

**Motion:** Move that the Civic Committee post a notice of any tree removal (under Civics' jurisdiction), on the specific tree, at least five days before tree removal except in cases of emergencies.

**Motion Approved.**

~

September 22, 2014 – BUDGET COMMITTEE

**Motion:** Budget Report (Line 91: \$18,000-\$15,000= \$3,000)

In the absence of plans from the Playground Committee and approval by the Town Assembly, it is moved that the proposed \$15,000 augmentation of the Playground Committee Budget be removed from 2015-2016 Arden Budget.

**Motion Approved.**

~

September 22, 2014 – ADVISORY REPORT

**Motion -** Move Memorial Gardens as a subcommittee of Community Planning Committee. **Motion Approved.**

~

September 22, 2014 - COMMUNICATIONS



**Motion:** Whereas Carol Larson and Elaine Schmerling are residents of the Ardens, and Whereas the State of Delaware has recognized them with the Governor's Outstanding Volunteer Award for the Environment Category, for the year 2014, for their work together as the Ardens' Environmental Duo, The Town Assembly of the Village of Arden with this motion, joins the state of Delaware in officially recognizing the Environmental Duo. Their countless hours of volunteerism, tireless efforts to find funding from outside of the Ardens and to educate and inspire us, their creativity and their hard work to improve our forests are shaping an ongoing effort to enable a great future for the forests of the Ardens. Letters of recommendation will be provided.

**Motion and letters of recommendation were unanimously approved.**

~

**June 23, 2014 - No Motions presented at Town Assembly.**

~

March 24, 2014 – COMMUNITY PLANNING

**Motion:** “The Village grants a vacant dwelling registration fee waiver to the Arden Building and Loan Association leaseholder of the house located at 2100 Harvey Road as they have met all requirement in section VII One-time waiver of registration fee [specifically parts iii and iv] of The Arden Ordinance # 15 Annual Registration of Vacant Dwelling and Registration Fees. **Motion Approved.**

~

January 27, 2014 - ADVISORY REPORT

**Motion** (presented by Advisory) I move that the BWVC Committee change the date of their monthly meetings to an alternative date from third Thursdays, so Ardencroft representatives can attend the meetings.

**Motion Approved.**

~

January 27, 2014 - COMMUNITY PLANNING (presented under Visitors)

**Motion:** Motion to approve the Resolution for the National Flood Insurance Program.

**Motion Approved.**

~

September 23, 2013 – TREASURER REPORT

**Motion:** Move that the Town Assembly establish a board, named the “Investment Advisory Board”, for the purpose of advising the Village on managing the various

investment and endowment funds of the Village. These funds shall include, but not necessarily be limited to, the “Pendulum Fund”.

The Investor Advisory Board shall be composed of three (3) residents of the Village of Arden.

The board shall advise the officers of the Village on options to manage and maintain the investments in the endowment funds. The board should take into account the investment policies of the Town Assembly in the recommendations, and prior to the September Town meeting, the board shall recommend to the Treasurer the funds from the various endowments available for grants to be administered the following fiscal years.

The board shall monitor the investment portfolio throughout the year, and report to the Town Officers their recommendations, at a minimum, prior to each regular Town Assembly meeting. The board may recommend changes to the investment guidelines to the town officers. Changes to the guidelines require approval by the town assembly.

All transactions, funds transfers, and investment decisions, shall be executed exclusively by the officers of the Village.

The Investment Advisory Board members shall serve for terms of two years, with two members appointed in odd numbered years and one member appointed in even numbered years. The Town Treasurer appoints the board members and submits their name for consent by the Town Assembly at the September Town Meeting. The Town Assembly may either accept or reject the appointee. Investment Advisory Board members may be reappointed to serve for additional two-year terms without limit. In case of a vacancy, the Treasure shall appoint a qualified person to serve as a board member until seeking consent of the Town Assembly at the next regular Town Meeting.

The initial board will have two members who will serve the two-year term and one member that will serve a one-year term.

The board shall set its own rules, procedure, and conduct within the requirements of the laws of the State of Delaware.

**Motion Approved.**

~

September 23, 2013 –BUDGET COMMITTEE

**Motion:** A motion was made from the floor to move \$2,000 in the Buzz Ware Village Center's budget from the renovation fund back to operating expenses, so residents can approve it or not in the upcoming budget referendum.

**Motion Denied.**

~

September 23, 2013 - CIVIC COMMITTEE

**Motion:** Motion to cut down tree (Willow tree located on Sherwood Rd that is shading and blocking areas of community garden) and plant a replacement.

**Motion Approved.**

~

September 23, 2013 – CIVIC COMMITTEE

**Motion:** The Committee proposes to **shift responsibility** for care of the Memorial Garden from The Planning Committee to the Civic Committee. The mapping and upkeep of the graves would continue to be in the hands of the same volunteers who are doing it now.

**Motion Approved.**

~

September 23, 2013 – FOREST COMMITTEE

**Motion:** A motion was made to increase the tree cover in Arden from 73.85% to 75% over the next five years. Approval of this goal will help secure monetary grants to the village.

**Motion Approved.**

~

September 23, 2013 – FOREST COMMITTEE

**Motion:** In a motion from the floor, the town meeting authorized the Forest Committee to complete negotiations with the leaseholder at 2409 Woodland Lane concerning right of way to the garage, which was built away from existing access. (It is hoped that this will end a controversial issue facing the village for almost a year).

**Motion Approved (Vote Count: 36 Yes, 15 No and 5 abstentions).**

~

September 23 2013 – PLAYGROUND COMMITTEE

**Motion:** A motion was made from the floor that no action be taken on removal of the Arden Green slide tonight and that the Playground Committee present detailed information concerning the safety deficiencies of the slide on the green at the next meeting.

**Motion Denied.**

~

September 23 2013 – NEW BUSINESS

**Motion** A motion was made from the floor that all money received from the Buckingham Green law suit settlement shall be put into a restricted fund to be spent by the Forest Committee for the restoration of damage caused by storm water coming from Buckingham Green. **Motion Approved.**

~

June 24, 2013 – TREASURER REPORT (pg. 6)

**Motion:** That the Chair of the Town Assembly appoints an **Ad Hoc Investment Committee** that will, at the next town meeting, propose the creation of a permanent Investment Committee. That permanent committee will be, if created by the Town Assembly, responsible for investing funds given to the Village of Arden, and withdrawing the income and principle from those funds, all in accordance with the Village's Monetary Gift Policy and the Investment Guidelines of the Pendulum Fund. The Registration Committee will be consulted as to how this new permanent committee is to be elected.

**Motion Approved.**

~

June 24, 2013 - 11.6 CIVIC COMMITTEE (pg. 12)

**Motion:** A motion to make an alteration to the 1999 Sherwood Green Landscape design plan. The alteration is the removal and replacement of the oak tree located in the SW corner of the fenced in area of the **community garden** formally known as the tot lot. The tree is causing excessive shade in a vital expanse of the garden. If left to grow to maturity, it will shade over half of the plots. The G-Ardeners are willing to pay for the removal of the tree and contribute to an equally desirable replacement. The replacement location will be in an area where all will be able to enjoy the shade. In addition, there is an Arden resident who wishes to sponsor the replacement tree monetarily and volunteers to care for and nurture it into maturity

**Motion to Amend** (pg. 13) To evaluate the entire situation of the location of the tree and gardens and for Civic Committee to report back at the next town meeting on their recommendation for the best solution.

A motion to make an alteration to .....Volunteers to care for and nurture it into maturity. The Civic Committee will evaluate the options governing the location of the community garden and the willow oak shading it prior to enacting the first part of the motion.

**Amended Motion Approved** and Civic Committee will provide report at September's Town Meeting.

**Motion Approved as Amended.**

~

March 25, 2013 - 11.7 FOREST COMMITTEE (pg. 15)

**Motion:** The town requests the county to impose a **cease and desist** order on the leasehold until such time as a plan can be approved by town assembly.

## Motion Approved

~

March 25, 2013 - 13.0 NEW BUSINESS (pg. 17)

**Motion:** Request Forest Committee and Civic Committee study the creek side behind the Wynn's leasehold structure in order to consider negotiating an easement for a path at edge of Naaman's Creek at 2409 Woodland Lane

**Motion Approved.**

~

March 25, 2013 - 13.0 NEW BUSINESS (pg. 17)

**Motion:** I move that the village pass a motion declaring a sense of the Village that it explores the purchase of the lease currently held by Mr. Robert Wynn and his son, Kenneth Wynn (2409 Woodland Lane). The purchase would be made with funds from the bequest of Johanna Schroder. The purchase amount would be an amount agreeable to Mr. Wynn, Kenneth Wynn and to the Village.

**Motion Approved.**

~

January 28, 2013- 11.5 COMMUNITY PLANNING COMMITTEE (pg. 13)

### Vacant Property waivers

**Motion** -The leaseholders at 2109 Harvey Road and 2312 Walnut lane have provided sufficient evidence as defined in section VII. One-time waiver of registration fee and is granted a waiver. The leaseholders at 2121 Meadow Lane and 2306 Cherry Lane have provided insufficient evidence as defined in section VII. One-time waiver of registration fee, if they do provide sufficient evidence on or before January 31, 2013, they will be granted a waiver, and if not, they will be denied a waiver.

**Motion to Amend** (Points out contradictions:2109 Harvey Road reads "have received signed listing agreement and recommend approving waiver". The motion contradicts this statement and reads "the leasehold provided insufficient evidence". Amendment: 2109 Harvey Rd and 2312 Walnut Lane recommend those leaseholds be approved for one time)

The leaseholders at 2109 Harvey Road and 2312 Walnut lane have provided sufficient evidence as defined in section VII. One-time waiver of registration fee and is granted a waiver. The leaseholders at 2121 Meadow Lane and 2306 Cherry Lane have provided insufficient evidence as defined in section VII. One-time waiver of registration fee, if they do provide sufficient evidence on or before January 31, 2013, they will be granted a waiver, and if not, they will be denied a waiver.

**Motion Approved as Amended.**

**Main Motion Approved as Amended.**

~

January 28, 2013 - 13.0 NEW BUSINESS (pg. 18)

**Motion** - Discontinue collecting taxes from cable companies

**Motion Defeated.**

~

September 24, 2012 - 12.40 Buzz Ware Village Center (pg. 8)

**To address Motion, postpone and tabled last Town Assembly** - I move that the (Main) motion that was presented and Tabled in June (Town Assembly) requesting \$12,500 of **Capital Maintenance and Repair funds** to pay for the cost to replace the accordion curtains be reintroduced.

**Motion** -To Remove from Tabled **Motion was Approved.**

**Main Motion** was reintroduced in order to close it. Funds no longer needed. BWVC raised funds through PPP event.

**Main Motion Defeated.**

~

June 26 2012 - 12.3 PLAYGROUND COMMITTEE (pg. 23)

**Motion:** Place **chips** under playground fall zone;

Remove other chips and replace with top soil and seed.

Remove 6 x 6's

Proposed

**Motion to Amend** (pg. 26)

Remove the boards from the around the playground. (Clarification: The motion before us is to amend the original proposed motion to only the last or #3) Remove 6 x 6's.)

**Amended Motion Approved**

Whenever the 6x 6 is removed, it should be filled with top soil or wood chips.

**Motion Approved as Amended.**

~

June 26, 2012 - 12.4 FOREST COMMITTEE (pg. 30)

**Motion** - Move that All planting by Forest Committee stop until reviewed by an impartial party.

**Motion Denied.**

~

June 26, 2012 - 12.70 BWVC (pg. 34)

**Motion** is authorizing spending up to \$12.5. (New motion proposed because of new

authorization spending amount which needs to wait until proper publicity be given it in the minutes and we will entertain this motion.)

**Amend Motion to Postpone** - The motion is to postpone until next meeting. The town assembly would decide at the following town meeting whether or not to approve the proposal. Tonight, we are supposed to approve the proposal.

Motion before us is whether to postpone your motion or not.

**Amended Motion to Postponed to September 2012 is Approved.**

~

March 26, 2012- 7.0 COMMUNICATIONS (pg. 2, 3)

**Motion** - Move that the Village of Arden renew its **tri-annual agreement with New Castle County** and allow the County to administer our coverage under its Housing & Urban Development Program's Block Grant, in the event that the Village should ever qualify for Block Grant benefits.

**Motion to Amended**

Add to motion: The Village's income is high enough at this time whereby we do not qualify for benefits under the Block Grant. **Amended Motion Approved,**

**Motion Approved as Amended.**

~

RESOLUTION (pg. 3)

Steven Threefoot formal recognition for his ten years of service to the community. They presented him with a plaque crafted by Denis O'Regan from a piece of New Orleans barge board. The plaque was inscribed with the following resolution:

RESOLUTION

**Town Assembly Resolution of Recognition and Appreciation 2012**

WHEREAS, Steve Threefoot has effectively performed the duties as Town Assembly Chairman for 10 years from 2002-2012; and

WHEREAS, Steve has volunteered countless hours of work; and

WHEREAS, Steve has provided leadership and order to Town Assembly meetings; and

WHEREAS, Steve has represented Arden in a just way;

NOW, THEREFORE, Town Assembly and the Advisory Committee here by provide this resolution of appreciation for a job well done.

SHAKESPEARE QUOTE"

"Let's go hand in hand, not one before another."

Dromio Act V Scene 1 Comedy of Errors

**Resolution Approved** (A brick will also be placed at the Moonlight Theater in Steven's honor reading: "To Steven Threefoot /In appreciation/Town Chair, 2002-2012").

~

March 26, 2012 - 12.5 CIVIC COMMITTEE (pg. 9)

**Motion** Moved that the Civic Committee executes (be charged with) spraying for mosquitoes by DNREC (Delaware Department of Natural Resources and Environmental Control).

**Motion Approved.**

~

March 26, 2012 - 13.0 OLD BUSINESS – (pg. 15)

**Motion to remove from tabled** (*Original Motion \*January 23, 2012, 14.2 New Business*)  
**Pre-Town Meeting publishing of items that require a vote.**

“I would like to take off the Table the Motion that requires publishing, in advance of Town Meeting, any motion that has long term effects on Town policy or finances”.

**Motion** to remove tabled motion was **Approved.**

~

March 26, 2012 - 13.0 OLD BUSINESS – (pg. 15)

**Motion** Moved that any **motion brought to the meeting of the Town Assembly** that deals with 1) a significant expenditure of funds not covered in the annual budget or 2) a significant change in Town policy, be **published in printed form** either by delivery to residents at least ten days before the Town meeting or by appearing as part of the published agenda for the Town meeting. The exception to this prior publication would be under extenuating circumstances of urgency brought on by an unforeseen matter involving an outside governmental agency or legal concern.

**Amendment to Motion:** Shorten the last sentence at the word “urgency.”

**Motion Denied.**

~

January 23, 2012- TREASURERS REPORT (pg. 3)

**Motion** Moved that the officers of the Village of Arden (i.e. Town Chair, Secretary, Treasurer, and Advisory Committee Chair) **shall transfer all responsibilities and duties** of their office to the resident elected to each respective position by the Town Assembly at the March Town Meeting. This transfer shall happen on or before April 30<sup>th</sup> following the election. Until such transfer, the Village of Arden Officers shall continue to execute all duties and responsibilities of their respective positions and shall receive the budgeted compensation for the position. **Motion Approved.**



~

January 23, 2012 - 12.7 Buzz Ware Village Center (pg. 11)

**Motion** - I move that the Buzz Ware Village Center have a **contracted Building Manager**.

The Building Manager's responsibilities are to:

Interview prospective renters

Explain the rules and procedures of the BWVC

Arrange for any ancillary custodial work to be done at the renter's expense

Monitor room conditions before and after a rental

Keep a log of the renters

Maintain a file of contracts and track payments

Maintain, publish and post the BWVC calendar

Monitor the BWVC voice mail

Schedule and supervise BWVC custodian. Oversee and guide the custodian on building maintenance as well as advise custodian of renters' special needs.

Oversee and track routine expenses for building maintenance.

Track time sheets of the BWVC custodian.

Coordinate BWVC improvements with committee guidance, including tracking donations to the BWVC of furniture, lamps, etc.

Track access of non-renters to the building.

Act as the liaison between BWVC, ACRA and the Arden Club, for coordination of parking, parking directing, facilities usage and other arising issues.

Act as a liaison between the standing committees of the Village of Arden and Village of Ardencroft for all issues including scheduling, set up, and take down of the rooms.

**Motion to Amend (pg. 13)**

It is MOVED that the BWVC has the authority from the town meeting to negotiate a contract for a building manager based on the concepts listed below" (See original Motion)

**Motion Approved as Amended.**

~

January 23, 2012 - 13.0 OLD BUSINESS (pg. 14)

**13.1 Motion on Table**— To require **two nominees for election of Town officer positions**

**Motion to Amend (pg. 15)**

We will amend the Motion with "strive towards getting two nominees for the Officer positions but not mandate it."

Due to the increased executive powers assigned to the Town Officials, I move that we strive towards getting two nominees for the Officer positions but not mandate it for all open elected positions. Therefore, the positions of Chair of the Town Assembly,

the chair of the Advisory Committee, the Town Secretary and the Town Treasurer each require a minimum of two qualified candidates for each position. The current policy has two candidates for each open position in the standing Committees.

**Motion Defeated.**

~

January 23, 2012 - 14.0 NEW BUSINESS

14.1 New Business - **Posting Town Meeting Minutes(pg.15)**

**Motion** - Moved to require the draft minutes of Meetings of the Town Assembly be posted on the Village of Arden website no later than three weeks after the Meeting of the Town Assembly occurs.

**Motion to Amend** replacing “to require” with “the Town Meeting **expects that...**”) “The Town Meeting *expects* that the draft minutes of Meetings....”

**Motion Approved as Amended.**

~

January 23, 2012 14.2 NEW BUSINESS

**Pre-Town Meeting publishing of items that require a vote.**

**Motion** - Moved to require Committees or residents to publish items, that require a vote at the Meeting of the Town Assembly, with the Agenda for the Meeting of the Town Assembly/Minutes o Previous Meeting or by posting them on a designated site on the Village of Arden Website at least 48 hours before the beginning of the Meeting or by hand delivering copies to residents’ homes at least 48 hours before the beginning of the Meeting.

**Motion to table** - I Move that we table this Motion until it has been properly researched.

**Motion to Table Approved.**

~

September 26, 2011 – NEW BUSINESS

**Town Official Elections**

**Motion** Due to the increased executive powers assumed by the Town Officials, I move that all open electd positions require no less than two times the number of candidates as there are open\_positions. Therefore, the positions of Chair of the Town Assembly, the Chair of the Advisory Committee, the Town Secretary and the Town Treasurer each require a **minimum of two qualified candidates for each position.** The current policy has two candidates for each open position in the standing Committees.

**Motion to Amend.**

Move to amend the Motion on the Floor by substituting “assumed by” with “assigned to.” Language is changed to: “Due to the increased executive powers assigned to the Town Officials....”

**Amended Motion Approved.**

**Motion to Table** - I move that we table this Motion until the January Town Meeting.

**Motion Tabled Approved.**

~

June 27, 2011 - 14.0 NEW BUSINESS (pg. 18)

**Motion** - That the **Fels Oak** be placed under the domain of the Forest Committee.

**Moved to Table**

Table the Motion to place the Fels Oak under the domain of the Forest Committee.

**Motion to Table Approved.**

~

March 28, 2011 12.10 REGISTRATION COMMITTEE (pg. 16)

**Motion** - Moved [incorporating points of clarification made by Larry Walker & Steven Threefoot]

The Registration Committee will establish a **procedure for absentee voting** for the March elections of Standing Committees and Officers, to be implemented by the March 2012 election. Such absentee voting will be available for all residents of Arden who cannot vote in person for the following reasons:

- the resident’s business or occupation prevents him or her from voting at the Town Meeting. “Occupation” shall include care of a family member.
- the resident will be out of town on election day. This includes military service, college, or vacation as examples.
- the tenets or teachings of the resident’s religion prevent participation in the election.
- the resident has a physical disability – either temporary or permanent – which prevents the resident from voting at the Town Meeting.

The resident must submit an affidavit stating the reason for Absentee Voting and requesting a ballot.

“Resident” is here defined as in the Act to Reincorporate as a person 18 year of age or older who has resided in the Village of Arden for 6 months prior to the election.

The Registration Committee will establish a method of obtaining and submitting the Affidavit/Request for an Absentee Ballot, and a procedure for receiving and submitting the Absentee Ballot.

**Motion Approved.**

~

January 24, 2011 - 10.6 COMMUNITY PLANNING (pg. 11)

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

**Motion Approved.**

~

September 27, 2010 - 11.6 COMMUNITY PLANNING (pg. 9)

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

**Motion Approved.**

~

June 28, 2010 - 9.0 TREASURERS REPORT (pg. 4)

**Motion** - It is moved, the Officers of the Village of Arden (i.e. Town Assembly Chair, Secretary of the Town Assembly, Treasurer of the Village of Arden and Advisory Committee Chair of the Village of Arden) are **authorized to establish bank accounts, checking accounts, and financial accounts in the name of the Village of Arden** for the purpose of managing the funds of the Village. Such accounts shall require signatures from two of the four officers.

**Motion Approved.**

~

June 28, 2010 - 11.2 REGISTRATION (pg. 5)

**Motion** - The Registration Committee will **establish a procedure for absentee voting** for the March election of Standing Committees and Officers. Such absentee voting will be available for all residents of Arden who have regularly attended Town Meetings and who cannot vote in person for the following reasons:

The resident's business or occupation prevents him or her from voting at the Town Meeting

The resident will be out of town on Election Day. This includes military service, college, and vacation as examples the tenets or teachings of the resident's religion prevent participation in an election

The resident has a physical disability – either temporary or permanent – which prevents the resident from voting at the Town Meeting

The Registration Committee will establish a method of obtaining and submitting the absentee ballot between the date of the March Advisory meeting and the date of the March Town Meeting. The ballot shall be accompanied by a signed affidavit stating the reason for absentee voting.

The Registration Committee will review each affidavit during the public vote count.

For the purposes of establishing an absentee voting procedure, regular attendance at town meetings will mean the resident has attended at least two town meetings in the year leading up to the election.

**Motion to Amend** (pg. 6)

Disregard the requirement that people attend two meetings in the year prior to the elections

Change “resident’s business or occupation” to “because of the nature of such person’s business or occupation, including the business or occupation of providing care to a parent, spouse, or that person’s child who is living at home and requires constant care.” [Taken from the State of Delaware Title 15]

Chairman clarified Amendment as follows: The amendment is to strike “who have regularly attended Town Meeting” from the first paragraph and strike the last sentence in full.

Amendment to the Motion on the floor is to strike the last sentence and also the reference in the first paragraph that states “who have regularly attended Town Meetings.”

**Point of Order:** (pg. 7)

Registration committee: It is Registration understanding that this is a change to Voting Procedure and will require a change to the Act to Reincorporate. An amendment to the Act will require a reading at three Town Meetings.

Town Chairman – The Motion has not passed yet. If it does, we will check with our attorney as to how to proceed.

Leaseholder – This should probably be an Ordinance to do anything beyond Town Meeting.

Hugh Roberts Referring to Roberts Rule of Order

**Motion to Table.** (pg. 7/8) Moved we table the Motion and find the correct way to present this change and then present it at Town Meeting in that format

**Motion to Table Approved.**

~

June 28, 2010 - 11.5 COMMUNITY PLANNING COMMITTEE (pg. 11)

**Motion** - Moved to Maintain New Castle County's "**Instant Ticketing**" process for Arden.

**Motion Approved.**

**MOVED** Maintain the current code Section PM 302.4.2 **Weeds and Grasses** - that is, grass and weeds shall be no more than eight [8] inches tall. Within the code exist

exemptions for ornamental shrubs and trees, and for wildflower meadows more than 10 feet from the lot line. **Motion Approved.**

**MOVED** Seek exception to Section PM 302.8.6 **Parking of Vehicles.** That is, vehicles do not need to be parked on a hardened surface. Arden would not be exempt from other sections of Section PM 302.8 governing including off-highway vehicles, inoperable and unregistered vehicles, oversized vehicles, and recreational vehicles. **Motion Approved.**

**(pg. 12) MOVED** Seek exception for tree branches to Section PM 302.11 **outside storage of debris.** ..that is, tree branches would be exempted from this section for Arden. County inspectors now include fallen branches as wood debris. **Motion Approved.**

**(pg. 13) MOVED Vacant houses** do not support Arden's community spirit and therefore Town Meeting requests that Community Planning continue to develop a process which includes a financial fine for all leaseholds vacant for greater than one year and report back at the Sept. 2010 meeting with a recommendation. **Motion Approved.**

**(pg. 14) MOVED -** That a possible violation against the New Castle County **Property Maintenance Code** can only be reported by an individual residing in the adjacent leasehold or by an official of the Village of Arden. **Motion Defeated.**

~

June 28, 2010 - 11.6 CIVIC COMMITTEE (pg. 15)

**Motion -** That the Village of Arden apply to the Delaware Forest Service Urban and Community Forestry Program for \$2,500 in **matching funds** toward the bid of \$5,000 from Brandywine Tree and Shrub to remove the trees along the northeast side of the Sherwood Green.

**Motion Defeated.**

~

June 28, 2010 (pg. 16)

**Motion - MOVED** That the Village of Arden accept by acclamation the New Castle County multi-jurisdictional **All Hazard Mitigation Plan** as its All Hazard Mitigation Plan.

**Amendment to the motion -** I move that we insert the word “additional” into that sentence. **Motion Approved as Amended.**

~

March 22, 2010 - 8.0 TRUSTEES' REPORT (pg. 6, 7)

**Motion** - We move that the Town Assembly of Arden vote to show support for the Trustee pursuing one of two options regarding the **Buckingham Greene lawsuit** that will be our response to the Duffield Report that is sent to the Chancery Court judge.

### **Option 1**

Agree to a plan in principle that would only stabilize and replant the area of the erosion ditches in Sherwood Forest and escrow funds for a set period of time for maintenance of the site. Part of the plan would have terms that would not allow mechanized equipment in the Sherwood Forest that could further damage the Forest and insist on supervision of the repair by a landscape architect and horticulturist. This plan would not stop the flow of water into Sherwood Forest: it would only repair the damage done. Also, it does not guarantee that our terms for not allowing mechanized equipment or for oversight of the replanting of the area by an environmental team of our choosing would be granted by the Judge.

### **Option 2**

Agree to continue with the lawsuit that would likely require a Court hearing and additional engineering costs to counter Buckingham Greene's critique of our remedy. We could seek a middle ground to break the current gridlock, i.e. allow some discharge of water to go the outflow pipe at the Forest edge from a section of Buckingham Greene. We would ask the Court to relieve us of some further expenditures since we have already incurred costs when we presented a conceptual plan with a budget for the remedy and will have to incur further costs to rework our plan to find a middle ground.

**Motion Approved.**

**Amendment to the Motion** - The Trustees use the details in the Motion that was just passed as guidelines and not restrictions.

**Motion Approved as Amended.**

~

March 22, 2010 - 12.6 COMMUNITY PLANNING COMMITTEE (pg. 14)

**Motion** - The Town Assembly of the Village of Arden requests that County Councilman John Cartier introduce legislation to make an "**Arden Exception**" on **Property Maintenance Violations** on the following points:

1. Piles of sticks, yard debris, limbs, and other organic materials will not be a violation.
2. The height of grass and weeds on a leasehold will not be a violation.
3. Instant Tickets shall not be issued in the Village of Arden.

4. Motor vehicles, boats, trailers, and other vehicles do not have to be parked on a hardened surface.

5. Only an Arden Resident living adjacent to a leasehold may make a complaint about suspected Property Maintenance Violations to New Castle County about conditions on that adjacent Arden leasehold. Village of Arden Officials may also make complaints about Property Maintenance Violations.

Motion Seconded

**Motion to Table (pg. 15) Seconded** moved that we keep the Motion tabled until Community Planning can return to the next Town Assembly addressing the issues of **Instant Ticketing** and **ground conditions** in Arden.

**Motion Approved to Tabled.**

~

March 22, 2010 - 12.10 REGISTRATION COMMITTEE (pg. 18)

**Motion** - That the Registration Committee, as they write the absentee ballot policy, **consider methods of increasing participation** in elections that reflect contemporary life of all residents, young, medium, and retired, and make concerted effort to introduce candidates to residents. **Motion Approved.**

~

March 22, 2010 - 14.0 NEW BUSINESS 1 (pg. 19)

**Motion** - Moved whenever there is a crew employed by Arden to do work on a leasehold, they should first inform the individual leaseholder and **get permission**.

**Amendment to Motion:** suggesting that the word “permission” in the Motion, be changed to “notification.” Motion could be tabled until the next meeting so that we can find out what this is all about. **Motion to Table until next Town Meeting was Approved.**

~

September 29, 2009 – BUDGET COMMITTEE (pg. 8, 9)

**Motion** - Moved that the BWVC Budget be moved into the discretionary section of the Town Budget. **Motion Denied.**

~

September 29, 2009- BWVC (pg. 10)

Moved that the Arden Town Meeting continue to be held at the Buzz Ware Village Center. **Motion Denied.**

~

September 29, 2009 - BWVC (pg. 10)



**Motion** - Moved that the Advisory Committee come up with a **Negotiating Committee** to talk with the Arden Club to get us better rental rates than we are getting now.

**Motion Approved.**

~

September 29, 2009 – COMMUNITY PLANNING (pg. 11)

**Motion** - Town Assembly was changed from September 28, 2009 to September 29, 2009.

**MOVED**

The Town Assembly accept the change of this Regular Town Meeting to Tuesday, September 29, 2009, for official business of the Village.

Motion Approved

**MOVED:** (A Motion to change the date of future and current Town Meetings)

A regular meeting date of Town Assembly may be changed in the following manner: A Motion to change the date of a future Town Meeting may be made at a regular or special Town Meeting. The Motion must state the proposed date change and the reason for the change. The Motion must be approved by a simple majority in order to conduct the business of the Village at that Meeting. Each resident of Arden will be notified, by US Mail, of the new date, time, location, and reason for the change, 7 days prior to the newly scheduled meeting.

**Motion Approved.**

~

September 29, 2009 – OLD BUSINESS

**Motion** - Moved that the Town Assembly initiates **procedures for absentee voting** for Town

officials and committee members in connection with the annual election held at the Town Assembly Meeting in March.

**Table Motion until January 2010 Town Assembly.**

~

September 29, 2009 – OLD BUSINESS

**Motion** - Moved the Community Garden Association will continue to **offer plots** to residents of the Ardens on the Sherwood Green inside the fenced area known as the “tot lot”. Plots will be awarded on a first come, first served basis as long as they are available. Additional requests will be placed on a waiting list. A minimal service charge will cover the cost of water, initial tilling, and miscellaneous equipment and upkeep. A portion of the funds collected will be set aside to restore the area to its original condition should the garden project be terminated.

**Motion Approved.**

~

June 22, 2009 - 5.0 Visitors (pg. 4)

**Motion** - It is the sense of the Town Assembly that the Trustees of Arden and the Village may pursue **negotiations with Verizon Wireless** for placement of cell phone antennae on the existing United Water Tower structure, and that process on such negotiations be reported to the Town Assembly at the September 2009 Town Meeting.

**Motion to Amend** (Cecilia Vore asked to amend the Motion to say exactly who the “Village” is. Who will represent the Village and also amend to say that there will not only be antennae but also supporting structures.

**Amendment to the Motion and read as follows:** Moved It is the sense of the Town Assembly that the Trustees of Arden and the Village Chair, or designee, may pursue negotiations with Verizon Wireless for the placement of cell phone antennae and supporting structures, on the existing United Water Tower structure, and that process on such negotiations be reported to the Town Assembly at the September 2009 Town.

**Motion Approved as Amended.**

~

June 22, 2009 - 6.0 COMMUNICATION (pg. 6)

**Motion** - The Town Assembly of the Village of Arden hereby recommends that the Chair proceed with execution of a three-year agreement, starting in September 2009, for waste (trash and recycle) collection by **Waste Management, Inc.**, or other provider deemed to provide similar or better service to the Village of Arden.

**Motion Approved.**

~

June 22, 2009 - 8.0 TREASURERS REPORT (pg. 14)

**Motion** - It is Moved, the Officers of the Village of Arden (i.e. Town Assembly Chair, Secretary of the Town Assembly, Treasurer of the Village of Arden, and Advisory Committee Chair of the Village of Arden) are **authorized to establish bank accounts, checking accounts, and financial accounts in the name of the Village of Arden** for the purpose of managing the funds of the Village. Such accounts shall require signatures from two of the four officers.

**Motion Approved.**

~

June 22, 2009 - 8.0 TREASURERS REPORT (pg. 15)

**Motion** - As of the start of the Village of Arden 2009/2010 fiscal year (March 25, 2009), the Village of Arden has assumed the responsibility for the day-to-day financial transactions associated with Village business. As this responsibility had previously

resided with the Trustees, the operating funds were located in accounts in the name of the Trustees. This resolution **documents the transfer of funds from the Trustee accounts to accounts setup in the name of the Village** on, or shortly after, March 25, 2009. It is Resolved that funds documented below were, or will be shortly, transferred from Trustees of Arden (tax id #51-0001944) accounts to the Village of Arden (tax id #26-3641116) for use by the Village of Arden as approved by the Village of Arden and in accordance with restrictions placed on such funds by law. Municipal Street Aid Funds of \$31,613.00 Hamburger Lecture Series Funds of \$11,028.00 Delaware Dept. of NREC Trail Grant Funds of \$251.00 Village Center Funds of \$538.00 Memorial Garden Funds of \$1,612.98 G-3 Funds of \$3,056.80.

**Motion Approved.**

~

June 22, 2009 - 10.7 BUZZ WARE VILLAGE CENTER (pg. 24)

**Motion - I move that the venue for the Arden Village Town Meeting** be at the Buzz Ware Village Center for the September 2009 and the January 2010 Arden Village Town meetings.

**Motion to Amend MOVED** The venue of the Arden Village Town Meeting will be at the Buzz Ware Village Center for the September 2009 Meeting and that it will be on the Agenda to vote on future locations at that time.

**Amendment to Motion Approved (pg. 25)**

MOVED - I move that the venue for the Arden Village Town Meeting be at the Buzz Ware Village Center for the September 2009 Town Meeting and to vote on the future locations at that meeting.

**Motion Approved as Amended.**

~

June 22, 2009 - 10.7 BUZZ WARE VILLAGE CENTER (pg. 25)

**Motion - I move that an ad hoc committee** be created to study the sense of the community regarding the **permanent venue of the Buzz Ware** Village Center for the Arden Village Town Meetings. The Committee will consist of 5 people, 2 appointed by the Village Chair, 1 from Civic Committee, and 2 from the Buzz Ware Village Center Committee. A report of the findings will be given and a simple majority up or down vote for the change will be held at the September Meeting.

**Amended to Motion:** I move that an ad hoc committee be created to study the sense of the community regarding the permanent venue of the Buzz Ware Village Center for the Arden Village Town Meetings. The Committee will consist of 5 people, 1 appointed by the Village Chair, 1 from Community Planning, 1 from Civic Committee, and 2 from the Buzz Ware Village Center Committee. A report of the findings will be given and a simple majority up or down vote on the recommendations will be held at the September Meeting. **Motion Defeated.**

~

June 22, 2009 - 12.0 NEW BUSINESS (pg. 28)

**Motion** - I move to obtain a legal opinion as to whether a change in the **Act to Reincorporate** the Village of Arden is necessary to allow **absentee balloting** for Arden elections of Town Officials and Town Committees. **Motion Defeated.**

~

June 22, 2009 - 12.0 New Business (pg. 28)

**Motion** - Is it the sense of the Meeting that evaluating **absentee balloting** for Town Officers and Town Committee members is desired to be discussed?

**Motion Approved.**

~

March 23, 2009 - 12.0 COMMUNITY PLANNING

**Motion** - Moved, the following letter be e-mailed to Tom Meyer, Manager, Traffic Studies, DELDOT Transportation Management Center: Tom, The Village of Arden would like **safety improvements at the intersection of Harvey and Orleans Roads** to reduce the number of vehicles going off the road, especially late at night. This intersection is at the crux of a deceptive curve on Harvey Road. Vehicles on Harvey Road not making the curve are a long-standing problem, but in the fall of 2008 there were something like eight accidents in eight weeks, prompting this request. The safety improvements we contemplate are: 1) Change existing traffic signal to flash red in all directions at night, perhaps 12:00 to 5:00 a.m. Most accidents at this intersection are late at night. Currently, traffic light stays a constant green for traffic on Harvey Road except when vehicles on Orleans Road trip the light. 2) Add 50-foot guardrail along east side of Harvey Road north of light. This improvement is supported by the leaseholder and would keep wayward vehicles away from trees and an existing telephone pole. We would like this to be a wooden guardrail similar to those in Ardentown and Ardencroft along Harvey and Veale Roads respectively. 3) Add chevrons at both ends of the curve. Chevrons exist only at middle now. Drivers approaching curve currently cannot see full extent of the curve. 4) Improve sight lines so Harvey Road traffic can more easily see the traffic light. The combination of the curve, a dip in Harvey Road south of the intersection, and surrounding trees can obscure the traffic light. We look forward to hearing which, if any, of these recommendations might be implemented, and how and when. Sincerely, Steven Threefoot, Chair Danny Schweers, Town Assembly of the Village of Arden Community Planning Committee.

**Motion Approved.**

~

January 26, 2009 - 12.0 BUZZ WARE VILLAGE CENTER

**Motion** - The Venue for the Arden Town Meetings shall be changed to the Buzz Ware Village Center for the next two regular Meeting. **Motion Approved.**

~

January 26, 2009 - 18.0 NEW BUSINESS

**Motion** - The “Community Gardening Interest Group” (CGIG) will offer **community garden plots to residents of the Ardens**. The area to be used is on the Sherwood Green inside the fence known as the “Tot Lot”. Plots will be awarded on first come-first served basis as long as they are available. Additional requests will be added to a waiting list. A minimal service charge will cover the cost of water, tilling, and miscellaneous equipment. The CGIG, Civic, BWVC and Community Planning Committees will review the project at the close of the 2009 growing season. After this review, plans will be made for future use, and reported to the next possible Arden Town Assembly.

**Amendment to the Motion:** At the time of the close of the 2009 growing season when the program would be reviewed, and/or if the program would be ended, and the area would be restored back to the present condition. **Agreed to change**

**Amendment** so that the CGIG would be responsible for restoring the Tot Lot. **Motion Approved as Amendment.**

**Second Amendment:** The words “The Ardens” would be changed to “Arden.” As a **Point of Order**, Hugh Roberts clarified the difference between a Motion to Amend, as opposed to the Maker of the Motion accepting the Amendment. If an Amendment is offered, both the Maker and Seconder to the original Motion can Accept it, and it becomes a part of the Motion on the floor. If the maker or the Seconder does not accept the Amendment, it can be made a Motion to Amend, which must be seconded. Then the Motion to Amend can be discussed and subsequently voted on. If the Maker of the Motion really does not want the Amendment because it changes the original intent too much, the Maker can withdraw the original Motion, ending the discussion.

**Second Amendment Withdrawn:** Change “Ardens” to “Arden”.

**Motion Approved as Originally Amended.**

~

September 22, 2008 - 12.0 COMMUNITY PLANNING (pg. 21)

**Motion** - The Chairman of the Town Assembly of the Village of Arden shall write to New Castle County Executive and the head of Dept. of Land Use expressing a serious concern by the Town Assembly that this process is being used and seriously abused within the Village (**instant ticketing**). The Town Assembly would like them to do something about it.

**Motion was not Seconded.**

**Moved**, the Community Planning Committee will meet with Land Use, and come back with alternatives to the January Town Meeting.

**Amendment to the Motion** - The Chair of Community Planning and the Town Chairman will send a letter requesting suspension of **instant ticketing** for violations **in Arden** until such time as the Community Planning develops a new process.

**Motion Approved as Amended.**

~

September 22, 2008 - 18.0 NEW BUSINESS (pg. 28)

**Motion** - In order to create a greater sense of community, and to better utilize Town facilities, I move that the Quarterly Arden Village Meeting be moved to the Buzz Ware Village Center.

**Amendment to the Motion:** The June Town Meeting will be held at the BWVC as a pilot.

**No Quorum**

**Motion Postponed to next Town Assembly.**

~

June 28, 2008 – OLD BUSINESS (pg. 24)

**Motion** - The Village of Arden will voluntarily contribute to the legal expenses of the **FAA Lawsuit**, and the amount will be \$1,000.

**Motion to Table Approved.**

**New Motion:** The Town would set up a tax-exempt fund to receive donations from individuals who wanted to support this legal effort. The Town would donate \$1,000 to this fund, and officially notify Ardentown and Ardencroft of the availability of this tax-exempt fund, which their residents could contribute to.

**Motion to Amen**, the Town would donate \$100 as seed money.

**Motion to Amend (\$100) Approved.**

**MOTION TO AMEND**, The Town would any individual donation up to \$2,000 each year for the duration of this lawsuit.

**Motion to Amend Defeated (pg. 25).**

**Motion Tabled (pg. 26) Approved.**

~

March 24, 2008 - 17.0 OLD BUSINESS

**Motion** - Moved, the Village of Arden Will voluntarily contribute to the legal expenses of the **FAA Lawsuit**, and the amount will be \$10,000. **Motion Seconded.**

**Amendment to the Motion** -The amount of the Town's voluntary contribution would be \$1,000, which was approximately \$5.00 per leasehold. **Amendment Approved. Motion tabled till next Town Assembly.**

~

January 28, 2008 - 1.6 INTRODUCTION OF VISITORS

**Motion** – Move, The Village of Arden supports the efforts of the Friends of the Claymont Library Organization in their efforts to build a new free-standing library in Claymont. The Secretary of the Village will write a letter of support to the Governor and the appropriate state Legislative Committees in support of the \$25,000 funding for the feasibility study for this proposed library. **Motion Approved.**

~

January 28, 2008 - 1.6 INTRODUCTION OF VISITORS

**Motion** - Whereas the current version of the State of Delaware’s Freedom of Information Act does not cover the General Assembly of the State of Delaware; and Whereas, Senate Bill No. 4 of the 14<sup>th</sup> General Assembly of the State of Delaware amends the Delaware Code relating to the Freedom of information Act with the intent of extending coverage for the Freedom of Information Act to include the General Assembly as a “public body,”

It is moved that the Town Assembly of the Village of Arden on January 28, 2008 express our support for Senate Bill no 4 of the 144<sup>th</sup> General Assembly.

With the passage of this Motion, the Town secretary shall communicate the vote of this Assembly to the Honorable Karen Peterson, and the State Senate and Representative of this Village.

**Motion was seconded and Approved.**

~

January 28, 2008 - 2.1 **MOTION TO APPROVE SALE OF JOHANNA SCHROEDER’S HOME**

**Motion** to Approve the Sale of Johanna Schroeder’s house  
(In order to sell the house, Bill Ward, the real estate lawyer, needed a resolution passed by the Town, and he prepared a draft as follows:

RESOLVED by the Town Assembly,

WHEREAS the Village of Arden may acquire, hold, manage, and dispose of property on such terms as it deems proper; and

WHEREAS, the Village of Arden owns certain real property known a 2111 Orleans Road, Arden, DE 19810 (the Property) by virtue of a specific devise in the Last Will and Testament of Johanna Maria Schroeder, deceased; and

WHEREAS the Town Assembly at a Meeting dated January 28, 2008 duly called and conducted under the Town Charter, voted to dispose of the Property and convey it to Mike Opelka and Donna Swajeski for the purchase price of \$420,000.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN ASSEMBLY OF THE VILLAGE OF ARDEN that the Village of Arden hereby authorizes and approves the transfer of the property to Mike Opeika and Donna Swajeski, and further authorizes the Chairperson and Secretary of the Village of Arden to execute any and all documents required to effectuate such transfer. The Resolution was Seconded. **Amendment** to correct the spelling of the word “OF” in the second paragraph.

**Resolution Approved as Amended.**

~

January 28, 2008 - 3.1 TRUSTEES' REPORT

**Motion** - The Town Meeting supports the Arden Trustees regarding expenditures in the **Buckingham Greene lawsuit**. The Trustees will give an accounting of those expenditures at the March 2008 Town Meeting.

**Motion to Amend:** The Motion will be Amended to put a monetary cap on the legal proceedings, and the amount will be determined by the Town Assembly.

(**Point of Order:** Town Chair reminded the Assembly that this Motion was simply a recommendation from the Town. The Trustees had the authority to continue to incur legal expenses at their discretion, but they did seek approval to go forward. As clarification, the Trustees' expenses do not go through the Referendum Process, so the Town has no control over this. The Town was only making a recommendation.)

**Motion to Amend Withdrawn.**

**Motion Approved.**

~

January 28, 2008 - 4.1 ADVISORY REPORT

**Motion** - Moved that the Village of Arden **establish the position of Town Treasurer**, beginning with the March 2008 elections. The term of office shall be two (2) years. The Treasurer must be a resident of the Village.

In case of vacancy, the position shall be filled by appointment of a majority of the Budget committee. The appointee shall serve with full responsibilities of the treasurer until the next regularly scheduled Town Meeting. At such meeting, a resident shall be elected in accordance with Village election process to fill the remaining term.

The Treasurer position shall serve as an officer of the Town Assembly along with the Town Chairperson, the Advisory Chairperson, and the Town Secretary.



The Treasurer position provides as town officer as the financial contact for assets of the Village. The Treasurer should work with the Budget Committee, and seek counsel from the Trustees of the Village of Arden, the Town Chairperson and others, in order to represent the best interest of the Village. The Treasurer may secure assistance fulfilling his or her duties.

In addition to being a contact for the financial assets of the Village, the Treasurer position shall have the duties enumerated below:

1. Account for all collections of and payments by the Village of Arden.
2. Make financial reports of Village account to the Town Assembly and its committees, including oversight of compilation of materials for the annual audit.
3. Be the financial liaison between the Trustees and the Village.
4. Serve as ex-officio member of the budget committee.
5. Make the accounts of the Village available to the Audit Committee for review.
6. Advise the Board of Assessors on financial matters concerning assessments.

**Motion to Amend** Change No. 6 the word “advises” to “supply information.”

**Motion Approved as Amended.**

~

September 24, 2007 - 6.10 ASSESSORS REPORT

**Motion - Moved,** the **Alternative Assessment** Report is to have the 2006 methods in place for this year’s Assessment.

**Motion to Amend:**

The total amount of money to be collected in Land Rent will be the same as given the Assessor’s Report, but the process used for computing Land Rent for individuals Leases will be the same as used in the previous year.

Amendment to Motion Approved

**Motion Defeated.**

~

September 24, 2007 - 10.10 CIVIC COMMITTEE

**Motion - Moved,** the Civic Committee will temporarily install a **sign** in front of the Buzz Ware Village Center, and it will read, “NO LOITERING BETWEEN 12:00 AM AND 6 AM.

**Motion Defeated.**

~

September 24, 2007 - 11.2 AIRPLANE TRAFFIC OVER THE ARDENS

**Motion - Moved,** The Village of Arden supports the effort of the community group working to convince our public officials to provide funds and support Delaware residents, civic groups and municipalities that want to file an immediate Petition of

Review in Federal Court to appeal the FAA issued Record of Decision (ROD) for the NY/NJ/PHL airspace redesign Project.

**Motion Approved.**

~

June 25, 2007 - 15.1 SAFETY COMMITTEE

**Motion** - Moved, the Town Assembly directs the Safety Committee to install a second **“Do Not Enter” sign** at the intersection of Hillside and Sherwood Roads.

**Motion to Amend:** Include a directional arrow to be painted on Sherwood Rd at the Hillside intersection, and in front of the Sub Shop on Sherwood Rd.

**Amendment Passed.**

**Motion Approved as Amended.**

~

March 26, 2007 - 1.6 **Comcast Vedio Franchise**

A RESOLUTION OF THE VILLAGE OF ARDEN, NEW CASTLE COUNTY, DELAWARE AUTHORIZING THE ENTERING INTO OF A CABLE FRANCHISE AGREEMENT GRANTING A NONEXCLUSIVE FRANCHISE TO COMCAST OF NEW CASTLE COUNTY, LLC., TO MAINTAIN, EXTEND AND OPERTE A CABLE COMMUNICATIONS SYSTEM IN THE VILLAGE OF ARDEN.

WHEREAS, The Village of Arden wishes to grant Comcast of New Castle County, LLC., a nonexclusive franchise to maintain, extend, and operate a cable communications system in the Village, in accordance with Title VI of the Communications Act of 1934, as amended, 47 U.S.C. 521et. seq.;

WHEREAS, The Village of Arden and Comcast of New Castle County, LLC., have reached agreement on the terms and conditions of said franchise.

NOW, THEREFORE, BE IT RESOLVED that the Town Assembly of Arden, New Castle County, Delaware, hereby resolves as follows:

Section 1. The Village of Arden hereby authorizes the Chair and the Secretary of the Town Assembly of Arden, New Castle County, Delaware, at their discretion, to enter into a Cable Franchise Agreement with Comcast of New Castle County, LLC., to maintain, extend, and operate a cable communications system, the specific terms of which, agreeable to both parties, shall be memorialized in said Agreement.

Section 2. If any sentence, clause, section or part of this resolution is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentence, clauses, sections or parts hereof. It is hereby declared as the intent of the Town Assembly that this resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 3. Resolutions in whole or in part conflicting with any provisions of this resolution are hereby repealed insofar as the same affects this resolution.

SO RESOLVED this 26<sup>th</sup> day of March 2007.

**Amendment:** Striking the word “Ordinances “in Section 3,

**Resolution Approved.**

~

March 26, 2007 - 9.0 CIVIC COMMITTEE

**Motion** - Move to authorize **DelDot to communicate** with Town Chair and Secretary by e-mail instead of paper communications when they are about to do work in Arden. Question called. Motion was seconded and approved.

**Motion Approved.**

~

March 26, 2007 - 18.0 NEW BUSINESS

**Motion** - Moved that a **letter of recognition** be sent to **Wayne Smith** acknowledging his service to the Community and the Town during his time as State representative for the 7<sup>th</sup> District.

**Motion Approved.**

~

January 22, 2007 - 15.0 NEW BUSINESS

**Move** that we send a letter to the State Legislature opposing House Bill 1 and **supporting yard waste ban.**

**Motion Approved.**

~

December 11, 2006 – **SPECIAL TOWN MEETING:**

**Purpose Franchise agreement with Verizon**

A RESOLUTION OF THE VILLAGE OF ARDEN, NEW CASTLE COUNTY, DELAWARE AUTHORIZING THE ENTERING INTO OF A CABLE FRANCHISE AGREEMENT GRANTING A NONEXCLUSIVE FRANCHISE TO VERIZON DELAWARE INC., TO CONSTRUCT, INSTALL, MAINTAIN, EXTEND, AND OPERATE A CABLE COMMUNICATIONS SYSTEM IN THE VILLAGE OF ARDEN.

WHEREAS, Verizon is in the process of installing a fiber to the Premise Telecommunications Network for the transmission of non-cable services in the Village and desires to use portions of the Network once installed to provide cable services in the Village;

WHEREAS, The Village of Arden wishes to grant Verizon Delaware Inc., a nonexclusive franchise to construct, install, maintain, extend, and operate a cable communications system in the Village, in accordance with Title VI of the Communications Act of 1934, as amended, 47 U.S.C. §521 et. seq.;

WHEREAS, The Village of Arden and Verizon Delaware, Inc., have reached agreement on the terms and conditions of said franchise; and NOW, THEREFORE, BE IT RESOLVED that the Town Assembly of Arden, New Castle County, Delaware, hereby resolves as follows:

Section 1. The Village of Arden hereby authorizes the entering into of a Cable Franchise Agreement with Verizon Delaware, Inc., to construct, install, maintain, extend, and operate a cable communication system, the specific terms of which, agreeable to both parties, shall be memorialized in said Agreement.

Section 2. If any sentence, clause, section or part of this resolution is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Town Assembly that this resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 3. Ordinances or resolutions in whole or in part conflicting with any provisions of this resolution are hereby repealed insofar as the same affects this resolution.

Section 4. This amendment shall be effective immediately.

**Motion Approved.**

~

September 26, 2006 – 4.O Community Planning (pg. 6)

**MOTION ON MULTIPLE DOMICILES**

**Moved:** That the following “Proposal On Multiple Domiciles” be sent to referendum at the earliest date set by the Registration Committee.

Whereas, the Village of Arden has always been a mixed housing community. We have single-family residences, apartments and cottages for rent, and spaces for home occupations. This helps to maintain economic diversity in the Village as rental

housing allows people of modest means to live in Arden. It provides housing when needed for the elderly and/or their caregivers. We are also able to attract people who want to live in an active, vibrant community as well as artists, crafters and other creative people to continue the arts and crafts tradition in the Ardens.

Whereas, over the last 30 years, Arden has lost about one-third (21 units) of its rental domiciles (auxiliary living units) due to use of these spaces for other purposes by the leaseholder and destruction of some units by decay or fire.

Whereas, it is essential for the make-up of the Village to maintain Arden as a mixed housing community with a balanced number of rental domicile living units. We want to both preserve the existing multiple domiciles and allow for an increase in the number of such units to meet the needs of individual leaseholders.

Now, therefore, the Village of Arden endorses the following actions:

A. Achieve legally non-conforming status from the New Castle County Department of Land Use for the leaseholds with existing multiple domiciles listed in Schedule A and who have been paying additional land rent for this privilege.

B. Achieve legally non-conforming status from the New Castle County Department of Land Use for those leaseholds whose extra domicile has been inactive due to the County's six-month occupancy rule.

C. Permit any resident single domicile leaseholder to add one domicile, if desired, under the following conditions:

1. The new domicile is limited to a maximum of 700 square feet in the existing house structure.

2. A leasehold with dedicated space larger than 300 square feet for a home occupation cannot add a new domicile. However, existing dedicated space for a home occupation can be fully or partially converted to a permitted new domicile up to a maximum of 700 square feet.

3. Space greater than 300 square feet for a home occupation on the leasehold cannot be added once a new domicile is constructed.

4. Improvements on the lot to support the new domicile such as driveways, parking spaces and the like must be made of water permeable materials to limit additional water run-off from the lot.

5. Any new domicile, constructed after implementation of this Multiple Domicile Proposal, can only be maintained as an extra domicile so long as the leaseholder is a resident on the leasehold.

6. If the privilege is granted to every eligible leaseholder to add an extra domicile, if desired, then the extra land rent currently assessed for this special privilege may be eliminated. However, additional land rent may still be assessed on leaseholds with more than one extra domicile and on leaseholds whose extra domicile is an auxiliary structure.

D. Community Planning Committee and the Trustees will approach the New Castle County Department of Land Use to initiate a pilot program in the Village to

educate leaseholders about LEED (Leadership in Energy and Environmental Design) for developing sustainable buildings and EnergyStar appliances (superior energy efficiency materials and appliances) and encourage leaseholders touse energy-efficient materials, equipment and layouts.

E. The mechanism for installing a new domicile and achieving legal non-conforming status must be worked out with the New Castle County Department of Land Use following adoption of this proposal by the Arden Town Assembly and approval of this proposal in a referendum vote by the residents of the Village of Arden. Town Meeting of the Village of Arden • September 25, 2006 • 7

F. Any agreement concluded with the New Castle County Department of Land Use relating to this Multiple Domicile Proposal must be submitted to Arden’s Town Assembly for review and approval before implementation.

(The vote is whether to go to referendum or not. If the referendum is approved, we will go before the County.)

**Motion Defeated.**

4.1 **ALTERNATIVE MOTION** - Moves that previous motion be accepted with the following changes, changes which he believes embrace the objections just heard in discussion: (a) Drop the “MOVED” paragraph; that is, don’t send the motion to referendum but approve it tonight. (b) That paragraph 4 read, “Therefore, the Town Assembly of the Village of Arden authorizes the Trustees and the Community Planning Committee to negotiate with New Castle County to:” (c) That paragraphs C, D, E and F be dropped. Friendly amendment: to keep point F in this motion.

Agreed. Friendly amendment, delete end of 2nd sentence, 3rd paragraph: “and allow for an increase in the number of such units to meet the needs of individual

leaseholders.” Do not agree. **Alternative Motion Approved**

**The Amended Motion reads as follows: (pg. 11)**

#### MOTION ON MULTIPLE DOMICILES

Whereas, the Village of Arden has always been a mixed housing community. We have single-family residences, apartments and cottages for rent, and spaces for home occupations. This helps to maintain economic diversity in the Village as rental housing allows people of modest means to live in Arden. It provides housing when needed for the elderly and/or their caregivers. We are also able to attract people who want to live in an active, vibrant community as well as artists, crafters and other creative people to continue the arts and crafts tradition in the Ardens.

Whereas, over the last 30 years, Arden has lost about one-third (21 units) of its rental domiciles (auxiliary living units) due to use of these spaces for other purposes by the leaseholder and destruction of some units by decay or fire.

Whereas, it is essential for the make-up of the Village to maintain Arden as a mixed housing community with a balanced number of rental domicile living units. We

want to preserve the existing multiple domiciles and allow for an increase in the number of such units to meet the needs of individual leaseholders.

Therefore, the Town Assembly of the Village of Arden authorizes the Trustees and the Community Planning Committee to negotiate with New Castle County to:

A. Achieve legally non-conforming status from the New Castle County Department of Land Use for the leaseholds with existing multiple domiciles listed in Schedule A and who have been paying additional land rent for this privilege.

B. Achieve legally non-conforming status from the New Castle County Department of Land Use for those leaseholds whose extra domicile has been inactive due to the County's six-month occupancy rule.

C. Any agreement concluded with the New Castle County Department of Land Use relating to this Multiple Domicile Proposal must be submitted to Arden's Town Assembly for review and approval before implementation.

**Motion Approved.**

~

September 26, 2006 - 12.0 BUDGET COMMITTEE (pg. 15)

**Motion** - Moves to change increase of Secretary and Bookkeeper's **salaries** by 3%, not 2%, following state guidelines.

**Motion Approved.**

~

June 26, 2006 - 4.0 TRUSTEES REPORT (pg. 7)

**Moved** - Whatever proposal regarding **multiple domiciles** is formulated by the Community Planning Committee, it will be decided by a referendum vote.

**Motion Defeated.**

~

June 26, 2006 - 11.3 **CREATION OF FOREST COMMITTEE** (pg. 18)

**Motion:** A — The Forest Committee shall consist of five residents of Arden, elected by a majority of those voting at the regular March Town Assembly meeting. The term shall be two years. Three members shall be elected on the odd numbered years and two on the even numbered years. B — It shall be the duty of the Forest Committee to exercise general supervision over forest lands: • implement Arden's Forest Stewardship Policy; • oversee path trail improvement and repairs; oversee tree felling or pruning and plant removal or pruning; • monitor and strive to prevent encroachment by leaseholders or neighbors; and • monitor and strive to prevent stream bank erosion. C — It shall approve all bills for money so expended, such bills to be submitted to the appropriate authorities for payment and it shall expend no funds beyond the limitations of the authorized budget.

**Motion to Amend** - Amend “paths” to “trails” to distinguish them from the paths in the Village.

**Motion Approved as Amended.**

~

March 27, 2006 - 16.0 NEW BUSINESS (pg. 13)

**Motion** - Move that the following message be sent to all our elected officiate, especially Wayne Smith, Cathy Cloutier, and Ruth Ann Minner. To Wayne Smith and Cathy Cloutier, The Village of Arden, being mindful of the right of personal choice as well as the right to personal safety, opposes passage of HB 359. We respectfully request that you withdraw your sponsorship of this legislation, and actively speak against it, and vote against it in any and all action in the House and Senate. To Governor Minner, The Village of Arden, being mindful of the **right of personal choice as well as the right to personal safety, opposes passage of HB 359.** If this legislation should come to your desk we respectfully request you veto this, and any other similar bill which changes the way the state of Delaware **shall issue permits to carry concealed deadly weapons.**

**Motion Approved.**

~

January 23, 2006 – 5.1 **MULTIPLE DOMICILE MEMO (pg. 4)**

**Motion** - CONCERNING MULTIPLE DOMICILES “The Town Assembly supports the efforts of the Trustees to work with the Community Planning Committee to develop a plan hopefully to resolve multiple domicile issues in the Village of Arden as (outlined) explained in the January 16, 2006, letter from the Trustees to Arden residents. The proposed plan and supporting actions should be presented to the Town Assembly for discussion and approval by the September, 2006, Town Meeting.”

**Motion Approved.**

~

January 23, 2006 - 13.1 **Legislative Reference Committee (pg. 15)**

**Motion:** The Legislative Reference Committee shall be **dissolved** effective with tonight’s meeting. The duties previously assigned to this committee shall be reassigned as follows: The Town Secretary shall codify new governing documents as they are created. A copy of this Handbook shall be available for quick reference at the Town Meeting. Volunteers will codify past documents. The Town Secretary will add them to the Handbook as the past records are organized. The Chairperson of the Advisory Committee shall act as parliamentarian at Town Assembly Meetings. The chair shall offer for review and interpretation any codified reference pertinent to the discussion on the floor and shall provide points of parliamentary procedure as they



arise during meeting. The document known as the Red Book, which contains descriptions of committee duties and Arden ordinances, shall be maintained by the Registration Committee for dissemination to new residents.

**Motion Approved.**

~

January 23, 2006 - 17.2 Hurricane Committee (pg. 19)

**Motion -Move,** The Village of Arden approves the Hurricane Committee's recommendation that the funds collected by our committee be **donated** to Habitat for Humanity, New Castle County, restricted for use in its Hurricane Relief efforts.

**Motion Approved.**

~

September 26, 2005 - 4.0 **KATRINA FUND RAISING** (pg. 4)

**Move** that the town allow contributions to this Fund be made to the Village of Arden. The Katrina Relief and Rebuilding Fund Committee will provide a report of its fundraising efforts to the January Arden Town Meeting and the Town Assembly will make the final decision based on our committee's recommendation and comments at the meeting.

**Motion Approved.**

~

September 26, 2005 - 4.1 **VILLAGE DONATION TO HURRICANE RELIEF REJECTED**

**Move** that the Village of Arden 2006–2007 Budget include a line item for \$2,000 as matching funds for the Katrina Relief and Rebuilding Fund.

**Motion Defeated.**

~

September 26, 2005 – 13.0 BUDGET COMMITTEE (pg. 13)

**Moved to change the wording** of Board of Assessors note number 12 to eliminate the word “legal” and add the sentence, “Funds cannot be used for legal advice or services.”

**Motion Defeated.**

~

September 26, 2005 - 13.2 BUDGET COMMITTEE (pg. 16)

**Moved** that we eliminate item 13b, building manager **stipend**.

**Motion Approved.**

~

September 26, 2005 - 13.3 BUDGET COMMITTEE (pg. 17)

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

**Motion to Amend** - The amount be increased to \$5,000.

**Motion Approved as Amended.**

~

September 26, 2005 - 13.4 BUDGET COMMITTEE (pg. 17)

**Moved** that the Assessors line item (Note 12) **be reduced** to \$50.

**Motion Approved.**

~

September 26, 2005 - 13.5 BUDGET COMMITTEE (pg. 18)

**Moved** that Civic Committee study possibility of **single-day trash pickup**.

**Motion Approved.**

~

September 26, 2005 – 18.0 OLD BUSINESS (pg. 19)

**Moved** that the **woods be closed** from dusk to dawn for the coming year.

**Motion Approved.**

~

June 27, 2005 - 10.1 CIVIC COMMITTEE (pg. 15)

**Motion** - Move that Arden participate in the Fire Hazard Mitigation Grant by removing plants mechanically and not by **spraying with herbicides**.

**Motion Defeated.**

**New Motion:** The Village of Arden should join the Fire Mitigation Grant to use a combination of mechanical and herbicidal means to remove ivy in our forests.

**New Motion Approved.**

~

June 27, 2005 - 10.2 CIVIC COMMITTEE (pg. 17)

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

**Motion Defeated.**

~

June 27, 2005 - 10.2 CIVIC COMMITTEE (pg. 17)

**Motion** - Moved that the Civic Committee cut down the two **beech trees** to the east of the ravine near the Broadbents and let them decay naturally.

**Motion Approved.**

~

June 27, 2005 – 15.0 SAFETY COMMITTEE (pg. 19)

**Motion** - Moved that Safety Committee investigate the purchase of appropriate **video monitoring equipment** and report to the Town Meeting in September.

**Motion Approved.**

~

March 28, 2005 - 12.0 BUZZ WARE VILLAGE CENTER (pg. 13)

**Motion** To thank the **YMCA**, by letter from the Village Secretary, for their presence here. **Motion Approved**

~

March 28, 2005 - 13.0 CIVIC COMMITTEE (pg. 14)

**Motion**-The Civic Committee proposes the creation of an **ad hoc subcommittee to Civic to maintain and preserve the woodlands and forests of Arden** until such time that the Town Assembly creates a standing committee to perform such duties. This subcommittee is composed of three residents of the Village of Arden appointed by the Town Chair for a period of one year.

FOREST STEWARDSHIP COMMITTEE DUTIES: 1. Implement Arden's Forest Stewardship Policy to protect the forests as natural areas. 2. Maintain a notebook of regular duties and a calendar including tasks needed to fulfill the Forest Stewardship Policy. 3. Stay current on best practices in urban forestry and identify resources for professional guidance and funding. 4. Determine tree felling, removal or pruning required in the forest. 5. Identify and coordinate the removal of plant species detrimental to the health of the forest. 6. Coordinate stream watch on Perkin's Run and Naaman's Creek. 7. Survey and mark forest boundaries and determine where fencing or planting is needed to prevent encroachment from neighboring communities and leaseholders. 8. Notify neighbors and leaseholders of existing encroachment conditions and pursue remediation. 9. Improve and stabilize paths. 10. Strive to minimize creek bank erosion. 11. Compare biodiversity progress with documented forest surveys.

**Motion Approved.**

~

March 28, 2005 – 13.0 CIVIC COMMITTEE (pg. 15)

**Motion** to remove the **yews** rather than trim them (Poisonous trees located craft shop leasehold).

**Motion to Amend** to replace the yews with appropriate quality non-toxic native plants at the discretion of Civic Committee.

**Motion Approved as Amended.**

~

March 28, 2005 – 13.0 CIVIC COMMITTEE (pg. 16)

**Motion** - Civic Committee and Forest Subcommittee should look into ways to deal with the **trees** adjacent to the Broadbent's property to keep them from falling into the Broadbent's home, either by stabilizing them or cutting them down.

**Motion to Amend** - to include a time limit; that the Civic Committee presents a recommendation at the June Town Meeting.

**Motion Approved as Amended.**

~

January 24, 2005 – SAFETY COMMITTEE (pg. 6)

**Motion** -as part of DEMA, the village adopt an all-hazard mitigation plan for the village, as follows: RESOLUTION ADOPTING AN **ALL HAZARD**

**MITIGATION PLAN FOR THE VILLAGE OF ARDEN, DELAWARE**

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance, and WHEREAS, a local Hazard Mitigation Advisory Committee comprised of county governmental departments, municipal council members, the business community non-profit organizations, and citizens working in New Castle County of the State of Delaware, convened in order to study the village of Arden's risks from, and vulnerabilities to natural, technological and terroristic threats, and to make recommendations on mitigating the effects of such hazards on the village, and WHEREAS, a contract was issued to an experienced consulting firm to work with the New Castle County Hazard Mitigation Advisory Committee, and the Delaware Emergency management Agency to develop a comprehensive all-hazard mitigation plan for New Castle County of Delaware, and WHEREAS, the efforts of the Village of Arden and New Castle County, and the consulting firm have resulted in the development of an All Hazard Mitigation Plan for the County and the Village of Arden. NOW THEREFORE, BE IT RESOLVED by the Town Assembly that the All Hazard Mitigation Plan, dated September, 2004, is hereby approved and adopted for the Village of Arden and New Castle County of the State Delaware.

**Motion Approved.**

~

January 24, 2005 - 14.0 CIVIC COMMITTEE (pg. 10)

**Motion** that Arden is not in favor of **chemical control of mosquitoes** and is not interested in this spraying.

**Motion Approved.**

~

January 24, 2005 - 14.0 CIVIC COMMITTEE (pg. 11)

**Move** that we send a letter to State Representative Wayne Smith expressing our concern over lack of **street funds**, that we appreciate his service in past, and hope for future. Move to amend motion to be an invitation to town meeting. The creator of motion did not accept amendment. **Motion Withdrawn.**

~

January 24, 2005 - 20.0 NEW BUSINESS (pg. 14)

**Move** that any revenues from **Comcast** be returned to subscribers.

**Motion Withdrawn.**

**New Motion:** Move that Steven Threefoot be instructed to negotiate with Comcast for zero pass-through fees.

**Motion Defeated.**

~

September 2004 - 5. **Harvey Road Traffic Calming**

Rodney Jester noted that the Arden Town Assembly has voted against and then for a gateway on Marsh Road. He **moved that the question be sent to all the voters as a referendum**, so that we might hear from everyone. Linda Kolski seconded the motion.

Steven Threefoot and Elizabeth Varley noted that motions like this one, rescinding previously-passed motions, need a two-thirds majority to pass. However, if the motion is made at this meeting and voted at the next, with ample time for discussion and for notification of voters, then only a simple majority is needed for passage.

Vote by hand. Count is Aye, 94; Nay, 67. **Motion fails** since 106 votes are needed (2/3 of those voting).

~

September 2004 8. Assessors (pg.6)

**MOTION FOR ALTERNATIVE ASSESSMENT)**

seconded, the following motion for an alternative assessment.

“As provided under Section 7(e) of the Act to Reincorporate, as leaseholders in the Village of Arden, we move that the Town Assembly approve an alternative assessment rate for the fiscal year 2005/06 as described in the attached report and that

this alternative assessment rate be submitted to the Village of Arden for a general referendum.” (pg. 11) Steven Threefoot asked if there was a call for the question. Alton Dahl did so, amid many seconds.

Cecilia noted that leaseholders cannot vote on this issue, even though they are allowed to propose an alternative assessment. The vote was taken and the **motion easily passed.**

~

#### June 28, 2004 8. **GATEWAY DESIGN RE-INTRODUCED**

Ruth Bean then rose to re-introduce a motion tabled at the last meeting.

**MOTION** - In view of the fact that both Ardentown and Ardencroft have agreed to use Rick Rothrock’s design for a gateway at their end of Harvey Road, which was Arden’s preferred design, and since a review by DelDOT’s Ray Petrucci has determined that they would after all approve the structure on the North side of Harvey Road at Marsh road, I move that we reconsider [later changed to “rescind”] our prior negative vote, and vote in favor of an Arden gateway using the Rothrock design contingent on obtaining formal approval through DelDOT.

(pg.6) At this point the question was called and a secret vote was requested. On a voice

vote, the NOs seemed to be stronger than the YESs but Steven Threefoot wisely asked

for a hand count, which showed that 56 wanted a secret ballot and only 27 did not.

Steven made it clear that this was a **vote to rescind the previous vote** on the gateway and to approve its construction at Harvey and Marsh. The secret ballot was taken and the **motion passed, 49 to 46.**

~

#### June 28, 2004 9. **AVERY TASK FORCE (pg. 7)**

Mark the boundary of the Arden property in a way that is natural, such as boulders or birdhouses, that does not create a perception of keep out, like a fence does.

According to Arden’s charter, official annexation of the property must be approved by the town assembly, therefore the Avery Task Force

**MOVES, that the village annex the 5.02 acres formerly known as the Avery Property to be included as part of Sherwood Forest within the village boundaries.**

Cecilia Vore asked if we have another name for these five acres. Lynda: No, it will

just be part of Sherwood Forest. Cecilia: Burnam Woods is a name I like. [laughter and scattered applause] Mary Marconi seconded the motion. Steven Threefoot then read charter about annexation. **Motion was approved by a voice vote.**

June 28, 2004 18. CIVIC COMMITTEE (pg. 19)

**Motion - moved that town meetings be held at the Buzz Ware Village Center.**

[There were less than 50 in attendance at that point in the evening.] Approved by **voice vote to table motion.**

~

March 22, 2004 6. HARVEY ROAD TRAFFIC CALMING CO

**Motion to reexamine having a gateway in Arden.**

(Ardentown and Ardencroft chose the gateway design Arden liked most, the one designed by Rick Rothrock.)

Motion be tabled until next meeting.

Noted that, for a body to rescind a vote, it takes a 2/3 vote to rescind OR a simple majority if the motion is made well in advance. Accepted the **tabling.**

~

March 22, 2004 22. OLD BUSINESS (pg. 13)

**RESOLUTION: Vote Counts of Resolutions**

**Moved,** that resolutions should be received and considered by the Town Assembly of the Village of Arden. The following procedure should be followed when considering these resolutions.

The Registration Committee shall make an accurate count of the vote. The vote count shall be either by standing, hand or ballot and not by voice.

The Secretary of the Town Assembly or designate shall make available to news media the result of the vote incorporating the following information: votes for, votes against, abstentions, the number of registered voters attending the Town Assembly, and the number of registered voters in the Village of Arden.

This **resolution passed** with a raised-hands vote: 24 ayes, 8 nos and 11 abstentions.

~

Special Meeting February 9, 2004 Referendum Purchase Avery Property (pg. 22)

**REFERENDUM TO PURCHASE THE "AVERY PROPERTY"**

The Village of Arden is authorized to purchase 5.02 acres of land known as 2029 E. Marsh Rd. (Avery Property) according to the provisions of the Agreement of Purchase and Sale dated February 7, 2004. The purchase of this property by the Village of Arden will be financed by contributions of \$283,333 from the State of Delaware, \$283,333 from New Castle County, \$20,000 from Ardentown, \$10,000 from

Ardencroft, \$115,000 from individuals and foundations, and a \$165,000, 15 year, 7% loan from the Arden Building & Loan Association guaranteed by the full faith and credit of the Village of Arden. At the time of settlement, the amount of the loan could be reduced should additional contributions be received by Arden in the interim. After purchase of the property, the Village of Arden will preserve this parcel as natural woodland and an extension of Sherwood Forest. The question was called and, by a voice vote, the referendum was **unanimously approved.**

~

January 26, 2004 7. Harvey Road Traffic Calming Committee

**Presentation of Gateway Proposals. (pg. 6)**

**Move** that the town vote on its preferences on the three plans presented this evening and that these preferences be given to our representatives on the jury who are instructed to vote on the first ballot in accordance with the town assembly's choice and

make the final selection based on our preference and their ability to reach agreement with the other two towns. If the town votes to instruct the jury that we do not want a gateway at this time, our representatives are expected to vote accordingly. Seconded.

A voice vote was taken, but it was too close to call. A vote by raising hands is then taken, with 35 no votes and 36 ayes.

**Motion Passes.**

**Moves** that we vote on all four choices at once. Many seconds. **Motion is defeated.**

This vote will rank the designs.

Written vote taken. Results: 22 Pete Renzetti, 43 Rick Rothrock, 2 David Clark.

Written vote to approve Rick Rothrock's design or to have no gateway at all. Result is 33 yes, to have a gateway, and 40 no, to have **no gateway.**

~

January 26, 2004 8. Avery Task Force Report (pg. 9)

**Moved**, that the town assembly approve a **special town meeting** on Monday, February 9 at 7:30 p.m. to discuss the purchase of the Avery property and authorize a special referendum. A vote was taken on the motion, which **passed.**

~

January 26, 2004 12. Registration Committee (pg. 13)

**Moved, that Resolutions of Opinion** should be received and considered by the Town Assembly of the Village of Arden. Resolutions of Opinion shall be defined as those with content reflecting other than the regular and normal business



of operating and governing the Village. The following procedure should be followed when considering these resolutions.

The registration committee shall make an accurate count of the vote. The vote count shall be either by standing, hand or ballot and not by voice.

The Secretary of the Town Assembly or designate shall make available to news media the result of the vote incorporating the following information: votes for, votes against, the number of registered voters attending the Town Assembly and the number of registered voters in the Village of Arden.”

**Moved to table** until the March meeting, **Accepted table motion.**

~

January 26, 2004 21. Archives Committee (pg. 16)

**Motion to amend the description of the Archives**

Committee to more accurately reflect its current operation:

**Moved** - The Arden Archives Committee shall work in conjunction with representatives from Ardentown and Ardencroft as members of the Archives Committee of the Arden Craft Shop Museum, Inc. to:

1. Collect, catalog and preserve documents, photos, artwork and memorabilia from Arden, Ardentown and Ardencroft.
2. Present displays and programs about the Ardens’ past, people and arts.
3. Create and operate an Ardens museum.

seconded this motion, which was **accepted unanimously.**

~

January 26, 2004 23. OLD BUSINESS (pg. 16)

**Resolution opposing the infringement of constitutional rights by certain provisions of the Patriot Act.**

WHEREAS, the prevention of terrorist attacks is a critical national priority, it is equally important to preserve the fundamental civil liberties and personal freedoms embodied in the Bill of Rights over 200 years ago, and which have been preserved through a constant vigilance against periodic threats to its principles; and WHEREAS, a number of provisions of the USA PATRIOT Act threaten fundamental rights and civil liberties, including:

1. Section 213 which permits law enforcement to perform searches with no one present and to delay notification of the search of a citizen’s home;
2. Section 215 which permits the FBI Director to seek records from bookstores and libraries including books of patrons based on minimal evidence of wrongdoing and prohibits librarians and bookstore employees from disclosing the fact that they have been ordered to produce such documents;
3. Section 218 which amends the “probable cause” requirement before conducting

secret searches or surveillance to obtain evidence of a crime;

4. Sections 215, 218, 358, and 508 which permit law enforcement authorities to have broad access to sensitive mental health, library, business, financial, and educational records despite the existence of previously adopted state and federal laws which were intended to strengthen the protection of these types of records;

5. Sections 411 and 412 which give the Secretary of State broad powers to designate domestic groups as “terrorist organizations” and the Attorney General power to subject immigrants to indefinite detention or deportation even if no crime has been committed; and

6. Sections 507 and 508 which impose an unfunded mandate on state and local public universities who must collect information on students that may be of interest to the Attorney General.

WHEREAS, new legislation has been drafted entitled the Domestic Security Enhancement Act (DSEA) (also known as PATRIOT II) which contains numerous new law enforcement and intelligence-gathering powers, many of which are not related to terrorism, and which would severely dilute, if not undermine, many basic constitutional rights; and

WHEREAS, in response to the threats against civil liberties embodied in certain provisions of the PATRIOT ACT, legislation has been introduced in the House and Senate that would roll back certain provisions of the PATRIOT Act; therefore, by the Town Assembly of the Village of Arden be it

RESOLVED that we, the Village of Arden in Delaware, join approximately 235 other U.S. communities in affirming its strong opposition to terrorism, and also affirm that any efforts to end terrorism not be waged at the expense of the fundamental civil rights and liberties of the people of Arden, the United States, and the world; and be it

FURTHER RESOLVED that we affirm the rights of all people, including United States citizens and citizens of other nations, living within the Village of Arden in accordance with the Bill of Rights and the Fourteenth Amendment of the U.S. Constitution; and be it

FURTHER RESOLVED that we reaffirm the concepts and doctrines promulgated in the Bill of Rights and the U.S. Constitution by lawfully resisting every effort to erode those rights and protections including: freedom of religion, speech, assembly and privacy; protection from unreasonable searches and seizures; due process and equal protection to any person; equality before the law and the presumption of innocence; access to counsel in judicial proceedings; and a fair, speedy and public trial; and be it

FURTHER RESOLVED that we call on our United States Representative and Senators to monitor the implementation of the USA PATRIOT Act and the Orders in furtherance thereof and actively work for the repeal or amendment of those sections in the Act and those Orders that violate fundamental rights and liberties as

stated in the Bill of Rights and the U.S. Constitution, by sending a copy of this resolution to Senators Biden and Carper and Representative Castle; and be it FURTHER RESOLVED that by sending a copy of this resolution to the Governor and Attorney General of Delaware, to the Chairpersons of both Houses of the Delaware General Assembly for public reading and inclusion in the record, to the United States Attorney General and the President, we encourage our elected and appointed officials to work for repeal or amendment of the USA PATRIOT Act and those Orders in furtherance thereof which undermine basic civil rights and liberties provided in the Bill of Rights and Constitution of both the state of Delaware and the United States of America.

The resolution was **approved by a majority by voice vote, with 41** present in the audience and one nay vote.

~

September 23, 2003 7. **Harvey Road Traffic Calming Committee** (pg.6)

David Gerbec, an Arden representative on the HRTC Committee, made the following motion: "Moved, that the assembly of Arden, together with the villages of Ardentown and Ardencroft, approves the three recommendations of the Harvey Road Traffic Calming Committee: Motion seconded.

Amended Motion

Moved, that the assembly of Arden, together with the Villages of Ardentown and Ardencroft, approves the following three recommendations of the Harvey Road Traffic Calming Committee.

1. That the villages indicate the Delaware Department of Transportation their separate and collective support for the changes to the roadway and immediate surroundings envisioned in the traffic calming plan as described in their report and as detailed in the drawings and graphical material presented. This includes all components except the gateway, which is addressed below.
2. That the villages indicate their support for the procedures in place to choose either one or no design for a gateway structure.
3. That the villages agree that the Harvey Road Traffic Calming Committee's charter be terminated and the committee dissolved at such time as final engineering drawings are completed by DelDOT, construction on the roadway is ready to begin and a gateway structure, if any, has been chosen by the procedures outlined in this report. The villages further undertake, at the time the HRTCC is dissolved, to appoint one representative each to serve as liaison with DelDOT during the construction process if such a representative is not already available from a standing committee.

Secret ballot requested. Call for a secret ballot on this motion was defeated by voice vote. **Motion Passed by voice vote.**

~

September 23, 2003 17. Civic Committee (pg. 19)

I would like to make the **annual motion to close the woods** at dusk and open the woods at dawn. Motion was seconded and **passed**.

~

June 23, 2003 5. **T-Mobile Agreement.** (pg. 3)

**Moved** that the Town Assembly approves the proposed Agreement between the Village of Arden and T-Mobile to lease a site on Hillside Road right-of-way to construct, maintain and operate Antenna Facilities. The Town Assembly Chair and the Civic Committee Chair are authorized to sign the Agreement subject to satisfactory completion of on-going negotiations towards a final Agreement. The terms in the final Agreement must be considered satisfactory for the Village of Arden in the judgment of both the Town Assembly Chair and the Civic Committee before either approves the Agreement.

**The motion failed, 29 to 27.**

~

June 23, 2003 7. Harvey Road Traffic Calming Committee Report (pg. 6)

The Village of Arden reserves the right to approve or disapprove the final **gateway design** to be built in Arden, including the option of no gateway. This **motion passed**.

~

March 24, 2003 9. **T-Mobile Visitor.** (pg. 3)

Aaron Hamburger moved that the Town Assembly authorize the Civic Committee and the Town Chair to continue to negotiate with T-Mobile for erection of a cell phone pole near the water tower.

The question was called.

Alton, on a point of order, says the question cannot be called until the person calling it is recognized. Steven agrees. In response to a further question, it was noted that the pole will be sunk forty feet into the ground. **The motion was then approved.**

~

March 24, 2003 14. Trustees Financial Report - New Task Force (pg. 7)

moved that “a limited term task force be appointed to study options to New Castle County’s **Uniform Development Code** for Arden’s land use.” After a counting of raised hands, the **motion passed**.

~

March 24, 2003 28. New Business. (pg. 18)

Rachel Grier-Reynolds proposed the following resolution, which received numerous seconds:

“Be it resolved that it is the sense of the Town Assembly of Arden that:

- Because we love our country and acknowledge the resources and freedoms it provides,
- And because we love and care about our brothers and sisters who, at great peril, represent our country in the armed services,
- We will not be silent and condone the use of war as a way to achieve enduring peace, security, freedom, and hope for the people of Iraq.” The **resolution passed**.

~

January 27, 2003 6. **Harvey Road Traffic Calming** Committee Report (pg. 4)

Alton Dahl moved that the Town Assembly, “Accept the proposed concept to promote traffic calming on Harvey Road and request DelDOT move forward in creating a design to promote traffic calming on Harvey Road with continued input from Arden, Ardentown, and Ardencroft.” Several people seconded the motion.

**Amendment to Motion** - motion end with the phrase, “and we reserve the right to accept or reject the final design plan.” Again, there were numerous seconds. **The motion, as amended, was approved.**

~

January 27, 2003 7. **Avery Task Force Report** (pg. 7)

Alton Dahl moved that the County be told that, “It is the sense of the Town Assembly that negotiations carried out have the full approval of the Town Assembly and we are not in favor of participating if County acquires full ownership.” Pete Renzetti seconded. **Motion was approved unanimously.**

~

January 27, 2003 **Avery Task Force Report** (pg. 7)

Lynda then moved and Elizabeth Varley seconded that, “This Town Assembly hereby authorizes a **special Town meeting** to discuss the proposed purchase of the Avery Property in cooperation with New Castle County and the State of Delaware.” **Motion was approved unanimously.**

~

January 27, 2003 8. **Report on Possible Transmission Pole** (pg. 8)

Moved that “The Town Assembly supports pursuing the possibility of allowing Omnipoint to erect a transmission pole at the water tower.” seconded the motion. **Motion passed unanimously.**

~

September 23, 2002 **9. Avery Task Force Report** (pg. 7)

Therefore, I move that the Avery Task Force be authorized to begin **negotiations** with Marsh Avery's lawyer or agent to try and reach a mutual agreement for purchasing the property and to identify funding opportunities to make the purchase possible, with the understanding that any package or agreement would then be presented to the residents for approval in a special referendum. The **motion passed** unanimously.

~

September 23, 2002 20. Discussion of Proposed Budget (pg. 13)

Moved that the **Village contribute** \$100 to the new New Castle County public library on Fould Road. Amendment to Motion \$100 come from the Contingency Fund. **Motion passed unanimously.**

~

September 23, 2002 20. Discussion of Proposed Budget (pg. 13)

Motion that Claymont Fire Company should receive all the **money we give local fire departments.** The **motion died** from lack of a second.

~

June 24, 2002 6. **Chairperson Emeritus.** (pg. 4)

**Moved** to nominate Bill Press for the position of Chairperson Emeritus. The motion from the January meeting was read aloud. "The immediate past Chairperson of the Town Assembly may be elected by the Town Assembly to the Office of Arden Chairperson Emeritus for a period of three years. The Arden Chairperson Emeritus shall be a member of the Advisory Committee and may act in an advisory capacity to the Town Assembly and all Committees of the Village of Arden. The Arden Chairperson Emeritus, when requested by the Chairperson of the Town Assembly, may represent the Village of Arden at Federal, State, County and community functions." **Unanimously elected.**

~

June 24, 2002 8. **Representative to Claymont Renaissance** (pg. 5)

It is moved to establish the position of Representative to Claymont's Renaissance Committee. The Chair of the Town Assembly is to appoint the representative. **Motion approved unanimously.**

~

January 28, 2002 **Avery Task Force** (pg. 8)

Motion – It is the sense of the Arden Village Assembly, that the Avery Task Force should seek and identify viable sources of **funding** to purchase the five acres in order

to protect the forest and watershed in perpetuity. In addition, the Avery Task Force shall assure the highest standards of natural resource protection be applies to the proposed development. **Motion seconded and approved.**

~

January 28, 2002 Motion to **Establish the Office of Arden Chairperson Emeritus** (pg. 16)

“The immediate past Chairperson of the Town Assembly may be elected by the Town Assembly to the Office of Arden Chairperson Emeritus for a period of three years. The Arden Chairperson Emeritus shall be a member of the Advisory Committee and may act in an advisory capacity to the Town Assembly and all Committees of the Village of Arden. The Arden Chairperson Emeritus, when requested by the Chairperson of the Town Assembly, may represent the Village of Arden at Federal, State, County and community functions.” Approved.

~

September 2001 10. Civic Committee – **Forest hours.** (pg.11)

Moved to renew the closing of the woodland from dusk to dawn for one more year. Seconded and Approved.

~

June 25, 2001 3. Advisory Motion on **Non-Budgeted Expenditures Policy:** (pg. 4)

This motion as amended was tabled at the last Town Assembly. A motion to bring it from the table will be made tonight.

1. The “Contingency” budget line item is available for cost overruns or for unexpected expenditures.
2. Contingency expenditures are approved by both the Chair of the Town Assembly and the Chair of the Advisory Committee and will be reported to the next Town Assembly by the Advisory Chair.
3. As is the current practice, the Trustees will report any emergency or unanticipated expenditures related to operation of the Trust to the next Town Assembly.
4. Non-budgeted expenses not covered by items 1 or 3 must be approved by a special referendum requested by Town Assembly. **Approved.**

~

March 26, 2001 8. Advisory Motion on **Non-Budgeted Expenditures** Policy (pg. 6)

Motion to table: Move to table this motion for more clarification and the proposed motion be submitted in writing for the Assembly to review. Motion seconded and approved.

Motion passed at June 25 2001 Town Assembly view motion Pg. 4 above.

~

March 26, 2001 (pg. 18) **Number of Candidates nominated per position**  
Mariann Cinaglia expressed concern over the fact we did not have the required number of candidates nominated for the various open positions in all of the committees. Hugh Roberts reported that we are required to have twice as many people running per vacancy.

The Advisory Committee (which consists of the Chairperson of each committee) will continue to work hard on recruiting residents for future elections.

Motion – I (Mariann Cinaglia) move we make the election of Playground and Safety invalid due to not having the required number of candidates. Motion seconded and **Not approved.**

~

January 22, 2001 9. Safety Committee **Speed Limit Enforcement Harvey Rd** (pg. 10)

**Motion** – That the Village of Arden does support speed limit enforcement on Harvey Rd;

That the 3 Arden's contribute funding for and distribution of collected fines equally;  
That the 3 Arden' each s contributes \$2,000 to fund a contract with the Delaware State Police for speed limit enforcement;

That enforcement is to be of the speed limits on Harvey Rd between Sconset and Marsh Rd;

Administrative responsibilities to be worked out by the respective Town Chairperson or their designate.

**Motion seconded and approved.**

~

January 22, 2001 16. Budget Committee - Motion on recommendation **Non-Budgeted Expenditures** (recommendations listed March 22, 2001 when it passed).



**Motion:** I (Bev Barnett) move that this recommendation go back to the Budget Committee for further consideration. Seconded and **approved.**

~

September 25, 2000 (pg. 2)

Motion: (Bev Barnett) I move that this meeting support creation of a **historic district** that lists all three Ardens on the National Register. I ask the Trustees to support such a nomination. Motion seconded. Motion. **Approved.**

~

September 25, 2000 6. Advisory (pg.2)

The Advisory moves that the Town Assembly makes this permanent and the Craft Shop Corp should report after Archives, since they are closely related. Motion seconded and **approved.**

~

September 25, 2000 6. Advisory (pg.3)

Motion: (Alton Dahl) I suggested these items be moved out of alphabetical order and discussed first on the **agenda.** Motion seconded.

Discussion: The Advisory Committee sets the order of the meeting and has always been reluctant to go out of order. All committee matters are reviewed at the Advisory meeting this committee can decide which items should be moved up on the agenda.

Motion to Amend: Motion to amend, adding the **Advisory Committee will decide on items to be moved up on the agenda.** Motion seconded.

Discussion: Bill Press reviewed the role of the Advisory Committee. Objections from floor stating concerns with giving the Advisory Committee too much authority.

**Motion tabled.**

~

September 25, 2000 15. Community Planning **Miller's intersection** (pg. 15)

Motion: Community Planning moves that the town approve the design and changes to the intersection. Motion seconded and **approved.**

~

September 25, 2000 15. Community Planning Sherwood Green (pg. 15)

Motion: (Bev Barnett) I move in order to provide shade to the Buzz Ware Village Center, and to generally enhance the attractiveness of the area that the Town

Assembly authorized the Civic Committee to **install the native plants** on the Sherwood Green at site numbers 5,6,7,8, 11A & 11B in accordance with the plan developed by the Community Planning Committee. See the Sherwood Green Planting Plan. Motion seconded and **approved**.

~

September 25, 2000 15. Community Planning **Parking Proposal** (pg. 15)

Motion: Community Planning moves that the Parking Proposal be sent back to the original Parking Task Force to be revised as requested by the town meeting, and that the existing temporary policy remain in effect until a permanent policy is adopted by the town assembly. The Parking Task Force consisted of representatives from Community Planning, Civic, Safety, BWVC, and the Arden Club. We would also include a member from Legislative Reference to help with the proposal and how it meshes with any related ordinances. Motion seconded.

Discussion: Alton Dahl and Mary Marconi reviewed Ordinance 1 and 4, which needs clarification from Legislative Reference. See Advisory Committee Report. **Motion to Amend.** (Bev Barnett)

~

June 26, 2000 11. **Craft Shop Acquisition Terminated**

**Motion** – That the Craft Shop Acquisition Committee be terminated and that continuing efforts to raise capital funds, purchase the Craft Shop and install the Arden Museum be assumed by the Arden Craft Shop Museum, Inc. and its Board of Directors. **Motion to Table**

The Arden Town Assembly tables the Craft Shop Acquisition Committee's motion to disband and requires the following points to be answered in writing and presented at the September Town Meeting. This information will help the residents better understand the impact a museum/multi-rental unit will have upon the Village:

Will there be any legal responsibility of the Village in terms of the Craft Shop – i.e. is there any scenario in which the Village of Arden can be sued?

If the sale does not go through, will there be any financial obligation to the Village for the Acquisition Committee's work to investigate the purchase?

- What is the plan to accommodate parking on the leasehold for public events?
- Will the rents for the residents of the Craft Shop increase? If so by how much?

- How will having a museum in our Village effect our land values? Will exhibits be open to the Village residents free of charge? If not, what is the anticipated fee?
- Will openings for specific exhibits be open to all residents, or by invitation only?

In my opinion, the true impact on our Village of a Craft Shop museum has not been publicly discussed. The above questions answered by the Acquisition Committee will create that discussion. I will accept and other questions from this assembly to be added to the list.

Page 8 **Motion To Table** – Motion to the motion to disband Acquisition Committee until September’s Town Assembly meeting. Table -19, Against – 13. **Motion not tabled.**

Motion to disband the Acquisition Committee. Yes, disband – 33 No do not disband – 21. **Motion to disband has been approved.**

~

June 26, 2000 12. Community Planning- Sherwood Green (pg. 9)

Motion: The Community Planning Committee moves that the **parking** proposal be made a permanent policy. Motion seconded. Motion to Amend- Motion to amend the wording, have “Arden Green” instead of just “green”. Seconded. **Amended motion approved.**

~

June 26, 2000 12. Community Planning – (pg. 11)

Motion – Move that the Community Planning Committee be requested to signify the concerns of the Village Assembly with respect to planning **turning lanes** from Grubb Road onto Marsh Road, **Motion seconded and approved.**

~

June 26, 2000 16. Old Business (pg. 16)

Original Motion presented at March 2000 Town Assembly reads as follows:

Motion – That the Village Assembly ask the Trustees to create a task force to consider how best to **maintain rental property** in Arden.

Motion – To bring the motion from the March Town Assembly off the table.

Seconded and Approved.

**MOTION TO AMEND:** In place of the Trustees setting up a Task Force at this time, to investigate methods of preserving and possibly increasing multiple domiciles in the Village, for the purpose of protecting and promoting the economic and

population diversity that are part of our heritage, we take a two-column approach. The Trustees will continue to work on the mitigating variance issue already under review, and interested parties will work and participate in the Centerville-efforts to redefine the Village destination. Reports from these two efforts will be given to the Town Assembly on a regular basis. Amended motion Accepted. Call to vote.

**Amended Motion Approved.**

~

June 26, 2000 22. New Business (pg. 17)

Motion – The Trustees in combination with the Civic Committee take a proactive **study of the Arden Trees**, on leaseholds and public land, to determine their safety.

**Motion Approved.**

~

January 24, 2000 8. Old Business – **Home Occupation** (pg. 6)

Motion – We, the members of the Ardens Home Occupation Task Force, move that the Village of Arden adopt the amendments and exceptions to the Home Occupation **ordinance** (section 3.420 and section 33.221 of the NCC code) as provided by NCC and dated 1/18/2000. Motion seconded.

Motion to table this amendment. Vote: oppose to table 59 table motion 22, Motion not tabled.

Call the question (to vote on the motion on adopting the amendments and exceptions to the Home Occupation Ordinance) Nays 21 (no count provided ayes) **Motion**

**Passed.**

~

January 24, 2000 8. Old Business **Craft Shop Acquisition** (pg. 9)

Motion – (The Craft Shop Acquisition Committee) If Craft Shop is purchased, should ownership be by proposal A (Village of Arden) or proposal B (501©3 Independent Corporation). Motion seconded.

Vote to table until we talk about the next motion. Seconded. Vote to table was not passed.

Motion- Option A, Option B or Abstain previous motion. **Motion B was passed.** (pg. 10)

~

January 24, 2000 8. Old Business **Craft Shop Acquisition** (pg. 10)

**Motion** – The Craft Shop Acquisition Committee, having finished the tasks charged by the Town Assembly in the 4/26/99 motion to explore purchase of the Arden Craft

Shop, now proposes to complete the work leading to purchase the Craft Shop and the establishment of an Arden Museum. By a vote of 5 to 2, the Committee requests Town Assembly authorization to:

Proceed with capital fund raising and financing.

Handle legal issues.

- When necessary capital funds (\$500,000 - \$600,000) are obtained or committed for purchase and renovation of the Craft Shop, finish negotiations and purchase Arden Craft Shop.
- Develop and recommend to the Town Assembly a procedure for election by the residents of Arden of a governing Board responsible for: proceeding with planning renovation; initiating an Arden museum; and continued operation and maintenance of the property. Motion seconded.

Vote on Motion: Ayes (to acquire Craft Shop) = 43 and Nays = 26 and abstain = 0.

**Motion Passed.**

~

September 27, 1999 Archives – **Acquisition Committee** (pg. 9)

Motion – The Acquisition Committee requests permission from the Town Assembly to continue with the charge as specified at the April 26, 1999 Special Town Assembly.

**Motion Approved.**

~

September 27, 1999 15. Civic (pg. 12)

Motion: (Rodney Jester) I move that we accept putting the **antennas** on the water tower and that the proper representative from the Town negotiated with United Water for compensation. Move seconded.

Move to table motion. Seconded. For table 31 Against table 22. **Motion to table motion was approved.**

~

September 27, 1999 Community Planning (pg. 14)

Motion: We propose and make a motion that this **parking policy** be instituted for trial period until the June 2000 town meeting at which time it will be reviewed to determine its impact. Our hope is that with enough awareness and cooperation, we can begin to minimize the parking problems without taking more stringent and/or costly measures. Motion seconded.

Amendment: (Mary Marconi) “I would like to propose an amendment that adds Shakespeare and Arden Fair to the proposal as examples”. Amendment seconded.

Amendment approved. **Motion as amended approved.**

~

September 27, 1999 17. Trustees Report (pg. 18)

Resolution #1 (**Naaman's Creek**) and Resolution #2 (**Perkins Run**)

Motion: I would like to have the affirmation of the two resolutions, so that I may sent this off to Senator Myma Baird, and Representative Wayne Smith. **Motion Approved.**

~

September 27, 1999 24. New Business (pg. 21)

Motion #1: The Village of Arden, having been established to demonstrate the workability of not only the tax theories of Henry George, but also the art and industrial theories of William Morris and Peter Kropotkin, is approaching the centennial of its founding. It is the understanding of the Village that New Castle County is considering adopting a **zoning code** severely limiting home base occupation which, we believe, would threaten the heritage and principles of this community. Therefore, the Village of Arden requests the County to make provisions in county code that would allow us to protect our founding principles into the next century. Motion seconded and **Approved.**

Motion #2 (Cecilia Vore) I move that we empower Arden's Home Occupation Task Force to continue meeting and come up with a final draft than be presented before next Town Meeting in cooperation with the Trustees. Motion #2 seconded and **Approved.**

~

April 16, 1999 No motion

~

June 27, 1999 12. Community Planning – **Sherwood Green Parking** (pg. 11)

Motion: Move to accept plan A without additional parking on either side of Buzz Ware Parking. Motion seconded.

Motion: Moved to table this motion and this issue to allow the proposed committees time to form and create a broader context for our decision making. **Motion to table seconded and approved.**

~

June 27, 1999 12. Community Planning **Harvey Road Traffic Calming** (pg. 13)

Motion: (a) Approval of what the Harvey Rd Traffic Calming committee has accomplished, and (b) support to continue working. Motion seconded. Motion approved, both (a) and (b).

~

June 27, 1999 14. Playground **Basketball court** (pg. 14)

Motion #1: Move that the Safety Committee spend money from Budget and Contingency Fund and work with police in whatever way necessary to get a fairly routine patrol area. Motion seconded. **Motion was not approved.**

Motion #2: The Civic Committee, in a timely manner, discuss and post rules for the use of the Sherwood Green **basketball courts**. Motion seconded. **Motion Approved.**

(Amendment to motion #2: The Safety Committee (not the Civic Committee), in a timely manner, discuss and post rules on Sherwood Green. Motion seconded but Amended motion **not approved.**)

~

June 27, 1999 16. Safety (pg. 16)

Motion: I move that the town support to leave these **signs** at the intersection. Motion seconded. **Motion Approved.**

~

June 27, 1999 19. Special Committee Reports – Centennial (pg. 17)

Motion: That the Trustees be required to spend an additional \$2,000, if necessary, in place of \$2,000 lost from '98 – '99 fiscal year. Motion seconded and **approved.**

Motion: Move that we use the \$5,000 check that was given to the Town at the beginning of tonight's meeting and use for Centennial celebration. Motion seconded.

Motion: Move to table this discussion until September's meeting. Motion seconded.

Vote taken. Motion **to table this discussion was approved.**

~

March 22, 1999 2. Motion to allow BWVC expansion vote. (pg. 1)

Motion: The BWVC ask this assembly to expand the **committee membership** from five to seven on a trial basis of one year. A vote was taken and the motion to expand the committee for **1-year passed.**

~

March 22, 1999 7. Craft Shop (pg. 8)

Motion on the floor: Moved that a **special Town Assembly** be scheduled for Monday, April 5, 1999 at 7:30 pm for the purpose of discussing and action on a proposal to initiate actions to acquire the Arden Craft Shop. Motion seconded.

Motion to amend the date of the meeting to April 26, not April 5. Seconded and **amended motion approved.**

~

March 22, 1999 12. Civic (pg. 15)

Motion: Move that the Civic Committee re-evaluate the bus stop proposal in light of tonight's discussion. Seconded. **Not approved.**

Motion: move that we vote now to dispense the idea of the bus stop shelter. Seconded. **Motion approved.**

~

March 22, 1999 17. Safety (pg. 18)

**Proposed Motion:** The Arden Town Assembly approves the following revisions to the **Arden Safety Code section 202 and 202** (b) and approves the following new section 202 (c)

Section 202:

Emergency regulations: The Safety Committee shall have the following powers to regulate traffic and parking temporarily and in time of emergency: (a) In the case of fire, flood, storm, or other emergency, to establish temporary traffic and parking regulations. (b) In case of emergency, to restrict or prohibit parking or traffic in limited areas for periods of not more than 72 hours, or to permit parking in restricted areas for up to 24 hours.

Section 202 (c )

The Civic Committee shall have the authority to allow parking to be temporarily restricted to facilitate public works or in the case of conduct of parades or public events. Furthermore, the Civic Committee shall have the authority to allow parking to be temporarily restricted for up to 24 hours on rights-of-way during which a Village green(s) will be used for parking during an event. The responsibilities of the event sponsor shall be as follow: (1) request shall be in writing at least thirty days in advance of the event. (2) temporary signs must be posted, at the event sponsors' cost, on rights-of ways to be restricted. These signs may be posted up to twelve hours prior to the event and must be removed within twenty-four hours after the event. These signs shall read "No parking, tow away zone". (3) monitor parking during the event and have illegally parked vehicles, and vehicles parked on the green that remain more than four hours after the event, towed away.

A continuing arrangement may be made with the Arden Club to deal with traffic congestion in the vicinity of the Gild Hall.



Copy of Ordinance #13 Off Street Parking Adopted June 1982, Revised June 26, 1995 (Legislative Reference Committee July 29, 1996) was included.

Motion: To accept the changes proposed. Seconded. **Motion approved.**

~

January 22, 1999 Harvey Road Traffic Calming (pg. 13)

Motion: Community Planning Committee asks for **a vote of confidence** in the work of the Harvey Road Traffic Calming committee that will authorize us to proceed until the next town meeting. Your vote would authorize continued exploration of the new bus shelter possibility (and other opportunities should they arise), but the Arden town assembly does not favor abandoning raised intersections. We commit to continue to work in the same manner demonstrated for the past year. Motion seconded. **Motion passed unanimously.**

~

January 22, 1999 Community Planning Committee (pg. 14)

Motion on Intersection on Walnut, Millers, and Lower Lane: Community Planning made a motion to pursue the next stage of the **possible reconfiguration of the intersection** at Walnut, Millers, and Lower Lane – getting costs estimates, drainage solutions, asphalt replacement options (whether or not to use gravel, grass, or planting in the new area) and to bring the results of their research to town meeting for a vote.

The motion was read again and a standing vote was taken. Thirty -five votes were in Favor of continuing to pursue, and thirty votes were Not in Favor. **The motion was passed.**

~

January 22, 1999 12. Buzz Ware Village Center (pg. 17)

Motion to **expand the committee** was tabled.

~