A special meeting of the Town Assembly was held on March 21, 1966 presided over by Trustee Ware.

Purpose of the meeting was to consider the report of the committee appointed to study House Bill 433 to incorporate Arden. The committee is Jane Aughey Chairman Carolyn Liberman Secretary, Joseph Rosenthal Murray Lasky, B. Finkelstein, H D Ware, William Morley.

After a quorum was declared present, Mrs. Aughey presented the report.

The committee investigated ways in which it believes Arden could benefit by being an incorporated village. It found the following:

1: Financial advantage in being able to participate in the Municipal Street aid program. Those communities that are incorporated share in proportion to mileage of roads and population count formula. Arden share starting in July 1967 was estimated at between 12000 and 15000. The incorporated town must be in existence for one year prior to distribution. The money can be used for road maintenance and the expense of law enforcement for policing the streets.

2 - Prospect of tax relief when county reorganization takes effect next year. Arden would only have to pay for services used not those it provides itself.

3 - Right to exercise police power with clear authority, to act

4. Possible means of controlling widening of Aurora Road.
5. Right to exercise zoning power and power to enact local ordinances.

The committee is aware that there would be increased responsibility for the population of Arden, probable need of better legal service, and a more complex administration.

The committee also considered how the present form of Arden town government can be assimilated with the Bill. The committee was in unanimous agreement on the importance of the existence and active functioning of a Town Assembly, involving the participation of the community at large, as a vital part of Arden's being, and that the Town Assembly should be included specifically in the incorporation.

Section 1 of the charter states that nothing in the charter should limit impair or affect the powers, functions, acts or doing of the Town Assembly of Arden. The committee felt however that the right and responsibilities of the Town Assembly and its committees as agents of the resident should be embodied in the charter itself, so that participation of the residents could be preserved or enhanced, by the incorporation of Arden.

The committee considered the charter section by section and the committee found:

The belief that the best governmental structure for Arden would be attained by using Town Assembly Committees as the vehicles of a local government.

This could be done through incorporation by applying the following two principles throughout the charter.

1- All ordinances resolutions acts committee having legal significance should have the approval of the Town Assembly.

2- All expenditure of funds of the municipality should have the approval of a majority of the resident.

The Deed of Trust, and the rights and responsibilities of the Trustees would be unchanged by the incorporation except that until May 1967 (the first opportunity for elections according to law) the Trustees of Arden would act as Commissioners of the Village. Mr. Ware assured the committee that the Trustees are ready to make declaration that they do not wish to serve actively as commissioners under the charter and that if the charter is adopted they would not act except in an emergency.

The Committee recommend:

1- That Arden incorporate

2- That the Town Assembly extend the life of this committee for the purpose of drawing up a revised charter embodying the fundamental principles mentioned above.

3- That the committee present to a special Town Assembly later in April a proposed charter version providing for the incorporation of Arden by formalizing the present Town Assembly structure as a legally constituted body.

4 - That a double referendum be held early in June to

a - Vote on the charter in its present form as an interim measure so that we will be able to participate in the municipal Street Aid Fund starting July, 1967.

b. Vote on a charter revision, asking the Trustees to present it on our behalf to the 1967 General Assembly

A motion was made that the report of the committee be adopted. Discussion followed.

Question was asked whether an entirely new bill will have to be presented to the General Assembly. The extent of the amendments necessary are not known.

The referendum to be held in June ~~and~~ can only consider House Bill 433 as presented. The revised charter to be presented and voted on will not have legal significance until the General Assembly votes on it in 1967. It will be a expression of the desires of the residents.

The question of enforcement of traffic laws etc was not considered by the committee. Mr Ware was asked to get in touch with Mr. Buckson to see if the proposed legislation to have state police enforce laws of the state on private property would apply to Arden. The power of Alderman will need clarification.

The Trustees have agreed to act only with approval of the Town Assembly

while acting as Commissioners.

The procedure as set up would have the Charter (House Bill 433) voted on by procedure set up in the Bill in early June at the Arden School. The Registration Committee would conduct the referendum. The bill is adopted if the majority of the resident voting favor its adoption. The results of the election is to be recorded with the Recorder of Deeds.

There was a question as to what guarantee we have that the Commissioners elected in May 1967 would not usurp powers not desired by the Town Assembly. It was pointed out that the amendment to the Charter is vesting power in the Town Assembly and the amendment will be presented to the General Assembly in 1967.

A call for vote was made and the report of the Committee was adopted.

The meeting on motion adjourned.

Respectfully submitted

Mary Mosly
Secretary