

# INSIDE: MINUTES OF JUNE 25, 2007

All Village of  
Arden Residents are  
Encouraged to  
Attend the next

# Town Meeting

Monday, September 24, 2007  
In the Gild Hall, 7:30 p.m.  
2326 The Highway, Arden, Delaware

## THE TOWN ASSEMBLY'S AGENDA WILL INCLUDE:

1. Resolution to Approve Amendment to Revise Chapter 40 of New Castle Code Article No. 3 on Non-Conforming Accessory Dwelling Units (ADUs)
2. Proposed Ordinance by Community Planning on Process for Trustees to legalize existing Non-Conforming ADUs
3. Presentation of Budget FY 2008-09
4. Approval of Assessors Report for 2007
5. Nominations for Assessors Committee 2007-2008
6. Introducing Revised Forest Stewardship Policy

*All are welcome hither*

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

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

**Monday, June 25, 2007**

A total of 70 residents attended this Meeting.

Beverly Barnett

Lou Bean

Ruth Bean

Steve Blades

Walter Borders

Brooke Bovard

Dale Brumbaugh

Marianne Cinaglia

Felise Cressman

Michael Cressman

Alton Dahl

Dorinda Dove

Carl Falco

Roger Garrison

Leanne Harcourt-Brooke NV

Rowan Harcourt-Brooke NV

Tiernan Harcourt-Brooke NV

Tegan Harcourt NV

Stephen Harcourt

Elaine Hickey

Milton Isaacs

Rod Jester

June Kleban

Randy Hoopes

Lynda Kolski

Mary Marconi

Connee McKinney

Russ McKinney

Rebecca Meick

Ron Meick

David Michelson

Mary Murphy

Betty O'Regan

Denis O'Regan

Ron Ozer

Jackson Politis NV

Jeff Politis

Bill Press

Gary Quinton

Deborah M. Ricard

Charles Robinson

Nanette Robinson

Shelly Robyn

Ed Rohrback

Warren Rosenkranz

Peter Renzetti

Hugh Roberts

Rick Rothrock

Sue Rothrock

Danny Schweers

Sally Sharp

Barb Shippy

Bryon Short NV

Ray Sigfried

Sadie Sommerville

Beth Stevenson

Steve Tanzer

Steven Threefoot

Elizabeth Varley

Mary Vernon

Cecilia Vore

Larry Walker

Laura Wallace

Tom Wheeler

VILLAGE OF ARDEN  
TOWN MEETING  
JUNE 25, 2007

The Meeting was Called to Order at 7:40 pm by Town Chairman Steven Threefoot.

1.1 Minutes. Jeff Politis submitted the Budget Report as actually presented at the June Town Meeting instead of what was written in the Minutes

The Minutes were corrected and approved.

1.2 There were no new residents in attendance

#### INTRODUCTION OF VISITOR

State Representative Bryan Short was in attendance

#### 1.3 COMMUNICATIONS

The Town received a Notice of a DELDOT Hearing to be held on July 26, 2006. A Weather Summit Conference will be held on July 18, 2007 in Dover.

Verizon has activated their FIOS network in all three of the Ardens. If there are any problems with getting service, Residents should first contact Steve Threefoot

#### 2.1 TRUSTEES REPORT

Connee McKinney reported for the Trustees.

Finances: We have copies of the First Quarter Report (April 1 – June 25, 2007) available tonight. The audit report by Corcoran has been received, and given to the Auditing Committee Chairperson for that Committee's review. The Budget Reserve this year is \$124,283. Addressing the request of the Trustee's Assistant

Elizabeth Varley to no longer act as bookkeeper and just be our Assistant, we have selected Brandywine Accounting on Brandywine Boulevard to handle the bookkeeping responsibilities. They began to handle the Arden account officially in April. We interviewed 3 firms or individual bookkeeper/accountants, and several criteria were considered for selecting Brandywine Accounting: (1) Location-No further than the Concord Pike, or 15 minutes away; (2) More than one staff person, so another person is available when needed; (3) Affordable-Keep within the current budget; (4) Good Fit-firm handles non-profits, as well as commercial accounts; (5) Bonus-they are a CPA firm. We will evaluate their service in 6 months and again in one year. Please give us feedback on the service that they are providing, or if you have any special requests. Elizabeth Varley will continue to be the contact person for dropping off vouchers, or to channel your questions about logistics and such to Brandywine Accounting during this transition: however, she will not be handling of the particulars of bookkeeping.

**Insurance:** We have conducted the annual review of the insurance policies with Tomas J. Hornung & Associates, and the estimated increase will be minimal this year (less than \$100). We are currently updating our files on Certificates of Insurance.

**Buckingham Greene:** We have not received a response from Vice-Chancellor Noble regarding our submissions months ago on our "remedy" for the damage to Sherwood Forest. Since Chancery Court is a very busy commercial equity court, our lawyer has informed us that our submission is most likely gradually making its way forward for the judge's consideration.

**Civic Committee and Fence:** We met with the Civic Committee regarding removing a leaseholder's fence, and await a letter from the Committee.

**Lease Transfers:** There have been three lease transfers since the March Town Meeting. Welcome to Chris Merkl, Peter Campo, and Carolanne Larson, and welcome back to Bob Andress and

**Trustee Election:** The Trustees selected a nominee, Rodney Jester, to replace retiring Senior Trustee Aaron Hamburger. Rodney Jester did not receive the necessary 182 votes to elect. He received 127 votes. We thank Rodney very much for his willingness to run for Trustee—his practical approach to problem solving and deep respect for the economic principles of Single Tax that are the foundation of Arden make him an outstanding member of our community. In response to that, the Trustees will be hosting several “Conversations with the Trustees” this fall and winter at the Buzz Ware Village Center (dates to be announced in the Arden Page.) We hope that residents—old and new—attend to ask us questions and offer comments about Arden and the Arden Trust, i.e. What is it? Why is it important? What role do the Trustees play in the community, and how does the Trust interact with our town meeting form of government? How has the role evolved over our 100-year history? When we have finished with these series of “Conversations,” we are hopeful that we will be offering you a new nominee in the spring. Please do come; challenge us with your questions, and offer your comments.

Respectfully submitted.

Connee McKinney, Arden Trustee

Discussion: Marianne Cinaglia spoke about the selection of a Trustee based on her 14 years of experience in the position as a former Trustee. The points that she made were her own, and she had not previously talked to the present Trustees about this. She felt two points must be considered by Residents in ratifying a Trustee:

1. A person is not nominated as a Trustee as recognition for service to the Town.
2. A person is not nominated as a Trustee as a popularity contest.

The Trustees deal largely with the Deed of Trust, and in no way interfere with the Town Government and its Committees. The Trustees work together very closely and very cooperatively, otherwise the Trustee relationship will not be effective. There are

many responsibilities in the job, such as approving building permits, approving tree removals, zoning and variances, and protecting our land and boundaries, and there is no one who can handle all of these responsibilities. You need to find an individual who can fill in the holes. This job takes an awful lot of time, and an awful lot of work, and you are not paid for it. Personally, if a land use lawyer were available for a Trustee, considering what I know, I would snap him up.

Sometimes, you must look to the Trustees, and trust them as they look for a person to fill the holes. They are very sincere as they try to give you the best group of three that they possibly can.

Mary Marconi asked about the Budget Item Town Administrative Expenses on the Trustees Quarterly Financial Report. She wanted to know what items were included, and if any salaries were paid from this. Connee replied that items, such as insurance, office rents, and telephone charges, are paid. Steve added that if there were a Special Town Meeting, the costs would be charged there.

### 3.1 ADVISORY COMMITTEE

There was no Report

### 4.1 ASSESSORS REPORT

Steven first described the Assessors Process to the Assembly. Tonight the Town Meeting only would receive the Report, and there would be no vote on its proposals. At the September Town Meeting, if there is no Alternate Assessors Report, the Report you are about to have presented to you will be Approved by Referendum. However, if there is an Alternate Assessors Report presented, and the Assembly approves it, both Assessors Reports will be sent to Referendum, and the Report that is approved will set the Land Rents for the coming Fiscal Year. At this Meeting, you should ask questions of clarification, since we are only receiving this Report.

Brooke Bovard presented the report of the Assessors Committee. She said that she as Chair had been tasked with writing the Report, but other on the Committee had also labored hard on it. She also thanked the many Residents who spoke to the Board in the Open Meetings.

The basic structure and method of previous Assessor Committees did not change, namely using the Community Standard of Living Method of Assessment., along with using A, B, C, and D Rates and the Location Factors. The major changes are the significant increases in the amounts assessed, and this was largely because of the significant increases in NCC School Taxes and Real Estate Taxes.

The one methodological change from previous years process was setting the square footage for the "A Rate" at 7,116 sq. ft., which is an increase from 6,500 sq. ft. previously used. The 7,116 sq. ft. figure was taken from the size of the smallest leasehold in Arden. The second page contains the forecasts of Expenditures, Revenue, and the Prudent Reserve. The third page has the examples of how the Land Rent will be computed.

Again, Brooke thanked the many people who participated in this process, including some former Assessors and the many Residents.

Lynda Kolski asked for an explanation of why the square footage for the "A Rate" was increased from 6,500 sq. ft. to 7,116 sq. ft. Brooke replied that the Board had gone through the process of questioning assumptions used by previous Assessors, and as the 6,500 sq. ft. size for the "A Rate" there was only oral history. It was the consensus of the Committee that the actual lot size in Arden should be used, instead of a made up figure. Lynda asked for a summary of how this change would affect Land Rent on Leaseholders. Brooke replied that Board recognized that there would be significant real estate tax and school levy increases, and the cost to individual leaseholders would be considerable. The

thought was to shift more of the increase to the A Rate and less to the other factors. The majority of the Land Rent collected is based on the "A Rate" which reflects the cost of "having a mailbox in Arden." This focus was the overall direction in the Board's decisions. It will result in the larger leaseholders not paying as large of an increase next year. Overall there will be a 17% to 18% increase in individual Land Rents.

Lynda asked how much that would affect individual rates, and Brooke replied that she did not have last year's figures with her. Steve asked what the overall Land Rent increase might be next year, so that the Leaseholders had a general idea of what to expect. Walter Borders, Assessor Committee Member, said that it should be approximately 16% to 17% overall, but there would be individual differences because of lot size and Factors. Lynda asked how the change in the square foot size of the "A Rate" would affect Second Domiciles. Brooke said that the new "A Rate" will be used in Second Domiciles calculations. Mary Marconi estimated that with a Second or Multiple Domiciles, the increase would be about 23% more with the new changes. Lynda asked what would happen in a multiple domicile where the leaseholder ran out of land in making the calculations. Brooke said that this was "a hole in the system" and that was unfortunate.

Brooke reminded everyone that the information from this year's Assessors Committee and last year's Assessors Committee, along with their report, are on the Arden website. Anyone can look at the information and reports in more detail, if they want.

Steve said that the Assessors report was accepted

PUT THE ASSESSORS REPORT HERE.

## 5.1 ARCHIVES

Sadie Sommerville reported that the Craft Shop Museum was very active in the past few months, and there were several visiting

groups, which included the Society of Mayflower Descendants, a middle school, and the American Planning Association.. Georgists from around the country came for the Celebration to honor the Mike Curtis. The Archives is sponsoring on the first Sunday in August a "Meet the Artist" event from 1:00 pm to 3 pm. and on the third Sunday of each month there is a welcoming "Tea" for new residents of the three Ardens. This allows people to meet new neighbors, meet Arden artists, and learn about the history of Arden.

The Committee is still looking for volunteers who can help out. They can contact either Lisa Mullinax or Sadie Sommerville.

The Report was Accepted.

## 6.2 CRAFT SHOP AND MUSEUM

Steven said that this report would only be for information, since this is not an official committee of the Town

Alton Dahl reported that all of the apartments are rented, and this have been moving forward according to plan. He wanted to draw people's attention to the wonderful landscaping around the building, and this had been done by Bernie Schwab. He has been putting in a lot of hard work, so passers by should mention to him how nice the place looks.

Ruth Bean suggested that the Town send Bernie a letter telling him how much we all appreciate his hard work and efforts. This was "So MOVED", Seconded, and Approved unanimously.

## 7.1 AUDIT COMMITTEE

Laura Wallace reported that the Committee had only very recently received the Audit Report, so they did not have time to meet before this Town Meeting.

Alton Dahl felt it was a problem that the Audit Report was not

received this year in a timely fashion. The Trustees need to get the necessary records and information to the Auditor so that the Audit Report can be received in time for the various committees to take needed action. Particularly, the Assessors had a difficult time in preparing their Report when they did not have the audited financial information from the previous year. Elizabeth Varley said that there had been delays this spring in getting all information to the Auditor, and part of that resulted from the transition of the bookkeeping to Brandywine Accounting, for which she apologized, and this delayed finalizing the Audit Report. This should not happen again. Connee said that part of the delay stemmed from problems with the numbers, and she was not happy with several categories. She wanted the numbers in the Audit to be correct, and she apologized for contributing to the delay.

## The Report was Accepted

### 8.1 BUDGET COMMITTEE

Jeff Politis reported that the Budget Committee met, and organized itself, and he was elected Chairman.

Jeff reported that taxes will be going up, as NCC has raised Real Estate Taxes, and the School Referendum has passed. The NCC taxes will go up by 17.5% and the School Levy will be raised by 16.5% next year. This means that there will be a shortfall of approximately \$36,000 in this year's Budget. The new projected numbers have been put in the Three Year Budget Projection

Charles Robinson commented that last Fiscal Year, the amount of Land Rent was \$488,000, while the current Assessors Report projects that \$566,000 will be raised. That increase of \$78,000 will be spread over the approximately 200 Leaseholds in Town, so there will be an average increase of \$390 for each Land Rent Bill. This increase is almost entirely a result of NCC taxes and the increased school levy, and not because of an increase in the Community Standard of Living.

Lynda Sukilski commented that when a business faces increased costs, they look to cut costs, or raise additional revenue, so they can live within their budgets. Since Arden cannot raise revenues, but it does have the freedom to look at its expenses to cut costs as a way of minimizing the financial burden of the large county and school tax increases. She wanted to know if the Budget Committee had asked the various Committees to look at their Budgets with the aim of shaving expenses to reduce their requests.

Jeff said that it is up to the Town Residents through the Referendum to strike out items that they feel are out of line, or too expensive. The Budget Committee has not gone to committees to tell them how much to request. However, the Committee has looked at past Audits to see which committees have not been spending all of their requests, and this was brought to the attention of the individual committees.

Lynda said that, since the Budget Committee does not ask individual committees to look at reducing their expenses, perhaps the Town Chairman should head an *Ad Hoc* Committee of Committee Chairs to look at ways of reducing costs and budget requests. Lynda suggested that the Town consider moving the Town Meeting to the Buzz Ware Village Center, which would save \$2,200 next year. She felt that everyone should look at ways to ease the impact over the next few years of the sharp increase in County and School Taxes.

Cecilia Vore said that at the Budget presentation last year, questions were raised at the Town Meeting about several line items. For example, Registration Committee was questioned about not spending all its Budget for the past two years. She felt that individual responsibility was needed in discussing the proposed Budget, and all information was presented at Town Meeting. There is ample opportunity to question items and proposed figures when the Budget is presented in September. Amendments can be made to any Line Item, with the approval of Town Assembly. The second way of showing your position is during the Budget Referendum, and it is entirely possible for an organized

group to defeat an item. This has happened in the past.

Cecilia did not feel that an *Ad Hoc* Committee to reduce Committees' Budget Requests was necessary.

Steve Tanzer said that the vast preponderance of Land Rent goes to pay School and NCC Taxes, and these are about 65% of the entire budget. The Committees' Budget Requests are a much smaller portion of the total amount, and saving \$50 to \$100 from individual budgets really will not make much of a change overall.

Jeff said the Budget Committee will look at the historical information for each Committee, and look at how much has been spent. This will be used in making the final review before the Proposed Budget is presented at the next Town Meeting.

The Report was Accepted.

## 9.1 BUZZ WARE VILLAGE CENTER

There was no Report

## 10.1 CIVIC COMMITTEE

Sue Rothrock reported that the Big Trash collection went well. She noted that many items that were put out could have gone in the regular trash. For example, sofas, chairs, beds, and many other items are picked up weekly. There was an attempt to quantify the amount of big trash that gets put out, and this information was published in flyer that went out with the Arden Page.

The "Patros Path" goes from the Craft Shop to the Field Theater, and it has been restored. Patros Path was named by Frank Stevens, and a picture of the original sign can be seen at the Craft Shop Museum. The path was restored using geo-textile, gravel, and stone dust so that the field stones would not sink down. There is new permanent lighting system installed at the Field Theater by the Shakespeare Guild, and it is a 12 volt system,

which is safer for an out-of-door location. The system also has dimmers. The lights will be available to anyone renting the Field Theater. The visible electrical wires and other components will be covered when the bulletin board in front of the Theater is redone. As a reminder, the Field Theater is open for rent for private events, or open for free when everyone in the Town is invited..

Road repairs will continue throughout the summer, but please drive carefully, because some areas will have new speed humps installed overnight.

The Committee is working with the Trustees to develop a policy for dealing with the issue of encroachments. The Committee will also work with areas where rocks and shrubs are causing a safety hazard by encroaching on the rights-of way. Sue pointed out that New Castle County Laws require that there be a 25 ft. long line of clear vision in both directions at a road intersection.

Sue wanted to propose an Amendment to Ordinance No. 11 to include the new Forest Committee, along with encroachments into the forests. Since the new wording was not ready, Steven suggested that Sue's request be withdrawn until the next Town Meeting when a written Amendment can be proposed.

Ruth Bean said that there already is an Ordinance that deals with encroachments into the woods, and it specifies a fine for violations. Steve said that this would be looked into, but still the responsibility for enforcement would lie with the new Forest Committee.

The Committee will not hold its regularly scheduled meeting in July, because of the holiday. After the Meeting time has been set, the time and date will be posted.

Beverly Barnett asked about the 25 ft. line of clear vision at intersections. Sue said that when a driver pulls up to the intersection, he should be able to see 25 ft. in both directions before entering. Beverly had a concern that if the intersections were

opened up too much by cutting back shrubs and hedges, it would encourage drivers to go through too quickly. It is better if the cars stop completely, and proceed slowly. Sue said that at certain intersections in Town, things are very overgrown, and are a safety problem. Steven added that the Civic Committee must comply with the New Castle County laws, and they have no choice. If there is considerable dissatisfaction, people can approach our County Councilman to ask for an Amendment to the Code. Beverly felt that cutting at the intersections would have a very negative effect on the appearance of the Town. Sue said that the plantings do not have to be removed at intersections, but they must be cut back, or lowered, so that there are clear sight lines. There can be trees with branches, as long as the branches are not low.

Steven added that 25 ft. is less than two car lengths, so this is not a great distance to be cleared.

Elizabeth Varley said that a sight line is figured by sitting in a car, and being able to see clearly 25 ft in both directions. There are many intersections in Town where the sight lines are clear, and others that are overgrown. This does not mean we have to take plants out, but simply trim them back to give a clear sight line.

Mary Vernon was concerned about the sight lines at the Hillside Road-Harvey Road intersection, and she asked who is responsible for keeping the sight lines clear. Sue said that it is the leaseholder's responsibility, and they are working with the County on getting some trees removed.

Connee said that she would welcome a meeting of the Trustees, Civic Committee, Forest Committee, and Safety Committee to discuss the issue of encroachments.

Lynda Kolski suggested that the Civic Committee first contact the leaseholder about an encroachment issue, so that things could be worked out on a personal level. Sue said that the process for

dealing with encroachments is described in Ordinance No. 11, namely the Committee must contact the leaseholder.

Rodney Jester, who served on the Civic Committee for several years, said that encroachments and overgrown intersections have been an ongoing problem, and they have always been difficult to enforce.

The report of the Civic Committee was Approved.

## 11.1 COMMUNITY PLANNING

Ray Siegfried said that the Committee met, and he was elected as Chairman. They needed to fill two vacancies, as only three members had been elected at the March Town Meeting. Terry Colgan and Ron Meick received the same number of votes for a tie. Ray wanted to proposed a Motion to appoint the two candidates. Marianne Cinaglia said that a new person is put on a committee only through an Election, and not by a Motion or at the discretion of the individual committee. Cecilia Vore read the rule that required an Election. Ray nominated his two candidates, and Brooke Bovard nominated herself from the floor, so that there actually would be an election. There were no other nominations.

The election was held by secret ballot, and the Registration Committee will post the results on the Arden Web-site.

Ray said that the Committee had been working on the issues of Accessory Dwelling Units (ADUs) and non-conforming domiciles. The Town had instructed Community Planning at the September 2006 Town Meeting to do the following:

1. Find a way to achieve legal status for the twenty seven non-conforming multiple domiciles listed in Schedule A.
2. Find a way to achieve legal non-conforming status for those multiple domiciles that have been inactive for six months and fallen into the County's discontinuation status, as specified in the Unified Development Code (UDC).
3. Bring back to the Town for review and approval the process

to be followed in making these domiciles legal.

In April, County Council passed a change to Article 3 of the UDC, which affects multiple domiciles and has complicated things for the Committee. In May, Steve, Ray, and Ron Meick met with the NCC Land Use Department, along with representatives from Ardentown and Ardencroft to discuss legalizing non-conforming domiciles. The Meeting made it clear that some legislation from each Town was going to be necessary to provide clear direction to the County Councilmen who must introduce the amendments. A Draft of the legislation has been drafted by the Land Use Dept., and the expectation is that all three Ardens will approve the same wording to make this a unified action, making legislative approval easier. Arden needs to be clear on which properties they want to make legal-nonconforming, and the Committee is in the process of identifying these. They started with 27 leaseholds, but that might change.

The Committee will write an article for the Arden Page about this initiative, and it will give basic information, along with announcing that there will be Open Meetings on July 11 and 22 to answer questions and receive input from Residents. They will also work at assembling a complete list of not legal and non-conforming domiciles. Once these properties are made legal and non-conforming, it will allow the leaseholder to legally rent out the domicile, and to rebuild it if it burns down. However, it must be rebuilt to the current building codes.

Ray said that the hope of the Committee is to be able to come back to the September Town Meeting with appropriate legislation, and a complete list of non-conforming domiciles.

Marianne Cinaglia said that New Castle County had a Rental Code, but Arden has not bought in to that Rental Code. Soon, Arden will have a domicile exemption, and she hoped that Arden would either make up its own Rental Code, or follow the NCC Rental Code. Ray acknowledged that Arden is exempted from the Code, but safety is a significant concern of the Committee.

The Committee's report was Approved.

## 12.1 FOREST COMMITTEE

Carl Falco reported that the Forest Committee convened, and he was elected Chair with Ruth Panella elected as Secretary.

On going business: To address a problem area for dumping in the Sherwood Forest off of Sunset Lane, Hal Goodwin has erected a fence and gate, with a sign installed by the Committee.

Charlie Diggins of Buckingham Green shared the cost of felling/removal of a tulip poplar on both his and Arden lands

The Ridings concern about a tulip poplar's danger to family and property was discussed, based upon a letter received by the Committee. The DE Forest Service had not responded to repeated requests for core-sampling. The Committee members went to the site, and met with Clay Ridings on April 20 to assess the tree's condition. Mike Curtis joined us. After the Committee's inspection, we were unable to say that the tree was a clear and present danger. Unless a board-certified arborist was able to determine that the tree was unhealthy or unsafe, we did not believe we should take action to fell it. However, we agreed that in this instance, if the Ridings decided this tree was an unacceptable danger, they may have it taken down at their own expense. We sent them a letter regarding this. In the letter, we also noted our concern that an area beyond the leasehold had become lawn rather than part of the wild, natural woodland. We asked the Ridings to restore the forest boundary by not mowing the grass that was planted, and allow nature to reclaim this part of Sherwood Forest, as was previously agreed to in a Tree Removal request dated August 31, 2004.

A fallen poplar from a recent storm and was blocking a path in the Sherwood Forest was discussed. In June, Alton Dahl, with his new chainsaw, and Carl cleared enough of the branches to re-

open the path.

The Committee met on May 8 at the Sheiker/del Tufo entrance to Sherwood Forest, and noted a dead tree that Debbi Sheiker had asked permission to have taken down at her expense. We agreed that the tree should come down, but needed to determine if the tree was on her leasehold or in the woodlands. A survey map was checked by Mike Curtis, and he confirmed that the tree was in the forest. The Woods Cleanup, which Alton coordinated, was discussed, and deemed a success. The Committee then walked through the five acre extension to the Sherwood Forest, and noted oddly placed piles of mostly woodland debris. Also, three young beeches had been cut down. Some of that wood was likely used in the fort-like pile, while one full length tree was still lying where it had been felled. No action was determined in regard to the felled saplings

Alton pointed out unhelpful rip-rap at the outflow of the Buckingham Green drainage area, and the subsequent ditch caused by the re-routed rainwater runoff. Correction to be made await a judge's order on the matter. One new "fall-over" tree due to stream bank erosion was seen at the edge of Perkins Run. Farther into the old Avery residential site, native and invasive plants and trees were observed. Alton showed a large area of mulitflora rose, that this spring he had cut back and sprayed Round-Up to contain and curtail the plant's spreading.

The Committee met next on June 7 at the entrance to the Arden Woods at the trail to Indian Circle. We met with Alan Burselm there, and saw three or four small trees which delineate the border between his leasehold and the woodlands. Some vines and brush were removed from the woodland side to uncover an interesting pine tree, and to allow access to a sewer for inspection. There was a grassy area beyond the leasehold, and we asked that cutting, pruning, and mowing be stopped in this area. There is also a parking space on forest land that could be maintained, or allowed to revert to nature. No decision on this was reached.

The Committee walked through the Arden Woods taking notes on the flora. A hibachi, lawn chairs, and trash on the Ardentown side of Naaman Creek were removed by Ruth Panella, and a large fiberglass box was rolled out of the Arden Woods by Alton, Mary and Carl. An eroded section of the stream behind Lew Aumack's house was log-reinforced by Carl and Mary. A downed tree in the section of Arden Woods between Hillside Road and St. Martin's Lane blocking the path was noted. Also, a tree from the forest fell into the back yard of Michael Sutton an 1906 Sherwood, and Carl was contacted to ask that this be removed quickly. Larry Walker and Lou Bean took care of this at Carl's request.

A letter explaining the role of the Arden Forest Committee will be sent to residents whose leaseholds border the woodlands. The draft is as follows:

TO: All Arden Leaseholders Who Border the Woods  
FROM: Arden Forest Committee  
DATE: June 14, 2007  
SUBJECT: Leasehold Boundaries

Last year in June, the Town Assembly approved the formation of the Forest Committee as a standing committee of the Town Assembly. We would like to introduce ourselves, and offer to answer any questions or address any concerns you might have.

Since one of our responsibilities is to "monitor and strive to prevent encroachment by shareholders or neighbors" of the forest, we ask that you know where your boundaries are, and that you respect them. This means no grass mowing, yard waste dumping, planting, trimming or cutting of trees, etc. in the forest.

One serious problem in our forest remains the incursion of invasive plants that have escaped from leaseholds. I your have English Ivy in the forest behind you leasehold, it very likely came from your leasehold, and your help in pulling it up would be greatly appreciated.

If you have any questions about where the boundaries are, please check your surveys. We are willing to help if you are still unclear after doing so.

You may see us occasionally walking the forest behind your leasehold. Please come out, and talk to us to share your ideas about how to preserve our forest. Thank you in advance for your cooperation.

Rodney Jester said that at a Town Meeting the decision was made that required all trees that fell in the forest were to lay there to decay for the health of the forest. Only if a fallen tree blocked a path, or access to the sewer, should it be moved. At the Mike Sutton leasehold, he felt that the fallen tree had been cut back too far into the forest, and that this was not in keeping with the Town's previous decision.

Alton Dahl said that what Rodney was referring to was the Forest Policy adopted by the Town, and Rodney was accurate in his understanding. However, in the case of the Suttons, the tree fell out of the forest, and on to their lot, falling short of their garage. All that was removed were the limbs that were lying on their leasehold. Rodney disagreed, saying that it appeared to him, based on the extension of his property line, that the tree fell in the forest. The Forest Committee had determined that the tree branches were on the Sutton's property, which was why they authorized the removal.

Steve told Rodney that the Forest Policy was clearly in place, but the difference in opinions was due to different interpretations of where the property line was located.

Walter Borders requested that the Committee consider blocking the parking space at the top of the path leading to Indian Circle. He felt that the space was an attractive nuisance, and the area is used for drinking and other nuisance activities. There have been cycles of using the Indian Circle and having fires there, and then the activities almost stop. Right now there appears to be a lot of

activity, and the Indian Circle has seen several bonfires at night. Walter had put out many fires that were still burning the next day. Other neighbors have had to pick up bottles and cans that were thrown on their property. He said that New Castle County Police had responded promptly to complaints about the various activities, but the same problems would soon occur again. Walter suggested building a stone barrier at the edge of the forest to limit access to just foot traffic.

Roger Garrison said that three trees fell over the Arden paths in the Sherwood Forest, and one had been cut through to allow walking. He asked if the other two trees could be cut up enough to allow the path to be used. Alton said that he had just cleared the last of the path blockages, so there might not still be a problem. Steve recommended that Roger work with Alton to resolve the problem of the blocking fallen trees.

Sue Rothrock reported that the Kudzu vine had returned to St. Martin's Lane, and this invasive is a menace that should be killed. Carl said that the Committee is aware of this problem.

Beverly Barnett wanted to thank the Forest Committee for their vigilance and actions, for they accomplished a great deal in their first three months of activity. However, she had a problem with the fence and gate that had been installed at the end of Shady Lane. The fence was located fifteen feet into the forest, and not on the boundary line. She strongly recommended that the fence be re-installed on the property line so it can limit dumping in the forest.

Rick Rothrock, a former Civic Committee member, said that there had been a problem of erosion on some of the paths. He discovered that when a tree fell and blocked the path, the walkers changed the pathway to walk around the tree, and this often allowed the eroded area to recover. So he felt there was merit in simply leaving the fallen trees where they were, and not reopening that section of the path.

The Report of Forest Committee was Approved.

### 13.1 PLAYGROUND COMMITTEE

Mary Vernon reported that the Committee convened, and she was elected as Chair.

During the past three months, the required playground equipment inspections were made, and all equipment is in safe condition. An inspection was made right before the ACRA Program started, because the playground equipment is heavily used during that time. Some minor repairs were needed, and Larry Walker volunteered to complete them. All equipment was adult tested, and is in safe condition.

Playground wood mulch has been put under the equipment on the Village Green this spring, and additional wood mulch will be put under the equipment on the Sherwood Green during the summer. A considerable amount of wood mulch will be needed for the fenced in pre-school playground behind the BWVC.

The Report of the Playground Committee was Accepted.

### 14.1 REGISTRATION COMMITTEE

Cecilia Vore announced the results of the Election for the Community Planning Committee. Ron Meick and Terry Colgan were elected. Thanks to Brooke Bovard for running for the position. The number of votes are given to the Town Secretary, and will be a part of the permanent record. However, the numbers are not announced at a Town Meeting.

The Registration Committee counted the votes for the Committee Election on the day following the March Town Meeting, namely March 27. The results were posted on "theardens.com" website and Town bulletin boards on the next day, which was Wednesday. The results also appeared in the Arden Page.

The Registration Committee convened on April 17, and Cecilia Vore was elected Committee Chair.

At our Convening Meeting, the Arden Registration Committee was joined by representatives from Ardentown (Sheila Johnston) and Ardencroft (Linda Toman and Amy Pollock) to coordinate the way in which we contact new residents of the three Ardens. The three committees decided to host a monthly "Newcomers Tea" in the Community Room of the Craft Shop to provide an opportunity for newcomers and current residents to meet, and also to attract people to the Arden Craft Shop Museum. All registration committees have been briefed on the particular information each village wants their newcomers to know, and Welcome packets are available for residents of all three villages. The teas will be held on the third Sunday of each month from 1 to 3 pm, which are the Museum's hours, and on a rotating basis, each Town will host the event. The first teas were held June 17, and were successful and fun. The next tea will be July 15.

The Committee conducted the referendum to confirm Rodney Jester as Arden Trustee on May 1. Out of 362 eligible voters, 250 residents (69%) voted. As in all Arden referendums, a trustee must be approved by over half of the eligible votes, which means 182 votes were needed to approve. Rodney Jester received 127 votes to approve, 55 short of the required number. No date has been set for another trustee referendum.

Respectfully,  
Cecilia Vore

The Report of the Registration Committee was accepted.

#### 15.1 SAFETY COMMITTEE

Denis O'Regan said that the Safety Committee convened, and he was elected Chairman, with Bill Theis as Secretary. The Committee meets the second Tuesday of each month at 7:00 pm at the BWVC.

The issue of visibility at intersections, which was also brought up by the Civic Committee, was discussed at our last meeting, and it was decided that we will audit all corners in Town.

A red mountain bike was stolen, and this was reported to Betty O'Regan, Town Watch Coordinator. There was a home invasion in Ardencroft, which resulted in an attack with minor injuries. This was not a blind incident, and there had been a relationship between the apartment tenant and the two individuals who had broken in and were waiting for him. This was not a random incident, or cause for general worry. The police feel they know the identity of the attackers but I do not have further information at this time. The stockade fence at Miller and Marsh Roads was defaced, and it was power washed by the leaseholder. There was a break in at Hillside and Sherwood Roads at a work site, and a contractor's power washer was stolen.

Recently there have been many firecrackers popping, and more often than usual. The Committee requests that when these are heard, such incidents be reported to the police and Fire Marshall. You should make non-emergency reports by calling 573-2800. But, you must be willing to sign a complaint, and to file a police report.

The Committee is accepting applications for the Town Watch Coordinator position. The other two Towns are also seeking applicants.

Sue Rothrock said the "One Way" sign at Lower Lane and Harvey Road is no longer there. The Stop sign at Miller Road and Walnut Lane is barely visible, and people appear to drive on through.

June Kleban was concerned that there was not a second "Do Not Enter" sign at Sherwood and Hillside Roads. Denis replied that the Safety Committee will put up traffic signs at the direction of the Town Assembly. June Kleban made the following 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.

The Motion was seconded.

Rodney Jester proposed an Amendment to include a Directional Arrow to be painted on Sherwood Road at the Hillside Road intersection, and in front of the Sub Shop on Sherwood Road. June and the Seconder accepted the Amendment.

The Motion as Amended was approved unanimously.

Alton Dahl asked why at the Hillside and Miller Roads intersection the Stop signs were on Millers Road the uphill side of Hillside, and not on lower part of Hillside? Since the main road was Millers, it did not make sense to have the traffic stop there. Mike Curtis responded that this situation was a legacy from the days of the Arden Swimming Pool in Naamans Creed. The kids on their bicycles would ride down Hillside and not stop, so it was decided to put the Stop signs on Millers Road to protect the kids. It also allowed them to leave the Swimming Pool and not stop at that intersection, especially those going up the hill on Hillside.

Roger Garrison wanted to know why the new Speed Humps were painted yellow, and the old Speed Humps were not painted. Denis said that this question would be referred to the Civic Committee.

The Report of the Committee was Accepted.

#### 16.1 OLD BUSINESS

There was no Old Business.

#### 17.1 NEW BUSINESS

There was no New Business.

18.1 GOOD AND WELFARE

There will be a lecture at the Robinson House on July 9 about the Grubb Family.

There was a Motion to Adjourn, which was Seconded and Approved Unanimously.

Faithfully,

Larry C. Walker  
Secretary to the Village of Arden

06/25/07

Village of Arden  
Bank Balances  
As of June 25, 2007

|                                 | <u>Jun 25, 07</u>        |
|---------------------------------|--------------------------|
| <b>ASSETS</b>                   |                          |
| Current Assets                  |                          |
| Checking/Savings                |                          |
| ARDEN BUILDING & LOAN - TRUSTEE | 158,602.51               |
| TRUSTEES - WILMINGTON TRUST     | 30,119.44                |
| VANGUARD                        |                          |
| FUND 30                         | 185,422.46               |
| FUND 33                         | 185,451.96               |
| MSA - FUND 50                   | 22,652.41                |
| Total VANGUARD                  | <u>393,526.83</u>        |
| Total Checking/Savings          | 582,248.78               |
| Accounts Receivable             |                          |
| LAND RENT RECEIVABLE            | 22,043.27                |
| MEADOW LANE RECEIVABLE          | 982.95                   |
| Total Accounts Receivable       | <u>23,026.22</u>         |
| Total Current Assets            | <u>605,275.00</u>        |
| <b>TOTAL ASSETS</b>             | <u><u>605,275.00</u></u> |

###

Signed:



Trustee



Administrative Assistant

**Village of Arden**  
**Quarterly Report**  
 April 1 through June 25, 2007

|                                 | Apr 1 - Jun 25,<br>07 | Budget            | Apr 1 - Jun 25,<br>07 | YTD Budget        | Annual<br>Budget  |
|---------------------------------|-----------------------|-------------------|-----------------------|-------------------|-------------------|
| <b>Ordinary Income/Expense</b>  |                       |                   |                       |                   |                   |
| <b>Income</b>                   |                       |                   |                       |                   |                   |
| DONATIONS                       | 2,850.00              | 0.00              | 2,850.00              | 0.00              |                   |
| GRANTS                          | 0.00                  | 950.00            | 0.00                  | 950.00            | 950.00            |
| Interest - Trustees Cking Acct  | 82.97                 | 0.00              | 82.97                 | 0.00              |                   |
| INVESTMENT INCOME               | 0.00                  | 10,000.00         | 0.00                  | 10,000.00         | 10,000.00         |
| LAND RENT                       | 472,098.84            | 488,000.00        | 472,098.84            | 488,000.00        | 488,000.00        |
| LAND RENT FINANCE CHARGE        | 179.46                | 0.00              | 179.46                | 0.00              |                   |
| MEADOW LANE ACCESS              | 0.00                  | 700.00            | 0.00                  | 700.00            | 700.00            |
| MEMORIAL GARDEN DONATIONS       | 2,355.00              | 2,000.00          | 2,355.00              | 2,000.00          | 2,000.00          |
| RIGHTS-OF-WAY                   | 0.00                  | 15,000.00         | 0.00                  | 15,000.00         | 15,000.00         |
| Uncategorized Income            | 52.20                 | 500.00            | 52.20                 | 500.00            | 500.00            |
| <b>Total Income</b>             | <b>477,618.47</b>     | <b>517,150.00</b> | <b>477,618.47</b>     | <b>517,150.00</b> | <b>517,150.00</b> |
| <b>Expense</b>                  |                       |                   |                       |                   |                   |
| ADVISORY COMMITTEE              | 0.00                  | 300.00            | 0.00                  | 300.00            | 300.00            |
| ARCHIVES                        | 0.00                  | 1,440.00          | 0.00                  | 1,440.00          | 1,440.00          |
| AVERY TASK FORCE                | 0.00                  | 0.00              | 0.00                  | 0.00              |                   |
| BOARD OF ASSESSORS              | 0.00                  | 50.00             | 0.00                  | 50.00             | 50.00             |
| Budget Committee                | 22.59                 | 0.00              | 22.59                 | 0.00              |                   |
| BuzzWareVC COMMITTEE            | 15,238.49             | 6,500.00          | 15,238.49             | 6,500.00          | 6,500.00          |
| CIVIC                           | 20,543.39             | 83,500.00         | 20,543.39             | 83,500.00         | 83,500.00         |
| COMMUNITY PLANNING              | 0.00                  | 1,600.00          | 0.00                  | 1,600.00          | 1,600.00          |
| CONTINGENCIES                   | 0.00                  | 3,000.00          | 0.00                  | 3,000.00          | 3,000.00          |
| CONTRIBUTIONS                   | 600.00                | 5,050.00          | 600.00                | 5,050.00          | 5,050.00          |
| FORESTS                         | 0.00                  | 5,000.00          | 0.00                  | 5,000.00          | 5,000.00          |
| GILD HALL RENTAL                | 0.00                  | 1,300.00          | 0.00                  | 1,300.00          | 1,300.00          |
| GRANT EXPENSE                   | 366.00                | 950.00            | 366.00                | 950.00            | 950.00            |
| LEGISLATIVE REFERENCE           | 0.00                  | 0.00              | 0.00                  | 0.00              |                   |
| Loan Payable                    | 4,047.15              | 16,180.00         | 4,047.15              | 16,180.00         | 16,180.00         |
| MISCELLANEOUS EXP.              | 0.00                  | 0.00              | 0.00                  | 0.00              |                   |
| PLAYGROUND                      | 0.00                  | 2,000.00          | 0.00                  | 2,000.00          | 2,000.00          |
| REGISTRATION                    | 482.09                | 1,000.00          | 482.09                | 1,000.00          | 1,000.00          |
| SAFETY                          | 600.00                | 5,400.00          | 600.00                | 5,400.00          | 5,400.00          |
| Special Ardencroft Parkland Acq | 0.00                  | 0.00              | 0.00                  | 0.00              |                   |
| TAXES                           | 0.00                  | 310,491.00        | 0.00                  | 310,491.00        | 310,491.00        |
| TOWN ADMINISTRATIVE EXP.        | 1,548.41              | 3,250.00          | 1,548.41              | 3,250.00          | 3,250.00          |
| TOWN BOOKEEPING SER Gross Wages | 512.00                | 3,072.00          | 512.00                | 3,072.00          | 3,072.00          |
| TOWN SECRETARY                  | 1,380.00              | 7,560.00          | 1,380.00              | 7,560.00          | 7,560.00          |
| TRUSTEE ADMINISTRATIVE          | 6,854.21              | 54,094.00         | 6,854.21              | 54,094.00         | 54,094.00         |
| Uncategorized Expenses          | 0.00                  | 0.00              | 0.00                  | 0.00              |                   |
| z MEM. GARDEN                   | 337.88                | 5,000.00          | 337.88                | 5,000.00          | 5,000.00          |
| <b>Total Expense</b>            | <b>52,532.21</b>      | <b>516,737.00</b> | <b>52,532.21</b>      | <b>516,737.00</b> | <b>516,737.00</b> |
| <b>Net Ordinary Income</b>      | <b>425,086.26</b>     | <b>413.00</b>     | <b>425,086.26</b>     | <b>413.00</b>     | <b>413.00</b>     |
| <b>Net Income</b>               | <b>425,086.26</b>     | <b>413.00</b>     | <b>425,086.26</b>     | <b>413.00</b>     | <b>413.00</b>     |

## Assessor's Report 2007

This year's Board of Assessors committed to the principle of the Community Standard of Living Method of Arden Assessment as the basis for assessment.

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

A majority of the Board of Assessors continues to endorse the principles of real estate practice in the wider community, which we embody as a multi-tier evaluation of leasehold area. The "**A rate**" is the base rate, common to all leaseholds. For many years it covered the first 6,500 square feet. This year's Board of Assessors changed that figure to the first 7,116 square feet, using as our unit the area of the smallest leasehold in Arden. The multiple domicile rate (the "**B rate**", set at 80% of the "A rate") is also based on that square footage. The "**C rate**" is applied to the amount of land on a leasehold not covered by the A or B rates. It is assessed at 40% of the "A rate." The "**D rate**" is the commercial rate, only applied to one leasehold. It continues at a surcharge of 75%, with no deduction for frontage on Marsh Road.

The specific location factors are as follows.

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

### Notes

1. The specific location factor charges (in dollars) to be added to or subtracted from the sum of the Base Land Rent are obtained by multiplying the Base Land Rent for the leasehold by the appropriate specific location factors as given above.
2. Leaseholds having less than a 25 foot opening to the forest will not be charged a woods factor. More than that frontage to the forest will be considered a full access and charged a full factor.
3. Location factors 4 and 5 are additive if both are applicable.

Arden Board of Assessors 2007 report

Based on information obtained from the Budget Committee and the Trustees, the Board of Assessors presents the following report. These figures reflect a substantial increase in County and school tax and a shortfall in the level of the prudent reserve. In order to meet our budget expenditures of \$566,000 and to produce a prudent reserve of \$118,000, the Board of Assessors has set the "A rate" for 2008-2009 at \$226.00 per thousand square feet.

**1) Forecasted Expenditures**

|                                      |                  |
|--------------------------------------|------------------|
| School & County Taxes                | \$363,000        |
| Trust Administration                 | 54,000           |
| Sherwood Forest Loan                 | 16,000           |
| Arden Town Budget                    | <u>133,000</u>   |
| <b>Total Forecasted Expenditures</b> | <b>\$566,000</b> |

**2) Forecasted Revenue**

|   |                  |
|---|------------------|
| Forecasted Revenue from sources other than land rent <sup>1</sup> | \$30,000         |
| Total Revenue from land rent                                      | <u>\$566,000</u> |
| <b>Total expected revenue</b>                                     | <b>\$596,000</b> |

**3) Prudent Reserve**

|   |                   |
|---|-------------------|
| <b>Expected difference between expenditures and revenue</b> | <b>\$30,000</b>   |
| <b>Cash on Hand March 2007 prudent reserve<sup>2</sup></b>  | <b>\$124,283</b>  |
| <b>Estimated shortfall due to N.C.C. tax hike</b>           | <b>(\$36,000)</b> |
| <b>Target prudent reserve for end of year</b>               | <b>\$118,000</b>  |

**Examples:**

SAMPLES OF BASE RENTALS

| <u>Lot Size (sq. ft.)</u> | <u>Base Land Rent</u> |
|---------------------------|-----------------------|
| 10,000                    | \$ 1868.93            |
| 20,000                    | 2772.93               |
| 30,000                    | 3676.93               |
| 40,000                    | 4580.93               |

Examples of rate calculations:

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

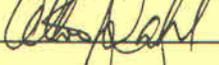
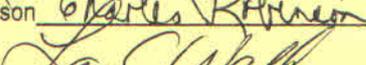
|  |               |
|--|---------------|
| 7,116 sq. ft. X \$226.00/M sq. ft.       | \$1,608.22    |
| 12884 sq. ft. X \$226.00/M sq. ft. X 40% | 1,164.71      |
| Base Land Rent                           | \$2,772.93    |
| Forest Factor - \$2,772.93 X 10%         | 277.30        |
| Greens Factor - \$2,772.93 X 5%          | <u>138.65</u> |
| Total Land Rent                          | \$3188.88     |

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

|  |            |
|--|------------|
| 7,116 sq. ft. X \$226.00/M sq. ft.           | \$1,608.22 |
| 7,116 sq. ft. X 2 X \$226.00/M sq. ft. X 80% | 2,573.15   |
| 8652 sq. ft. X \$226.00/M sq. ft. X 40%      | 782.14     |
| Base Land Rent                               | \$4,963.51 |
| Forest Factor - \$4,963.51 X 10%             | 496.35     |
| Total Land Rent                              | \$5,459.86 |

THE 2007 BOARD OF ASSESSORS

Vote on Final Report

|                  | <u>Signature</u>  | <u>Vote</u> |
|------------------|---|-------------|
| Brooke Bovard    |  | Yes         |
| Walter Borders   |  | Yes         |
| Alton Dahl       |  | yes         |
| Mary Marconi     |  | No          |
| Denis O'Regan    |  | Yes         |
| Charles Robinson |  | yes         |
| Larry Walker     |  | yes         |