

**INSIDE: MINUTES OF SEPTEMBER 24, 2007**

All Village of  
Arden Residents are  
Encouraged to  
Attend the next

# Town Meeting

**Monday, January 28, 2008  
In the Gild Hall, 7:30 p.m.  
2326 The Highway, Arden, Delaware**

## **THE TOWN ASSEMBLY'S AGENDA WILL INCLUDE:**

1. Motion to Approve Sale of Johanna Schroeder's House
1. Motion to Support Open Government for the State Legislature
2. Motion to Establish the Position of Town Treasurer
3. Second Reading of Ordinance to make ADUs legally conforming  
NOTE: Since there have been changes made, the entire  
REVISED Ordinance has been printed on Page 3 inside.
4. Nominations for March 2008 Town Elections

Visitors: Keelin Frye, Cathy Cloutier, and Bryon Short are invited.

*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, September 28, 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

Joel Davis NV

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

Greg Morrison

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

Ryan Scanlon NV

Danny Schweers

Sally Sharp

Ray Seigfried

Sadie Somerville

Beth Stevenson

Jared Swarington NV

Steve Tanzer

Jason Tatum NV

Steven Threefoot

Elizabeth Varley

Cecilia Vore

Larry Walker

Laura Wallace

Tom Wheeler

*The Following is a REVISED Ordinance on ADUs, and it will have its Second Reading at the January 28, 2008 Town Meeting. Revisions have incorporated suggestions and recommendations from Residents, the Advisory Committee, and Arden's lawyer. Because there have been changes, the REVISED text is provided below:*

## **Ordinance 2008-1**

### **Village of Arden Certification Process for Leaseholds with ADUs**

#### **Section 1 – Introduction and Statement of Purpose.**

The purpose of this ordinance is to specify the notification and procedure to leaseholders of this one time opportunity which will be used by the Village of Arden to certify pre-existing Accessory Dwelling Units (ADUs). In order to be eligible for certification a leaseholder's pre-existing multiple domicile must comply to the following requirements: the domicile complies with the New Castle County ADU definition, the domicile was built on or before May 1, 2007, and the leaseholder agrees to comply with New Castle County zoning law, specifically, Amendment section 13 of Chapter 40 New Castle County Code (also known as the Unified Development Code). Leaseholders who wish to build ADUs after this process is completed will need to obtain approval by the Trustees, the Village, and go through the normal process with the County to obtain legal approval.

#### **Section 2- Notification to Leaseholders and New Castle County Department of Land Use about Certified Pre-existing Multiple Domiciles.**

The Village and the Trustees shall notify leaseholders in writing of the procedure to certify existing ADUs, and provide a declaration of eligibility within 90 days of County Council approval of Amendment Section 13 to Chapter 40 of New Castle County Code and approval by the Village of this ordinance. Leaseholders must sign and submit the declaration of eligibility to the Village Secretary within 30 days of the date of the notification letter in order to be considered for certification. Once certified, a written notification of leaseholds shall be made to New Castle County Department of Land Use via a joint written communication by the Town Assembly Chair and at least two Village of Arden Trustees.

### **Section 3 – Procedure of Leaseholds with Pre-existing ADUs for Certification.**

The Village Secretary will notify the Village, the Trustees and the Community Planning Committee of those leaseholders who have signed the declaration of eligibility letter. Members of the Community Planning Committee will verify that they have met the requirements as defined in Section 1. Leaseholder's that meet the requirements in Section 1 and fall in one of the four categories listed below will be certified by the Village Chair and the Trustees. A final list of leaseholders with the privilege of having a certified ADU will be sent to the Board of Assessors.

An acceptable situation of current categories for certification of pre-existing ADUs is as follows:

1. Current leaseholders who have an ADU and paid the B rate assessment 2006-2007 and have an active ADU [whether or not they have obtained county approval].
2. Current leaseholders who have an ADU and have not paid the B rate assessment for 2006-2007, but have paid for another year and have an inactive ADU.
3. Current leaseholders who have an ADU and have not paid the B rate assessment 2006-2007 or any year and have an inactive ADU.
4. Current leaseholders who have an ADU and have not paid the B rate assessment for 2006-2007 and have an active ADU.

Leaseholds with existing ADUs who choose not to obtain certification and are not approved by the county will not be recognized as a legal Accessory Dwelling Unit by New Castle County and the Village.

## **TOWN MEETING MINUTES** VILLAGE OF ARDEN SEPTEMBER 24, 2007

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

### 1.1 Minutes.

The Minutes were corrected and approved.

### 1.2 There were no new residents in attendance

### 1.3 RECOGNITIONN OF THE DEPARTED

Steven announced that three individuals were no longer with us, and these were Johanna Schroeder, Matthew O'Connor, and Ashley Lockerman.

There was a minute of silence as these departed Town Residents were remembered.

### 1.4 INTRODUCTION OF VISITORS

Steven introduced Boy Scout Chris Jones, who was there to take notes on our Meeting, and this was to fulfill a requirement for Merit Badge on his way to becoming an Eagle Scout.

Denise Denny of Delaware Solid Waste Authority (DSWA) had been invited to speak about the Curbside Recycling Program. She wanted to explain to Residents upcoming program changes, and to answer any questions. (Denise came wearing the Arden Fair T-Shirt from the last Arden Fair.) She congratulated Arden for its 40% to 50% weekly participation in the recycling program, and that was much better than the 30% participation rate, which is the national average. Also, since Arden's program is voluntary, the high participation rate is more impressive, and this helps to keep materials out of the Cherry Island Landfill, for which she congratulated Arden. She announced that they will be switching to "single stream" recycling, which means that glass can go into the wheeled blue containers, and this is the direction State-wide for all DSWA curbside recycling. The no longer needed blue bins were to be put out on October 16, 2007 for pickup by the DSWA trucks. Yard waste will still be bagged only in DSWA brown bags, and picked up separately.

Cecilia Vore said that "single stream" recycling had been tried in New Jersey, but had failed because they found out that glass was too much of a contaminant. Denise replied that DSWA has lined up buyers who will take the co-mingled materials, so they do not anticipate that problem. Peter Renzetti asked if the glass should be left in the blue container for the upcoming pick up, and Denise told him to put the glass in the wheeled tote containers. Marianne Cignaglia asked about what should be done with other recyclable plastic containers, as there is no DSWA information on that. Denise said that the numbers 1 through 9 on the plastic containers describe the resin content of that plastic, but at this time, only narrow necked plastic containers were desired. That is the only product that there are local buyers for. She explained that the plastics used in the narrow necked containers and the tubs have different melting points, and the plastic in the tubs has a much lower melting point. Mixing the two makes a product that is too uneven to use in a recycled product. Brooke Bovard asked if the caps should be left on the narrow necked bottles, and

Denise said that the caps should be removed. Anne Schmittinger asked if the bottle caps were recyclable, and Denise replied that they were not recyclable at this time.

## 1.5 COMMUNICATIONS

Steven announced that DELDOT has provided the Town with its Annual Fact Book. The State said that all municipalities should utilize the approved State of Delaware vendors, and it is a mandatory source.. The Cooperative Extension Service of Delaware sent a booklet describing their programs. All of these will be put in the Arden Library for interested Residents to look at.

## 2.0 TRUSTEES' REPORT

Connee McKinney made the Trustees' Report, and they have several items to report:

**FINANCES:** We have copies of the year-to-date report into the Second Quarter of our Fiscal Year. The Auditing Committee reviewed the finances at Brandywine Accounting on Friday, September 21, 2007, and will address their findings this evening. The New Castle County Taxes, totaling \$312,330 will be paid this week, and the breakdown is as follows: \$246,701 (School Taxes) and \$65,742 (County Taxes). Some of our leaseholders qualified for Over 65 County and School Rebates. In October, the Trustees will issue individual rebate checks to those qualifying leaseholders, totaling \$24,417.

We are continuing with the financial services at Brandywine Accounting, and thus far, are very pleased with their services. We have had requests by some Committee chairs to rework the standard financial reports in ways that make their income and expenses clearer. That has taken a few attempts to organize the date correctly. We will keep trying with that. Again, we welcome feedback on the services, and hope that you will contact Mike Curtis or me about any concerns you have.

**BUCKINGHAM GREEN:** Not a word on whether or not Vice Chancellor Noble has accepted our remedy to lessen the volume of runoff into the Sherwood Forest.

**CIVIC COMMITTEE:** When a leasehold is on the market and likely to be transferred, the Trustees are now sharing leaseholder survey or deeds with the Civic Committee so that Committee can have current documentation to address leaseholder encroachments in the rights-of-way and on Arden's common land. It is helpful for us to communicate well with Civic when these problems turn up and work together to find solutions. When a lease transfer for a woods lot next occurs, we will pass along those surveys to the Forest Committee. We do

often find something unexpected in these surveys and deeds that transferred Trust land to the Village. Arden is full of surprises.

LEASE TRANSFERS: There have been two lease transfers since the June Town Meeting. A warm welcome to our new neighbors Camilla and Brett Ormandy, and to Sondra Meyers, Valerie Hutchinson, and Valerie's mother Jeanne Hutchinson .

REMINDER OF OUR UPCOMING "CONVERSATIONS WITH TRUSTEES": On Sunday October 28 and Sunday November 18 at the Buzz Ware Village Center, our meetings will be held from 1:00 pm to 3:00 pm. We hope to have a new Trustee Nominee at the end of this process. We encourage new residents to attend, as well as those who have called Arden "home" for many years. Bring your questions and concerns regarding the Arden Trust. 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 that role evolved over the 100 year history? We are offering light refreshments to lure you in: Would you prefer that we serve black bean salsa, or mocha rum fudge sauce over some fresh fruit?

Respectfully submitted, Connee McKinney, Arden Trustee

**Village of Arden  
Quarterly Report  
As of September 25, 2007**

Apr 1 - Sep 25, 07    Annual Budget

**INCOME**

COMMONS	0.00	0.00
DONATIONS	12,850.00	0.00
GRANTS	0.00	950.00
Interest - Trustees Cking Acct	144.78	0.00
INVESTMENT INCOME	9,073.49	10,000.00
LAND RENT	480,882.62	488,000.00
LAND RENT FINANCE CHARGE	601.71	0.00
MEADOW LANE ACCESS	719.98	700.00
MEMORIAL GARDEN DONATIONS	3,505.00	2,000.00
RIGHTS-OF-WAY	41.51	15,000.00
Uncategorized Income	<u>532.40</u>	<u>500.00</u>
Total Income	508,351.49	517,150.00

**EXPENSE**

ADVISORY COMMITTEE	0.00	300.00
ARCHIVES	0.00	1,440.00
AVERY TASK FORCE	0.00	0.00
BOARD OF ASSESSORS	0.00	50.00
Budget Committee	22.59	0.00
BuzzWareVC COMMITTEE	22,777.15	26,400.00

CIVIC	33,343.91	83,500.00
COMMUNITY PLANNING	0.00	1,800.00
CONTINGENCIES	0.00	3,000.00
CONTRIBUTIONS	5,050.00	5,050.00
FORESTS	100.00	5,000.00
GILD HALL RENTAL	1,300.00	1,300.00
GRANT EXPENSE	666.00	950.00
LEGISLATIVE REFERENCE	0.00	0.00
Loan Payable	4,215.38	16,180.00
MISCELLEANOUS EXP.	0.00	0.00
PLAYGROUND	600.00	2,000.00
REGISTRATION	482.09	1,000.00
SAFETY	1,200.00	5,400.00
TAXES	311,413.93	310,491.00
TOWN ADMINISTRATIVE EXP.	2,492.69	3,250.00
TOWN BOOKEEPING	512.00	3,072.00
TOWN SECRETARY	2,760.00	7,560.00
TRUSTEE ADMINISTRATIVE	24,711.94	54,094.00
Memorial Garden	585.48	5,000.00
Total Expense	<u>412,233.16</u>	<u>536,637.00</u>
Net Income	96,118.33	-19,487.00

**Village of Arden  
Balance Sheet  
As of September 25, 2007**

<b>ASSETS</b>	<b><u>Sept. 25, 2007</u></b>
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Arden Building & Loan—Trustee	\$159,720.64
Trustees—Wilmington Trust	\$ 31,824.92
Vanguard	
Fund 30	\$ 17,640.87
Fund 33	\$ 17,700.42
MSA-Fund 50	\$ 22,742.41
<b>TOTAL Vanguard</b>	<b>\$ 58,083.70</b>
<b>TOTAL Checking/Savings</b>	<b>\$249,629.26</b>
<b>Accounts Receivable</b>	
Land Rent Receivable	\$ 12,665.03
<b>TOTAL Accounts Receivable</b>	<b>\$ 12,665.03</b>
<b>TOTAL Current Assets</b>	<b>\$262,294.29</b>
<b>TOTAL ASSETS</b>	<b>\$262,294.29</b>

Danny Schweers asked why the Year To Date Expenses on the Quarterly Report were \$125,000 less than the amount budgeted. Connee said that this was only the Second Quarter Report, or half way through the year, so there are

quite a few expenses that will still be made during the rest of the Fiscal Year. For example, the monthly mortgage payments for the Sherwood Forest Annex will require an expenditure of \$12,000 for the rest of the year. The confusion was that the YTD Budget Column and the Annual Budget Column were identical, and Connee said she will "tweak" the Report so it will not be so confusing. Willard Glenn asked about the \$26,400 in the BWVC Budget, for there was only \$15,000 in the Approved Budget for this year. Connee said that some of the BWVC's restricted funds were folded into this Expense Report, and she had spoken to Brandywine Accounting about this problem today. She said she will work with them to break out the several BWVC funds and expenses, including funds that have rolled over from previous Fiscal Years, which will make the Report clearer.

Ruth Bean was puzzled that there was a Budget Item for Memorial Garden Donations, which are voluntary. Connee said that there are things about "off the shelf" software, and this is one of them.

Steve said that because this was the first report from the new accounting firm, people were looking at their reports more closely. He encouraged all Committees to look over their Line Item, and make sure that it is correct and clear. Hopefully, this will work out for the better over the long run, but it will take some extra work during this initial year.

The Trustees' Report was Accepted.

### 3.1 ADUs and MULTIPLE DOMICILES

Steve said that Community Planning will make a report at this point in the Meeting on the work that has been done by the Committee in working with NCC Land Use on ADUs for the Ardens.

Ray Siegfried started by giving some background on how things developed to this point., along with actions taken in the other two Ardens. At the September 2006 Town Meeting, Community Planning was tasked with three things:

1. To achieve legal non-conforming status from NCC for lease holds that have existing multiple domiciles, and are on the scheduled list. There were 27 properties on that list, while 32 properties are paying the B Rate.
2. To achieve legal non-conforming status from NCC for those lease holds that have extra domiciles that have been inactive because of the "six month not occupied" rule.
3. The Planning Committee is to bring back a proposal to accomplish both of these.

Ray said he was very proud to say that the Committee is bringing back the proposal to the Town Meeting tonight.

Since the September 2006 Town Meeting, the entire Committee, Steve Three-foot, Ardentown, and Ardencroft have all met with the NCC Department of Land Use represented by Charlie Baker, the General Manager and Dave Culver, Planning Manger, and Ken Berry from Zoning. Everyone worked together to craft a piece of legislation that should accomplish the goals set by the Town. This group had continued meetings during the year.

The first issue was dealing with the 1954 "Cut Off Date" to grandfather in those domiciles that were already built, and the date is significant because that was when the new NCC law was passed. The Committee worked to find evidence of when domiciles was built, and in the end they had a "hodge-podge." Some leaseholders had meticulous records, and others had nothing. In some cases, the Committee felt the domicile was built after 1954. By April-May 2007, the Committee went back to Land Use to say that this individual site research was not going to work, and that they could not come up with adequate and necessary information to satisfy their Legal Department. The Committee asked to be able to certify all existing units, if they wanted to. They went back and forth with Land Use for a month or two, and finally Land Use said that Community Planning could do that. Land Use presented a draft of legislation that would allow this to be done.

Community Planning reported to the Town Meeting in June 2007, and announced that there would be two open meetings, which were advertized in the Arden Page. Between 20 and 30 people attended each meeting, and there were many good conversations, lots of good questions, and made good headway. The Committee took this input, and in August there was a meeting of representatives of all Three Ardens to discuss the final draft of the proposed legislation. They all discussed how to approve this, whether it be an approved Motion, an Ordinance, or a Town Assembly vote. They also sought input from the Ted Rosenthal, the Town's attorney.

The Committee has worked hard to come up with a reasonable compromise for all Three Ardens, and yet be a reasonable approach to resolving this issue to be able to move forward.

On September 10, 2007, Ardentown met, and they did two things. They approved a Resolution endorsing the Draft Legislation, and they had a First Reading and Second Reading of an Ordinance to approve this Draft Legislation. On September 20, 2007, Ardencroft unanimously approved a Resolution to approve the Draft Legislation, and they will be passing an Ordinance to approve of the same.

Steve explained the difference between a Motion and an Ordinance. A Motion is a sense of a Town Meeting at this moment, while an Ordinance is a law. Our attorney had felt that a Motion was sufficient to show NCC Council that our Village was behind this legislation, and County Council can pass that as a County Ordinance. However, a Village Ordinance would set out a legal process and criteria to be used to select the leaseholds that will be exempted. It is important to understand the differences, because these will be brought up before the Town Meeting as two separate actions.

Ray referenced NCC Ordinance No. 07, which was passed in April 2007. The specific Amendments that are to be made to the UDC are the underlined portions of Section 12 and Section 13 that will be added. He was going to go through these to make sure everyone knew what the Amendments said, as well as what they did not say. The changes in Section 12 are to remove the ADUs in the Ardens from the County's annual count of other ADUs, which cannot exceed 0.2% of the total homes. The County had put that limitation in so that it would limit the total number of ADUs to approximately 200 throughout the rest of County. As of this Meeting, only 15 ADUs were registered in the County. The Ardens did not want to affect severely that County limitation, so the two changes were made.

In Section 13, the first line states that the ADUs that are certified by the Town Assembly and the Village of Arden Trustees will have legal non-conforming status. Steve added that the advantage of having legal non-conforming status is that the structure could be rebuilt if it was destroyed or made uninhabitable. However, it would have to be rebuilt on the same footprint. The Zoning would still be Single Residence.

A question was raised of the situation of a house being destroyed, and the lot being large, could a new larger house be built? Steve said that only the ADU was restricted, while the main house would be subject to current zoning limitations. Ray added that this situation was explained in the second sentence, and the reconstruction would have to be up to the current Building Codes.

Brooke Bovard asked about the term "footprint of the structure" as it did not say anything about adding additional stories to the rebuilt house. She suggested that similar square footage be included in the limitation.

Alton Dahl suggested that the last line in Section 13 be dropped, since Chapter 19 of the NCC Code specifically excludes all incorporated municipalities. It did not make sense to include Arden into that category, when Arden is subsequently excluded from that category.

Connee McKinney said that she had talked to the County about this specific issue, and they said that, even though Arden is an Incorporated Municipality,

the Town's Zoning has been administered by the County, making Arden very unique in that respect.

Marianne Cinaglia spoke about Section 12, and was concerned that perhaps other incorporated municipalities might not want to use this exemption. Arden is not the only incorporated municipality in the County. Steve said that this was wording put in by the County for their purposes, so it would be reasonable to accept it.

Jeffery Politis was concerned that Section 12 would allow many leaseholders in Arden to put on additions for a new ADU, and that would be a concern. Steve said that Section 12 only concerned how the County made a count of the ADUs. Ray said that those changes were included only for the Arden certified ADUs, and not for future ADUs. Brook Bovard agreed with Jeff that this wording could allow a large number of ADUs to be built in the future. Steve said that this Section did not say that the County would no longer be involved in the construction of new ADUs, for it would be very involved. But the changes in this Section were for County statistical purposes only. Marianne felt that the goal of Section 13 was to get all ADUs on the books, while Section 12 said that anyone who wanted a new ADU would have to go through the County approval process.

Rodney Jester had the same concern, and he felt that Section 13 could be amended to require that the Arden certified ADUs had all been certified because Land Rent was paid land rent between 1974 and 2006, or the domicile had been in existence before 1954. Steve called a Point of Order. He said that the County did not want to get into the gray area of certification requirements, so they left that to the Village, which must develop its own certification requirements and process. The County wanted to set up one process that would work in all three villages.

Ray made the following MOTION:

MOVED, the Town Assembly approves the following Resolution:

**Village of Arden**  
**Town Meeting Resolution**

The Town Assembly endorses the proposed "Ardens Exception for Existing ADUs" Amendment to Chapter 40 of the New Castle County Code (also known as the Unified Development Code—UDC). This Amendment will convey legal non-conforming status to existing ADUs in Arden. The list of existing ADUs to be included is determined by an Ordinance to be voted on by the Town Assembly. We ask that County Councilman John Cartier introduce and support the "Ardens Exception" Amendment, so that we may change the specified existing Accessory Dwelling Units (ADUs) in the Village of Arden to legal non-conforming status.

The Motion was Seconded.

Ray said that the intent of this Resolution is to endorse the County's proposed Amendments.

Jeff Politis felt that this was a great Motion, but he supported Alton's position that the last line in Section 13 should be removed. Also, he did not feel that the changes in Section 12 were necessary. Steve said that the County wrote up these Amendments, and they wanted the changes in Section 12 to affect more than just the Ardens. Brooke Bovard spoke in favor of Jeff's proposal to remove the last line of Section 13. Alton Dahl felt that everyone was making a mountain out of a molehill in this issue. Why are we worried about the statistical restrictions on Arden when they do not affect the rest of the County. It did not make sense to limit Arden's opportunities.

Connee McKinney spoke in support of the Motion. She did not want to strike the last line in Section 13, especially when viewing how we got to the point where we are today. The Village had assumed that the County knew about all of these second domiciles, while it turned out 50 years later that they did not consider them grandfathered. The better the communication with the County, the better the chances will be that there will be no future problems like this.

Marianne Cinaglia felt that things were being done backwards, and she felt that the Ordinance should be passed first. Once the Village had decided on the direction it wanted to go in, an Ordinance could be written to incorporate the idea of how Arden will be different from the rest of the County. We are asking the County to let us be different, but we have not yet decided how different it will be.

Steve called a Point of Order, saying that it was necessary for Arden to join Ardentown and Ardencroft in showing support for the modification to the County Code. The Amendments will in no way restrict in any way how we go about internally certifying the ADUs. Section 12 and 13 do not impact one another, but the Town will have to approve both to go anywhere with this. If the Town wanted, it could do nothing, so it would not be included in the process.

Greg Morrison spoke in favor of Section 12, and he liked that the County was not restricting the way Arden would move forward. He was concerned that Section 1 specified that the ADUs had to be attached to the dwelling, but Ray said that the wording of the Amendments will allow Arden to do whatever it wants, whether attached or detached.

Steve made a Point of Order. These Amendments are a "grandfathering" of what already exists in Arden, and it says nothing about going forward. We

would have to abide by the present County Code for new construction and new alterations., unless Arden went back to the County to ask for another Amendment to exempt our process to give us more advantages than the Code allows others. That would be unlikely to be approved.

Lynda Kolski felt that there was some confusion between the Motions and Resolutions. Her understanding was that Ardentown and Ardencroft both expressed through a Motion their approval of the changes that the County has written. And that is what the Town Assembly is being asked to do, as well. However, it does not impose any restrictions on who, what, or where in Arden. Internally, we can then go back, and say that this is the list that we want to make legally non-conforming, and that this is the list that the Town Government and the Trustees have certified. We can make the stipulations as to who, what, when, and how that happens within our Village, and still fall within Section 12 and Section 13. The important thing tonight is to express our support for this change to the Code. Section 13 will not provide a list to Arden of legally non-conforming leaseholds, but a person will have to go back to the list Certified by Arden for that information. To her, it was important that there be consensus among the Three Ardens.

Lynda said that there had been discussion and questions about registering rental units with the County, and she asked for a definitive answer. If Arden units do not have to be registered, the last sentence in Section 13 should be stricken. Danny Schweers make a Point of Information. He had called the County because he had a rental unit, and he asked if he was correct that he did not have to register this because he was in an incorporated municipality. The Supervisor at County Land Use said that he had to register the rental unit. Lynda said that this needed to be clarified, because when there are conflicting clauses within the Code, the County Official will interpret the meaning they way it is most convenient to him at the time. She wanted the clarification in writing.

Ray replied that he had asked the same question of Land Use, and he was told that as leaseholders, all of the primary domiciles in Arden are exempt. Each lease is from the Trustees. But if as a leaseholder we rent out the ADU, we must register the unit with the County. He asked the Town attorney and the County attorneys, and they all agreed on this point. Lynda said that written clarification on this point needs to be given to Arden Residents, so that things are clear in the future.

Jeff Politis wanted to clarify that Section 12 was amended because of Section 13, and Ray confirmed that this was the case. The County does not want Arden's existing ADUs to count against the County's move forward on new ADUs. Steve added that the three Ardens have approximately 50 rental units, and the County did not want to have 25% of their anticipated countywide rental units be statistically used up in the Ardens.

Brooke Bovard considered Connee's points on the last sentence in Section 13, and after careful consideration still wanted it removed. She has had different experiences in dealing with County officials, and did not want to expand any County authority into Arden's activities. She felt that requiring rental registrations was a bad thing to do.

Connee said that she had spent several hours researching this issue, and spent much time on the phone. She said that David Culver was the official in the Department of Land Use who had researched this question for two days, and he was definite that all Arden rental units must be registered. She said that it was a good idea to get this in writing, and she will work to do that.

There was a Call for the Question. The Motion was read by the Secretary.

The Motion was passed unanimously

Steve then described the Ordinance Process, and suggested that the discussion on this issue be limited to 30 minutes.

Ray presented Ordinance 2008-1 to the Assembly, and it read as follows:

**Ordinance 2008-1**

**Village of Arden Certification Process for Leaseholds with ADUs**

**Section 1—Purpose and certification notification to New Castle County Department of Land Use.**

The purpose of the Ordinance is to specify the procedure to be used by the Village of Arden to certify leaseholds with pre-existing Accessory Dwelling Units (ADUs) in accordance with the Amendment to Chapter 40, Section 13 of the New Castle County Code (known as the Unified Development Code).

Notification of leaseholds which have existing ADUs as of June 30, 2006 shall be made to the New Castle County Department of Land Use via a joint written communication by the Town Assembly Chair and at least two Village of Arden Trustees. This written communication shall be delivered to the new Castle County Department of Land Use no later than 90 days following approval of the Amendment to Chapter 40 of the New Castle County Code, or the approval of this Ordinance, which ever comes last.

**Section 2—Identification of Leaseholds with Existing ADUs for Certification**

The Village and Trustees shall notify in writing all leaseholders of the process to certify existing ADUs within 15 days of approval of the Amendment to

Chapter 40 of the New Castle County Code, or the approval of this Ordinance, which ever comes last. Leaseholders who have been assessed a factor for "multiple domiciles" will be certified for the number of ADUs specified in the Assessment Year 2006-2007. They will only need to sign the notification letter, and return it to the Village Secretary within 30 days of the date of notification.

Leaseholds with existing ADUs prior to June 30, 2007 which have not been assessed a factor for "multiple domiciles" may be eligible for certification, but will be verified by a member of the Community Planning Committee for the ADUs they specify and present to the Trustees for consideration. In this case, leaseholders must submit and sign a written declaration of eligibility to the Village Secretary within 30 days of the date of the notification letter in order to be considered for certification. Once certified, a leaseholder will be assessed a factor for "multiple domiciles."

Steve reminded the Assembly that a Second was not needed, and the discussion that follows will be about the Ordinance itself. The Ordinance, which whatever modifications are made, will be read at two more Town Meetings, after which it will be voted on for approval. The Ordinance process is not rapid, and it gives many opportunities for discussion on it. Steve asked for questions, comments, and concerns from the Assembly.

Danny Schweers said that his leasehold has one legal non-conforming ADU, and it is not on the list provided by Community Planning. He wanted to know if he still had to re-apply through this process. He was told no, that he did not have to re-apply.

Ruth Bean had a question about domiciles that at one time had a second domicile in them. At one time in her home, there was an upstairs apartment, and then it was dropped. If the present residents wanted to re-establish a second domicile, she did not see a provision for that to happen, or perhaps it would not be possible re-establish it. Ray said that there is a process described in Section 2 and Paragraph 2, and she could apply.

Marianne Cinaglia hoped that the certification process could be made as "clean" as possible. She felt that the efforts should go toward those ADUs that have been existence and that have been paying the "multiple domicile" Land Rent Factor. If someone had an ADU in the past and let it lapse, the leaseholder should apply to the County to re-establish the second domicile.

Rod Jester spoke because he did not agree with Marianne' position, said that Sadie Somerville had on The Highway a small house that was built in 1941. The house was always on the rent rolls, and was taken off when the house was

turned into a shop. They assume that if they choose, they could re-register the building as a second domicile, and again pay land rent. Marianne replied that since in the past Land Rent had been paid on that second domicile, this was a different case.

Alton Dahl said that there was no discussion on rented room, and Ray said that they were only talking about rented areas that met the definition of an ADU. Renting out rooms without kitchens does not fall under this category.

Connee McKinney felt that Section 2 dealt with many difficult issues, but she applauded the efforts of the Community Planning Committee and others in bringing this forward. She spoke as a leaseholder, and said that she had great respect for those people in Town who played by the rules and did not put in a second domicile when they had wanted to. Because of Section 2, those who put in non-legal domiciles for which they did not pay the "second domicile" factor in Land Rent, and these people will get a benefit that a good resident cannot get. Connee said that she is very much in favor of rental unit, and she wants to encourage them. She would wish that every leaseholder could have the opportunity to have or create a rental unit, but that discussion should be held at another time, since it would be a major policy change for the Town. She would be in favor of first holding that discussion, and then incorporating the non-conforming second domiciles into the proposed measure. For her it was a fairness issue, and that the domiciles put in without County involvement should not simply be made legal out of convenience.

Greg Morrison wanted clarification, and recognized that the issue of fairness was difficult. He wanted to know how it was better to make the existing recognized second domiciles through the Section 13 process, while not dealing with the "under the radar" rented domiciles. Ray replied that those domiciles would remain illegal non-conforming, and that this would probably give rise to a later conversation on how to deal with those domiciles for which the Town was not receiving Land Rent. Possibly the County would become more involved in enforcing rental codes.

Denis O'Regan thanked Connee and Marianne for saying what needed to be said on this difficult issue. He did not want to give those people who had been dealing illegally a "bye" on this through Section 13, and it does not exclude Rodney's good point. But that should be for a future discussion. Denis said he could not live with the Second Paragraph of the Ordinance for that reason.

Alton Dahl said that in Rodney's case, and others like that, there was a legal domicile for which Land Rent was paid. Paragraph 1 excluded those situations, but Paragraph 2 gave them a way to appeal their case. He was not aware of any domiciles that were illegal, and since he had been an Assessor, he might have been duped.

Rodney Jester again referred to the former domicile that had been built in 1941. Rent had not been paid on this unit for the past few years, but it also did not have a kitchen. It is not a domicile at this time, but he felt it should be on the list for certification, since Land Rent had been paid.

Mary Marconi wanted to change the last part of Paragraph 2 so that it would limit the certification of domiciles to those for which Land Rent had been paid, even though no domicile factor is presently paid for Land Rent now.

Elizabeth Varley said that there were former domiciles that had been in existence before the second domicile factor was every charged, so using Land Rent records as the essential and definitive evidence would not be conclusive.

Lynda Kolski spoke in favor of dropping the last part of the Section 2, since she was not in favor of legalizing domiciles that had not paid Land Rent. She wanted the primary effort to go into legalizing the known existing rental units which are on the Land Rent rolls, and later the other situations could be considered. She wanted a thorough and considered discussion on how to deal with other second domiciles that did not fit in the initial group. Then the Ordinance could be amended once that process was figured out.

Brooke Bovard spoke against the certification process. She felt it was a radical approach in our Town government to have a single member of an individual committee provide a certification to the Trustees. That responsibility could have unfortunate repercussions on getting individuals to run for committees. In the past, a full committee would make a recommendation to another governmental unit. She wanted the entire Committee to make the recommendation for certification.

Jeff Politis did not have a problem with the last paragraph. First, the recently approved Resolution said that the County told Arden that it can add additional domicile units, along with approving the existing domiciles. Secondly the second paragraph would not automatically allow all domiciles to become legal non-conforming, since there is a verification and certification process that must be gone through. Not stated is how the verification and certification process will be gone through, but it is clear that there must be an approval process to achieve legal non-conforming status. Jeff said that all additional domiciles will have the effect of lowering individual Land Rents, and that benefits everyone.

Bill Press spoke that he had made many comments at Town Meetings over the years, and he had been sitting there listening and not saying anything until now. He felt it was a shame that the Town Meeting had gotten down to this point. He felt we should have the ability to move along in a Town Meeting in a better fashion than what we were doing here tonight. And he would say to the Chairperson, call an intermission, or get to some point so that we can move along. This was, to his mind, ridiculous.

Steve thanked Bill for his comments. He then announced that there would be two other opportunities to discuss it after the next two Readings at the January and March Town Meetings. Ray and his Committee are to be thanked for the impressive amount of time, energy, and work that went into this effort, and it was done as volunteers.

*There was a sustained applause from the Assembly.*

#### 4.1 ADVISORY

Elizabeth Varley presented the report for Chair Bill Theis, who had just required an emergency medical procedure. She said that she would gladly read the report, but all he had to do was write it. Well....that never happened.

The Advisory Committee must present a slate of 14 candidates for the Assessors Committee for the next year, and the following were nominated:

Walter Borders, Brooke Bovard, Drumlin Brooke, Alton Dahl, Carl Falco, Mary Marconi, Greg Morrison, Denis O'Regan, Gary Quinton Warren Rosenkranz, Charles Robinson, Sally Sharpe, Allan Threefoot, and Tom Wheeler

Steven reminded everyone that the nominations will remain open until the ballots are mailed, which will be on October 5, 2007.

The Report of the Advisory Committee was accepted.

#### 5.1 ARCHIVES

Lisa Mullinax said that she hoped everyone enjoyed the fine cookies and delicious tap water refreshments.

For the first time, the Craft Shop Museum was open on Arden Fair Day. It was a great success, recording at least 85 visitors. Thanks to the combined committees, to Debbie Ricard, and especially to Judith Kay, at whose suggestion the Museum was open. Judith's promotion of the Museum's opening at the Fair was largely responsible for success of the event. Thanks, Judith!

Arden Archives is sponsoring Remembrance Day, which will be on October 14th from 2:00 pm to 4:00 pm at the Gild Hall. This year we will be honoring Pauline Young, one of the Ardens civil rights pioneers. We have a fascinating program planned, so please join us.

If you have not been to the Craft Shop Museum lately, you have not seen what is new: an ever changing exhibit and many new acquisitions. If you missed

Sadie Somerville's wonderful show at the Fair, you can see many of the works from the collection at the Museum. And our Arden Fair commemorative bookmarks are still available. Museum hours are Wednesdays 7:30 pm to 9:00 pm, and Sundays 1:00 pm to 3:00 pm.

Respectfully submitted, Lisa Mullinax

The Report was accepted.

## 5.2 CRAFT SHOP

Alton Dahl announced that the Annual Meeting of Members of the Arden Craft Shop and Museum will be on October 31, 2008, and all residents of the Arden are invited to attend. The Craft Shop Museum will be open for the Annual Meeting.

Peter Renzetti has accepted the election by the Board to replace Aaron Hamburger, who has moved from Town. If there are any nominations to the Board, please provide them to Alton.

Things are running smoothly at the Craft Shop, and all apartments are filled with the same tenants. The building is holding up well for being 100 years old. The finances of the Corporation are continuing according to plan.

Steve thanked Alton for the Report.

## 6.1 ASSESSORS

Brooke Bovard announced that she was the "Lame Duck" Chair of the Assessors Committee, and since their work was already completed, they could be lounging at home. Steve asked if there was an Alternative Assessors Report to be presented from the floor, and this would be a part of the Assessors Report instead of New Business. Warren Rosenkranz announced that he was going to submit an Alternative Report, and it would keep the Assessors Report for 2006 in place.

Warren made the following Motion:

MOVED, the Alternative Assessment Report is to have the 2006 methods in place for this year's Assessment.

The Motion was Seconded.

Steve said that if there is an Alternative Assessment proposed, it must be approved by two-thirds of the Town Assembly for it to be sent to Referendum, along with the Report of the Assessors Committee. Cecelia Vore of the Regis-

tration Committee went over in detail the process for dealing with an Alternative Assessment, and said that it is a check against the Assessors. However, it is cumbersome, and she did not encourage it to go forward. Steve said that if the Alternative Assessment did not receive a two-thirds vote at this Town Meeting, only the June Report from the Assessors Committee would be accepted to go forward. If two Assessments go forward to Referendum, one must be approved by a majority of Town Residents, which is a very high level of approval.

Ruth Panella asked that an actual count of voters be made at the time of this discussion, since some people had already left the Meeting, making the total from the PRINT IN sheet incorrect.

Jeff Politis asked for the differences between the two, for he could not tell. He was only aware that there was a change in the size of the leasehold used to figure the A Rate. Brooke explained that the smallest actual leasehold in Arden was 7,116 sq. ft., while the size previously used to compute the A Rate was 6,500 sq. ft. The aim of the change was to make the lot size used to figure the A Rate reflect the actual condition in Arden. Also, this would slightly increase the amount collected under the A Rate. Jeff said it was clear that if last year's Assessment were used, it would result in a smaller amount of Land Rent collected than had been called for in the Budget. Tom Wheeler said that the 6,500 sq. ft. figure was a result of a prior County Zoning Code, which was subsequently amended to be 10,000 sq. ft., and neither figure had no particular relevance to the Arden Assessment process. Tom felt that the 7,116 sq. ft. figure was more reasonable, since it reflected the actual situation in Arden.

Warren asked for clarification that the only change between the two reports was that the square footage base of the A Rate was increased from 6,500 sq. ft. to 7,116 sq. ft., and Brook agreed, asking why he had a problem with that. Steve said that other things, like the dollars to be collected for each Rate were changed to allow for more money to be raised. Warren said that the change in the size of the lot for the A Rate would skew the Land Rent from the larger leaseholders to the smaller leaseholders considerably.

Steve said that if the Alternative Assessment was approved, it would not generate sufficient Land Rent, since the difference in amounts between the 2007-08 Budget and the proposed 2008-09 Budget was substantial. Approving the Alternative would result in a large shortfall in needed income for the Town.

Warren offered the following Amendment to his Motion:

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

Deborah Ricard said that when looking at the change from 6,500 to 7,116, that Does skew the percentage of increase for several of the leaseholds. Steve interrupted to say that the discussion at this time was only on the Amendment, and the total dollars. Deborah said that according to Warren's proposal, all residents would pay 15% more, but the Assessors proposal would mean that leases like Warren's would pay 20% more. Some of the very few would pay only 15% more.....Steve interrupted again to say that Deborah was speaking to the main Motion, and not to the Amendment.

There was a Call for the Question. The Amendment was read.

There was a voice vote, and the Chair said that the Amendment was defeated.

Alton Dahl said that the original Motion was incomplete, and that it did not give enough information to create a full Assessors Report. The Amendment would make the Alternative complete. Brooke agreed that this Amendment was needed for the Alternative Proposal to make any sense.

Steve acknowledged that the voice vote was close, so he asked for a Vote by Hand Count.

The Amendment to the Motion was Passed.

Lynda Kolski spoke in favor of the Motion. She felt that the smaller leaseholders would be paying a lot more than the larger leaseholders, and this was even more of a burden in a year when Land Rent was going up so much. This was not like the Second Domicile change of last year's Assessment, but it would make the additional domiciles more costly. She felt it was unfair to leaseholders who had only one domicile on a larger plot, while a smaller leaseholder with three or more domiciles on a small lot would pay less Land Rent. It was ridiculously unfair, and that this year's Assessors Committee was not in the spirit of Henry George.

Denis O'Regan said that the Assessors Report did not skew the Land Rents for either the smaller or larger leases. The change was only 2% at the extreme, which was minimal, and not the 6.5% Warren had stated. Denis felt that Warren had made a mistake in his A Rate. Denis did not feel it was reasonable to change the assessment at this time, and the Alternative did not take into account the amount of the Reserve and other issues.

Brook said that the Assessor's process and meetings were all announced and open, and no one who came to the Public Meetings complained in any way about the change in the size of the leasehold for the A Rate, or anything else. The process of this Alternative Assessment bothered her greatly, because it completely ignored the idea that this is a community. That was very disap-

pointing to her.

Jeff Politis, a former Assessor, felt that the Assessors should go against making changes, and the less change the better. The Assessors decided to make a change on an issue that had been in place for a very long time, and he was not in favor of it.

Mary Marconi, an Assessor, spoke for the Motion. She said that the larger leaseholders have a benefit, and she felt that the Board was going in the wrong direction. Mary was out of town when the Board made the decision to change from 6,50 sq. ft. to 7,116 sq. ft. She felt that the larger leaseholds had an unfair advantage, and that the Board was going away from Henry George's Principles.

Walter Borders, an Assessor, said that the Committee has put the financial information on spread sheets, and they were able to look at the effects of their proposed change. For example, Milton Isaacs had the largest Land Rent increase of \$1,900, while the smallest Land Rent increase was only \$26. The larger leaseholds were going to pay considerably more with the Assessors' proposal.

Betty O'Regan asked people to think in terms of community. Not all things are always completely fair, but the Assessors Report was fair, especially considering the large tax increases facing the Town.

There was a Call for the Question

Steve asked for a voice vote on approving the Alternative Assessment, as Amended, and it was not approved.

Warren was unsure of the voice vote, and asked for a hand count. The Registration Committee made the count, and the Alternative Assessment was defeated.

Steve asked for a vote to accept the Report of the Assessor's Committee, and it was Approved.

## 7.1 AUDIT COMMITTEE

On September 21, 2007 I visited the office of Deborah Harrison at Brandywine Accounting. I performed a spot check on the Arden Books for the past Quarter. No problems were found.

Sadly, Christine Demsey has moved from Arden, and will no longer be able to served on this Committee. I would like to nominate David Michelson, who has graciously volunteered to fill the vacancy for the rest of Christine's term.

Submitted by, Helen Ohlson

Cookie nominated David Michelson for election to the Audit Committee to fill the term of former member Christine Demsey. There were no other nominations from the floor.

David was elected unanimously.

The Report was Accepted.

## 8.1 BUDGET

Jeff Politis presented the Proposed Budget for the 2008-2009 Fiscal Year. He explained the process that the Proposed Budget is presented to the Town Meeting in September, and at that time it can be amended through a Motion from the floor. Then the Budget is sent for Referendum, and if it passes with, the Budget will go into effect at the start of the Fiscal Year in March.

The most significant changes are the proposed New Castle County Real Estate Tax increase, and the School Tax Increase. Overall, this increase of approximately 20% will subsequently have an effect on required income, namely Land Rent increases. The amounts required to pay the County Taxes is unchangeable amount, for the Town is obligated to pay these. However, the discretionary expenses can be changed, and these are the amounts submitted by the various committees.

For this Budget, the Committee members collected the requested budget figures from the committees, and these were compiled on a spreadsheet. Also, the projected Trustees' expenses were included. Overall, this is a significantly larger Budget, but the increases are driven by the Real Estate and School Tax increases.

There were no questions or comments. The Budget was approved unanimously.

## 9.1 BUZZ WARE VILLAGE CENTER

Willard Glenn presented the Buzz Ware Village Center Report.

Please be advised that I am presenting this evening the Financial status and Budget for The Buzz Ware Village Center, so please review this information while I give my Report.

A lot of good things have been happening to the Buzz. The new roof has been

installed and we are happy to be leak free. Some of our electric has been updated to provide for the needs of vendors for the Arden Fair. This electric upgrade was a cost that was shared with the Arden Club. A problem at the Buzz has been storage space. This has been resolved by the purchase of a second shed with the cost being shared with ACRA.

We are very satisfied with our rentals that provide us with income to pay for the buildings needs. The Peddlers and Potions event during the Fair brought in \$3192.00. We always look at this income as our oil money for the winter. Our committee this year will be looking at the future projects that need to be done to the building. Windows and painting of the building are high priority.

He then presented the BWVC Budget for approval by the Town Assembly.

### Buzz Ware Village Center Account Reconciliation for 2007-2008

	Actual 3/25/06	Actual 3/25/06-07	YTD 8/25/07 Projected 3/25/07- 03/24/08
<b>Revenues</b>			
Bank Interest-Wilm. Trust	\$15.08	\$8.00	\$10.00
Shares Dividends-AB & L	\$873.18	543.16	\$700.00
Subtotal:	\$887.26	\$551.16	\$710.00
<b>Misc. Income</b>			
Donation-Restricted (chairs)	\$80.00	\$ 80.00	\$80.00
Donation-Ardencroft	\$1,000.00	\$1,500.00	\$1,500.00
Donation-Ardentown	\$ 700.00	\$1,300.00	\$700.00
Donation-Other	\$1,745.08	\$ 901.50	\$800.00
Arden-Town Appropriated			
Funds (Renovation Expenses)	\$6,000.00	\$6,000.00	\$6,000.00
Arden-Town Appropriated			
Funds (Program Expenses)	\$1,000.00	\$1,000.00	\$1,000.00
Garage Sale	\$ 0.00	\$2,406.50	\$ 0.00
Arden Fair Peddlers and Potions	\$ 0.00	\$3,465.36	\$3,192.00
<b>Rental Fees:</b>			
YMCA	\$1,380.00	\$3,825.00	\$3,825.00
Other Rentals	\$7,719.00	\$6,460.00	\$6,500.00
<b>TOTAL INCOME</b>	\$20,512.34	\$27,489.52	\$21,307.00
<b>Expenses:</b>			
Programs & Administration	\$621.84	\$ 451.73	\$500.00
Maintenance, Supplies, and Improvements	\$9,079.30	\$3,116.06	\$3,500.00
Payroll (Custodian)	\$ 0.00	\$5,428.00	\$5,500.00
Utilities:			

Electricity	\$1,503.71	\$1,962.21	\$2,000.00
Fuel Oil	\$3,022.40	\$2,999.02	\$3,500.00
Water	\$ 270.19	\$ 111.70	\$ 125.00
Phone	\$ 481.98	\$ 530.76	\$ 525.00
UTILITIES SUB-TOTAL	\$3,774.57	\$5,603.69	\$6,150.00
<b>TOTAL EXPENSES</b>	<b>\$13,475.71</b>	<b>\$14,599.48</b>	<b>\$15,650.00</b>

<b>NET OPERATING PROFIT</b>	<b>\$10,036.63</b>	<b>\$12,890.04</b>	<b>\$5,657.00</b>
-----------------------------	--------------------	--------------------	-------------------

**CURRENT ASSESTS:**

Balance in AB & L	\$28,265.94 (for Window Replacement)
Balance in Checking	\$12,771.92 (Operating Funds)

Something that is concerning a great deal of you is the problem with late night loitering and drinking on the grounds of the building. Our Committee is in a quandary as how to handle this problem. Just last night I was contacted by an Arden resident about a group of people out front at the picnic benches. It was about 7:45 pm, and I stopped over to check it out. What I found were Arden youth hanging out. I asked if they had any alcohol and they replied no. After a short interview they told me that it is a different group that hangs out and drinks. They told me that they often would pick up beer cans and such, and put them in the trash bin. Which brings me back to how do we resolve this problem.

Willard asked if this needs to be a separate discussion or a meeting at the Buzz. He invited 4 of the youths he found in front of the BWVC to the Town Meeting tonight to explain their position on gathering as a group at several places in Arden. They were Joel Davis, Ryan Scanlon, Jason Tatum, and Jared Swarington.

Brooke Bovard said that during the day, people who want to drink usually move away from the Club parking lot and the BWVC parking lot, and go to the Village Green.

Cecilia Vore said that people smoking in front of the BWVC is irritating to many, but there is no law on smoking outside. But there is a law against underage drinking, and drinking at that age is harmful. Cecilia had seen Ryan cleaning up cans, bottles, and trash after people had left the area. She said that at times after she left the Gild Hall late, she would approach the groups of young people, and she never felt threatened. She urged other people that when they feel something is going wrong, they should go tell the people to move on, or you will call the police. Cecilia asked the BWVC to come up with guidelines for behavior for behavior in front of the building.

Elizabeth Varley made a Point of Order. She said that the Greens are the re-

sponsibility of the Civic Committee, and they would be the ones to make the rules for that area.

Ruth Panella had seen some of the YMCA Staff doing a lot of picking up, and at times the Staff will not let the kids out, because of the presence of badly behaving young adults.

Ryan Scanlon said that some of the youths are over 21 years old, and some of us smoke. The problem occurs when people from outside of Arden come, and cause problems with their drinking, littering, and noise. Jason Tatum said that he does not want to have his younger brother arrive there for the YMCA program to find trash barrels full of beer cans. But, there is no other place in the area to just hang out. Joel Davis said that he has never seen a person going around in the parking lot taking down license plate numbers, or asking for names to report to the police. It had been nice to just hang out there. He said that we four do not leave trash around, as we pick it up.

Willard asked when there were the most reported problems, and Betty O'Regan, Town Watch Coordinator, replied that these usually occur late at night. Betty, however, did not encourage people to confront others, and she recommended that they call the police directly. We can only try to make uncomfortable those who are doing wrong by asking for police action. She regularly walks by the area early in the morning, and frequently has seen a lot of littering.

George Brockelsby said that the biggest problems are between 1:00 am and 3:00 am, and often there are many cars there. He responds by calling 911, and feels that Town Watch patrols are needed much later at night.

Steve Threefoot said that this discussion is not leading to an action, and he asked Civic and BWVC to come up with an actionable proposal to put in front of the Assembly.

Lynda Kolski said that she lives on the Green, and to her it appears that the problems are caused by people from outside of Arden.

Sue Rothrock of the Civic Committee said that her Committee wanted to put up a "NO LOITERING 12:00 am to 6:00 am" sign to give the police a basis for taking action against loiters, and during the Civic Report she intended to introduce a Motion to that effect. Amy Pollock of Ardencroft said that their village also had a problem of vandalism between 12:30 am and 6:00 am.

The Report was Accepted

Sue Rothrock announced that she will send out a flyer on the change to a "Single Stream: for curbside recycling. For the Civic committee Budget, they had taken \$3,000 from the Roads Line Item to put in the new Snow Removal Line Item. This change was necessary because the Civic Committee always had to hold about \$5,000 to pay for anticipated snow plowing, and if there were few deep snows, there was money unspent in the Roads Budget. With this change, all of the money in Roads can be spent, and at the same time it will allow Residents to see actual snow plowing costs. However, if snow plowing costs are unexpectedly high in a particular year, additional funds for snow removal can come from the Contingency Fund.

The Civic Committee had been discussing loitering, especially in front of the Buzz Ware Village Center, and they wanted to temporarily install a "NO LOITERING 12:00 am to 6:00 am" sign. That sign would give a basis for police to take action against late night loiterers, since the late night was when the most serious problems occurred. She made the following 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 6:00 am."

The Motion was Seconded.

Ryan Scanlon complained that such a sign could result in kids hanging out there could be arrested for doing nothing bad. Terry Colgan was against the Motion, for she felt no additional rules were needed. The Town should look at enforcing the existing rules and Ordinances. Jason Tatum said that a "NO LOITERING" sign would affect everyone, and that move would go against all kids. Connee McKinney said that loitering in front of the BWVC was a big problem, and it did have a negative effect on some activities there. Mike Curtis told how Ralph Ponte dealt with problems at the old Arden Swimming Pool in Naamans Creek. Ralph approached the kids, and told them to police themselves....or else. Mike said that it worked.

Denis O'Regan spoke as Chair of the Safety Committee, and was in favor of the Motion. He felt that a lot of hard work had gone into this effort by the Civic and Buzz Ware Committees. Brook Bovard was against the Motion, said that when she was growing up, adults left her with the feeling that being a kid was illegal. She felt adults needed to respect children.

There was a Call for the Question. The vote was taken, and the Motion was defeated.

The Civic Committee Report was Accepted.

## 11.1 COMMUNITY PLANNING

Ray Seigfried asked Beverly Barnett to report on the status of applying for Historical Landmark status for the Village. Beverly said that in late August 2007, the Historic Landmark Program of the Nation Park Service solicited projects for them to fund. Funding from the Ardens of approximately \$1,000 would permit the Ardens to move from the Preservation Status listed in the National Historic Register, to National Landmark. A National Landmark would enjoy increased protection from the patrimony of Congress, instead of merely the Federal Bureaucracy. This would raise the level of protection for our community life.

If Arden received the Nation Park Service Grant, the amount of \$1,000 would go to the Delaware State Historical Preservation Office. Historian Robin Bodo, who worked with us on our Listing, would continue to work on the Landmark application. The Ardens would provide \$1,000 of in-kind match, in the form of volunteer work from those serving on the Community Planning and Archives Committees, plus individual effort from Beverly Barnett (Arden), Amy Pollock (Ardencroft), and Shari Phalen (Ardentown).

The basis of Landmark Status would be this same as was for our Listing, namely our culture. The project will conclude in June 2008.

Ray said that there was a narrow window of time for this process, and all three of the Ardens had to act quickly. Therefore, the Community Planning Committee on behalf of the Town granted approval to the group to move forward. They felt that they had done the right thing.

The Report of Community Planning was Accepted.

Steve asked for a Suspension of the Rules to allow Amy Pollock of Ardencroft to speak to the Meeting. This was Approved.

## 11.2 AIRPLANE TRAFFIC OVER THE ARDENS

Amy Pollock reported that she has been working with a group that is working to see that the commercial airplane flight patterns over our area are not greatly increased. She reported that on September 5, 2007 the FAA issued its Record of Decision (ROD) for the NY/NJ/PHL Airspace Redesign Project. Plans to redesign the airspace surrounding the New York and Philadelphia metropolitan areas have been approved. Once the FAA issues a ROD, communities have only sixty days to challenge the decision and file a Petition for Review in Federal Court. A suit to challenge this must be filed promptly, and funding must be raised to cover the legal costs. State Representative Bryon Short, and County Councilmen John Cartier and Bob Weiner have been approached for money and support of this action.

Communities impacted by the airspace redesign, including Delaware County (PA) and Elizabeth (NJ), have already filed a Petition for Review in Federal Court. Many communities feel the FAA has understated the impacts of the airspace redesign to residents living within their boundaries. The issues are many and include diminished quality of life, health and welfare concerns, and depressed real estate values. Delaware County Council wants Philadelphia International Airport (PHL) airspace to remain as it is currently configured which would make a bad situation even worse for Delaware residents if the plan to add runways and increase capacity becomes reality.

Currently, Northern Delaware absorbs 65 percent of the flights that approach and depart the airport each year as reported by the News Journal September 6, 2007. Since 2003, Philadelphia International Airport (PHL) has added approximately 60,000 flights. The current forecasts used for the airspace redesign project state that another 100,000 flights will be added in just three short years, pushing the total to over 635,000 operations annually by 2011. Long range forecasts estimate over 740,000 annual operations and doubling of air cargo by 2025. Indeed, these numbers are alarming.

The Capacity Enhancement Program (CEP) to reconfigure and add runways at PHL has been postponed for one year due to the airspace redesign deliberations. It is necessary to remember that the airspace redesign and airport expansion are two related, yet separate projects being permitted separately by the FAA. Both the airspace redesign and airport expansion plans will lead to increased capacity at PHL. Action is needed now but will also be needed later as plans for airport expansion continue. A local coalition needs to be formed that will provide input and share the costs of litigation as these projects progress.

Amy said that Stephen Donato and she will attend the NCC Council Finance Meeting tomorrow, and the regular NCC Council Meeting on October 9, 2007.

Delaware County, PA, Elizabeth, NJ, another city in NJ, and Connecticut have all filed legal action against the FAA. Amy felt that if NCC did not have a suit in place, that northern Delaware residents would be very unhappy as the FAA most likely would re-route the airplane approach routes through our area, since no official complaints had been made in court.

We are asking for your support and hope that you will help 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. There are times when community members and their representatives must join together and place a call for action. The time to act is now. The filing deadline is November 5th.

Amy made the following 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.

The Motion was Seconded.

Amy said that 65% of the departing flights and 65% of the arriving flights go over northern Delaware, so this area must be involved in decisions on flight patterns. Since Delaware County already has filed a suit, it is reasonable to expect that they will want to push the flight paths out of their area, namely push the flight paths into northern Delaware. If northern Delaware is not involved, it will become an unopposed "dumping area" for the flight paths. If a suit is underway, our concerns will be considered at the same time the concerns of Delaware County are considered.

Alton Dahl asked how much this would cost the Village of Arden to become involved. Amy said that they are seeking money from only the governments of New Castle County and the State of Delaware. They are not seeking funding from Arden at this time. Right now, the group simply needs the support of the Town Government for this effort.

The Motion was Approved

## 12.1 FOREST COMMITTEE

The Report was read by Alton Dahl.

The Forest Committee met twice since the last Town Meeting on July 19 and September 17.

The Committee had Dave Rickerman's Tree Service drop a dead tree in Sherwood Forest that was a potential hazard to Debbi Sheiker's home.

The Ridings have contacted Rickerman's Tree Service regarding the large tulip poplar behind their house that they were concerned about. Rickerman could not assert that the tree was damaged to the point of being unsafe, but the Ridings still intend to have the tree dropped in the forest at their expense, as we agreed to and reported to Town Meeting in June. A large branch that overhangs the Ridings leasehold on a large oak in the forest is also of concern to them because it appears to be hollow. Rickerman provided a quote for removal of this branch; the committee is also looking into this and several alternatives.

The Committee decided to block off a parking space on forest land adjacent to the Alan and Maria Burslem's leasehold; we are looking into effective ways to accomplish this.

At the June Town Meeting Bev Barnett asked the Committee to have a fence with gate that was installed in Sherwood Forest moved to place it at the boundary of the forest land; we have agreed to do this, and will contact Hal Goodwin, who erected it, for a bid to move it.

A draft of a letter explaining the role of the Arden Forest Committee, which is to be sent to residents whose leases border the woodlands, was presented at the Town Meeting in June. This letter will be sent out in the next week.

The Village of Arden Forest Stewardship Policy has been updated, and copies are available at the Town Meeting. We will also post a copy on the Ardens web site:

<http://www.theardens.com/arden>

We will ask for the Town Meeting to adopt this revised Forest Stewardship Policy at the January 2008 Town Meeting.

Sue Rothrock asked the Committee to look into having the Kudzu growing alongside St. Martin's Lane removed again. We are investigating the best way to accomplish this. We will try to act quickly to get this done.

Several members of the Committee and other leaseholders noticed a number of saplings along the path alongside Naaman's Creek that had been sawed down at 3-4 ft and the top 6 inches painted orange. If anyone knows who is responsible for this please let us know. We are cutting them down to ground level.

The Committee received a report from David Nordheimer about a smoky campfire in the Arden Woods across Naaman's Creek. This was not at Indian Circle, and no permit had been issued. David was given an unpleasant response from the young people responsible when he asked them to put it out and leave. We have an Ordinance that forbids such activity in our woods after dark and without a permit. The purpose of the Ordinance is so that the police will have something to enforce. The best recourse for a leaseholder is to call the police and let them handle this sort of situation.

Next Forest Committee meeting is at the BWVC, Monday October 22, 2007 @, 7:30 PM.

Submitted by Carl Falco, Chair

**DRAFT for action at the January 28, 2008 Town Meeting**

Village of Arden  
Forest Stewardship Policy

June 22, 1998

**I. Objectives and Principles**

**A. Arden's Objectives**

The Village of Arden has two objectives in its stewardship of the village forests:

1. Preservation of a natural ecosystem including appropriate wildlife habitat
2. Enhancing resident's interaction with and enjoyment of this natural environment

**B. Principles**

These general principles have guided the development of stewardship policy and should be taken into consideration in interpreting and applying them:

1. Arden desires to allow nature to be the principal creator of change within the forests.
2. The Arden forests are too small in size to resist naturally the invasive action of the surrounding developed environment.
3. Human actions associated with enjoyment of the natural environment can impact negatively on it.
4. Management of the forests to achieve the two objectives will require intervention to balance the priorities of these principles.
5. The Forest Committee of the Village Assembly is the village governmental body with overall responsibility for care and management of the forests. Moneys required for these activities are included in their line item in the annual village budget and oversight of this budget is their responsibility. The Forest Committee reports regularly to the Village Assembly.

6. The forests in Arden are part of a larger natural system made up of tracts belonging to Ardentown and Ardencroft as well as the Hanby Trust and private landowners in Indian Field, Wilmington Montessori, St. Edmunds and Windy Bush. Arden desires to cooperate with all of these stewards to maximize the effectiveness of the overall stewardship program.

## II. Management Guidelines

### A. Boundaries

#### 1. Policy

- a. The Village of Arden has set aside large tracts of land designated as the Arden Woods and the Sherwood Forest for public use and enjoyment. Private use of these lands for purposes other than individual enjoyment of nature is not allowed without specific authorization. See the survey of Vandemark and Lynch Inc. (7265-7202-B) July 9, 1962 with revisions through 1974 for specific description of these parcels.
- b. Boundaries of the forests will be clearly and suitably marked at reasonable intervals with markers which do not detract from the natural setting desired in the forests.
- c. Residents are not allowed to encroach on the public lands adjacent to their leaseholds in any way that is inconsistent with Arden's forest objectives.
- d. Residents or Leaseholders desiring to carry out construction or landscaping projects near the forest edge must clear their plans with the Forest Committee as a part of the approval process. Of special concern is the tendency of construction workers to drive heavy equipment into the forest thereby damaging the root structure of the trees
- d. Neighbors living outside of Arden and adjoining the forests are not allowed to encroach in any way on the Village forest lands adjacent to their properties.

#### 2. Responsibilities

- a. The Forest Committee is responsible for monitoring encroachment into the forests from either leaseholders or neighbors.
- b. The Trustees and the Forest Committee have joint responsibility for enforcement of the encroachment policy.
- c. Leaseholders planning construction on a leasehold adjacent to the forest must present plans and obtain approval from both the Trustees and the Forest Committee before applying for a county building permit.

## **B. Erosion Control**

### 1. Policy

- a. Intermittent water flow

The first line of defense against erosion is control of the source of water causing the problem. Intermittent water flow into the forest from roads, leaseholds or sources outside the village property should be recharged into the ground where feasible, stored and released into the forest over time, slowed as much as possible before entering the forest, etc.

The second line of defense, where problems from intermittent flows cannot be stopped at the source, is to diffuse the water entering the forest in such a way that erosion is no longer a problem.

The third line of defense will be to create coffers and weirs to reduce water velocity in the erosion channel to minimize further loss of soil through erosion.

- b. Stream Surges

The first line of defense is similar to the case of intermittent flows - control of the source, spreading out the surges over time and recharging aquifers as much as possible. Cooperative efforts within the context of the Naamans Creek Watershed Association or political associations such as CCOBH are expected to be most effective in dealing with this problem.

Failure to deal with the water surges at the source will require a decision to allow a stream bank to widen or to rein-

force the bank and channel the water flow. This decision will be made by considering the specific location and the expected impact of stream widening.

## 2. Responsibilities

- a. The Forest Committee is responsible for monitoring the forests for erosion problems.
- b. Residents are expected to control the water coming from their leaseholds. The Forest Committee as a part of their monitoring responsibility will notify any leaseholders of problems associated with their leaseholds. The Trustees are responsible for dealing with any unresolved leaseholder problems.
- c. The Civic Committee is expected to control water coming from roads or commons.
- d. Neighboring residents and their civic organizations are expected to control runoff from their streets and properties. The Forest Committee with the cooperation of the Trustees of Arden will deal with any problems arising from improper actions of neighbors.
- e. The Village of Arden will seek active cooperation of its trustees and the other Arden villages in dealing with outside agencies, associations and political groups to work on controlling water surges in the Naamans Creek watershed (including Perkins Run). The Community Planning Committee is responsible for organizing this cooperation.

### **C. Alien Invasive Plants** (maintaining plant diversity)

Local cultivation of many species of plants from foreign ecosystems has resulted in inadvertent introduction of plants into our forests for which there is no locally-evolved population control. Some of these propagate rather slowly and do not tend to move far from their original location, but others are quite invasive, move and propagate aggressively, displacing the native plants and creating a monoculture of the alien plants.

Some of these plants are considered valuable in the controlled garden environment of a leasehold. Examples are English ivy (*Hedera helix*), pachysandra (*Pachysandra terminalis*)

and myrtle (*Vinca minor*). A few were thought to be nice in the garden but turned out to be too much even there - lesser celandine (*Ranunculus ficaria*) being one of the worst. Some others in our woods are kudzu, Japanese honeysuckle (*Lonicera japonica*) and multiflora rose. The principal woody alien is the Norway Maple (*Acer platanoides*). This tree is used as a dense shade tree on some leaseholds, but it seeds in quickly and will out-compete native trees in the forest and prevent their propagation. Arden forests are not badly infested with Norway Maples at this time, but the Naamans Creek hillside in Ardentown is completely infested.

### 1. Policy

- a. The policy of the Village of Arden is to prevent the infestation of the forests by invasive alien plants and to reduce and control those which have crept in during the first 98 years.

### 2. Responsibilities

- a. The Forest Committee has primary responsibility for monitoring the forests for invasive aliens. They will maintain a list of plants which should be prevented from escape into the forests. Publicity of this list and action needed by residents should be done by the Forest Committee.
- b. Leaseholders are responsible to prevent the infestation of the forests by the identified plants coming from their leaseholds. Where past action or inaction has resulted in forest infestation adjacent to the leasehold, the leaseholder will cooperate with the Forest Committee in removing the problem.
- c. Neighbors of the forests are expected to prevent escape from their property of the species of concern. It is the responsibility of the Forest Committee to educate the village's neighbors about this problem, to monitor for problems and to cooperate with the Trustees in seeking compliance.

## **D. Trails and areas of repose**

### 1. Policy

- a. Fulfilling Arden's objective to enhance residents' interaction with and enjoyment of the natural environment requires public access to the forests. Walking trails and appropriate resting places are provided to meet this objective.
- b. Since maintenance of trails can be in conflict with the objective to preserve the natural ecosystem, judgments and priority setting will be routinely required.
- c. The following guidelines will be used in resolving these conflicts:
  - Adequate trails should be maintained to provide access to all large areas of the forests.
  - Trails are not necessarily maintained to all weather standards nor always suitable for walking in normal street shoes.
  - Trails should be clearly defined so that walkers are encouraged to use them, but markings should be such as to minimize distraction from the natural ecosystem.
  - Any improvements to the trails such as bridges or erosion control structures should be made as naturalistic as possible.
  - Poison Ivy or other dangerous plants should be discouraged from growing near the trails.
  - Trails should be cleared of undergrowth or fallen timber so that a person can pass without difficulty.
  - Trails should be routed and constructed to avoid creating erosion problems in the trails or stream bank destruction.

## 2. Responsibilities

- a. The Forest Committee has responsibility for planning, building and maintaining the trail system.

## **E. Preserving Trees**

### 1. Policy

- a. Since the objective of the Village is to preserve a natural ecosystem in the forests, trees may not be pruned, re-

moved or harvested from the Arden Forests except as indicated below.

- b. When trees fall naturally in the forest the general policy is to leave all wood where it falls. Trees that fall in a way that obstructs trails or creates potential erosion problems will be cleared to prevent these problems.
- c. Wood harvested in this way should be made available to the Arden Club for public use or to residents for their individual use. Motorized vehicles used in harvesting wood require special permit from the Forest Committee, which will be issued only in circumstances consistent with the objective of preserving the ecosystem.
- d. Trees that pose a danger to people or leasehold property may be removed at the discretion of the Forest Committee. A tree that is a clear and present danger may be removed by the town; in other cases when a leaseholder demonstrates a reasonable expectation of future danger the Committee may give a leaseholder permission to remove a tree adjacent to his or her leasehold.
- e. Residents must avoid any activities that pose a threat to any tree in the forest. For example, driving heavy equipment into the forest thereby damaging the root structure of the trees.

## 2. Responsibilities

- a. The Forest Committee has all responsibilities for decisions, implementation and monitoring of the harvesting of wood from the forests as described in this policy.
- b. Leaseholders must obtain agreement from the Forest Committee before any work that could impact the Forest. See section A.2.c. above.

## **F. Buildings or other construction**

### 1. Policy

- a. Buildings or similar types of construction are not generally consistent with Arden's objectives of forest stewardship and

are not allowed except as indicated in paragraph II.F.2. below.

## 2. Responsibilities

- a. Construction which is deemed necessary to the proper stewardship of the forests or other village property may be proposed to the Village Assembly by the Forest or Civic Committees
- b. Any proposal for construction within the forest boundaries would require special approval of the Village Assembly.

## **G. Cleaning up the forests**

### 1. Policy

- a. In keeping with the desire to maintain a natural setting in the forests no littering is allowed. Any trash will be removed.

### 2. Responsibilities

- a. Users of the forests will take with them all trash they generate in the woods. They will also be encouraged to remove any other trash they can conveniently carry at same time.
- b. The Forest Committee and the Community Planning Committee jointly organize a woods clean-up in the spring, when community volunteers participate in a morning of collecting whatever trash has accumulated over the past year.

## **H. Procedures**

The Forest Committee will develop and maintain a procedures manual, including a calendar, spelling out the actions needed to fulfill its responsibilities as defined in this policy.

## **I. Use of the Forests**

The Forest Committee has been given responsibility by the Village for making rules associated with use of the forest.

Jennifer Borders said that the cut saplings in the wood were probably markers to guide people to a "party place" in the Sherwood Forest

Tom Wheeler felt that during the Forest Committee Report was the proper place to make an announcement. He said that he was the Executor of the Estate of Johanna Schroeder, and he wanted to read a portion of the Will of the recently deceased. He read:

*"SECOND: I give and bequeath all of my property, both real and personal, of whatever nature and wherever located, of which I shall die seized or possessed, or to which I may, in any way be entitled at the time of my death to the Village of Arden. I make this request with the specific desire that the proceeds of my estate be used for the preservation and care of the natural spaces within the Village of Arden. It will be up to the Trustees of Arden to decide whether, in special cases, to assist individual lease holders in the care, removal, and replacement of very large trees. The Woods and Greens of Arden have been my joy and inspiration, and I wish to contribute to their health and survival in the years to come."*

After Tom's reading, there was an astonished silence from everyone. A few moments later, Steve said that on behalf of the Town, he wanted to thank Johanna for her incredibly generous gift.

Danny Schweers asked how the Forest Committee will let nearby Residents know about the policy changes. Alton said that the Residents would definitely be made aware of this through the Building Permit policy and whenever there was a Lease Transfers. Greg Morrison suggested that the Town and Residents should put together a lot of necessary tree work, and then it could all be bid out at one time. That way the Town and Residents could benefit from economies of scale.

The Report was Accepted.

### 13.1 PLAYGROUND

Derrick Kennedy read the Report.

Since the last Town Meeting, the required Playground Equipment Inspections were made, and all equipment was adult tested to ensure safety. All equipment is in safe condition. A special inspection was made right before the Arden Fair to make sure that all equipment was safe, since there would be heavy use of the swings and slide the day of the Fair.

On the Village Green, there are two benches that have been damaged, the concrete foundations will be repaired. They are usable, with a little wobble. Addition playground wood mulch was installed in the fenced-in Tot Lot behind the BWVC. Our plan is to install additional mulch there, and to renew the mulch beds under the swings, which is an annual procedure.

The Number One cause of injuries on a Playground is a fall from playground equipment. The best preventive measure that can be taken is to install a one foot deep bed of wood mulch under and around the various swings, slides, and climbers to provide a softer surface for a child to land on. There have been no reports of any serious playground injuries over the past 15 years, and we will continue to work to keep our playground equipment safe.

Submitted by, Mary Vernon

The Report was Accepted.

#### 14.1 REGISTRATION

The Registration Committee is preparing for the Budget Referendum and the Election of the Board of Assessors. The Committee will meet during the weekend of September 29 and 30 to update the list of eligible voters. Ballots will be mailed to all voters between October 12 and 22. Votes will be counted on November 5 or 6. The actual deadline for voting will be included in the Election materials.

The monthly "Newcomers Tea" organized by the Registration Committees of the Three Ardens is going well, and we anticipate this will become a reliable way of giving newcomers essential information about Town Government, Ordinances, and activities, as well as a way to increase visitors to the Arden Craft Shop Museum. All residents are invited to attend so newcomers can meet neighbors. Newcomer Teas are held the third Sunday of each month in the Community Room of the Craft Shop.

1:00 pm to 3:00 pm, Museum hours. Teas are scheduled though December, when the Registration Committees will decide if they should continue. If you are a newcomer, or know of someone who has recently moved into the Ardens, please pass on your information to the Registration Committee.

Respectfully, Cecilia Vore, Chair

The Report was Accepted.

#### 15.1 Safety Committee

Denis O'Regan reported that the Committee in mid-way through an audit of all intersections in the Village, with the aim of ensuring that they are safe with signs and adequate sight lines. New signs will be put up as necessary.

Denis announced that "Busy" Betty O'Regan has retired as Town Watch Coordinator, and Pat Morrison will be the new Coordinator. Pat can be reached by

phone at 529-1895. Also, if you see a problem, you should immediately notify the police.

Ralph Ponte was concerned about the deteriorating dam from the old swimming hole, and it is at times a hangout. He felt that this should be the responsibility of the Forest Committee. Also, it would be best if the remains of the dam were demolished. Bev Barnett said that the remains of the dam are an Army Corps of Engineers issue, and that a letter needs to be sent to them.

Amy Pollock asked that the Minutes reflect that "Busy Betty" had put in a lot of hard work as Town Watch Coordinator, and that everyone was grateful for her efforts.

The Report was Accepted.

#### 16.1 OLD BUSINESS

There was no Old Business brought up.

#### 17.1 NEW BUSINESS

Steve announced that the Town Government was in the process of converting the unofficial Arden website to an Official Village of Arden Website. Since permits, applications, and Town and Committee Minutes are given on line, it is incumbent that the Village of Arden have an official site. It will probably be [www.arden.gov](http://www.arden.gov). Steve will be working with Danny Schweers to register the site., and then get the website set up.

#### 18.1 GOOD AND WELFARE

No one presented any item.

#### 19.2 ADJOURNMENT

There was a Motion for Adjournment, which was Seconded and Approved Unanimously.

Faithfully,

Larry Walker  
Secretary to the Village



Arden Town Assembly  
September 2007  
Projected Budget For Fiscal Year March 25, 2008 to 2009

Assessors	13	75	50	0	187
<b>Buzz Ware Village Center:</b>	<b>14</b>				
Program/Administration	a	1,000	1,000	204	1,000
Maintenance	b	2,500	2,500	1,508	2,000
Renovations	c	3,000	3,000	6,000	6,000
Roof renovations	d	0	0	6,000	6,000
<b>Civic Committee:</b>	<b>15</b>				
Snow Plowing	a	3,000	0	0	0
Roads & Commons	b	35,000	37,000	32,250	29,798
Trash & Special Pickup	c	48,000	46,500	46,901	40,791
<b>Community Planning</b>	<b>16</b>	1,600	1,600	0	0
<b>Forests (New separate listing)</b>	<b>17</b>	5,000	5,000	1,868	2,200
<b>Playground</b>	<b>18</b>	3,000	2,000	1,799	1,761
<b>Registration</b>	<b>19</b>	1,000	1,000	704	840
<b>Safety Committee:</b>	<b>20</b>				
Safety-General	a	1,000	1,000	0	83
Town Watch Coordinator Fees	b	2,400	2,400	2,400	2,400
Harvey Road Speed Enforcement	c	1,000	2,000	0	0
<b>Town Expenses</b>	<b>21</b>				
<b>Salaries:</b>					
Secretary	a	5,004	6,852	6,548	6,456
Professional Bookkeeping	b	4,000	2,784	2,693	2,640
Town Payroll taxes	c	525	996	870	899
Town Administrative Expenses	d	3,750	3,250	3,576	3,049
<b>Donations:</b>					
ACRA	e	1,500	1,500	1,500	1,450
Arden Page	f	1,500	1,500	1,500	1,450
Arden Library	g	650	600	600	550
Fire Companies	h	1,600	1,450	1,250	1,250
Ardencroft Parkland Purchase		0	0	5,000	0
<b>Gild Hall Rental</b>	<b>i</b>	1,300	1,300	1,535	1,200
<b>Contingencies</b>	<b>22</b>	3,000	3,000	0	0
<b>SUB-TOTAL BUDGET EXPENSES</b>		<b>132,144</b>	<b>130,022</b>	<b>126,087</b>	<b>113,186</b>
<b>TOTAL EXPENSES</b>		<b>565,792</b>	<b>531,259</b>	<b>509,144</b>	<b>467,139</b>

Notes to FY 2008 - 2009 Proposed Budget  
Arden Town Assembly  
September , 2007

**INCOME:**

1. **Land Rent** – Based on Assessor's report from June 2007 town meeting.
2. **Trail Renewal Grant-** From State
3. **Delaware Municipal Street Aid** – Annual street aid. Total received is 18,000; Road income of 4,000 listed below is deducted from this amount.
4. **Interest and other Income** – Income from the following sources:
  - a. **Rights-of-way**
    - i. **Road** – 4,000
    - ii. **Cable** – 9,400
    - iii. **Antenna** – 5,300
    - iv. **Meadow Lane-700**
  - b. **Investment income** – 10,000
  - c. **Miscellaneous** – 1,000

**Reserve** – Estimated reserve at the end of FY 2009; -----The actual reserve for the year ending 2007 (per the audit) is **124,283**. To this figure add the budgeted surplus in operating expenses for the current fiscal year (2007-2008) which is 5,591. Deduct the known budget deficit for the the current fiscal year (2007-2008) for County & School taxes which is 26,257 (From actual tax bills & rebates)

The estimated reserve at YE 2009 is therefore 103,617 plus the budgeted excess in operating expenses for the current budget (2008-2009) which is 43,981 making the total estimated reserve at YE 2009 **147,598**

Additional notes on the Reserve calculation- Our estimate of future school taxes at the middle of June was higher than actually set later for the non-referendum parts of the tax.; i.e. Minor Capitalization, Tuition, & Debt Service. Further, the rise in assessed value of the Town was closer to 1/2 of one percent compared to the one percent that we estimate in projections. The actual tax for 2007-2008 is 10,358 lower than our June estimate & the revised estimate for 2008-2009 is 14,571 lower than our June figure.

**NON-DECRETIONARY EXPENSES:**

5. **Property Taxes** – Increase of \$38,136 over 2007-2008 budget. Note that actual taxes for 2007-2008 (invoiced to the town in July, 2007) are approximately 26,000 over the budgeted amount for that period.
  - a. **County Taxes** -- Represents a 5% increase over 2008 and one percent increase in assessed property value.
  - b. **School Taxes** – Represents a 1.6% increase over 2008 and one percent increase in assessed property value.

NOTE: The New Castle County property and school taxes are grossed up to include rebates paid to qualifying leaseholders.

6. **Trustees Administration** – Decrease of 1,721
  - a. Audit – 5,500
  - b. Insurance – 11,000
  - c. Legal – 13,000 high amount due to Buckingham Green lawsuit.
  - d. Professional engineering, fees, miscellaneous – 9,000
  - e. Professional bookkeeping- 4,800
  - f. Office rent – 2,520
  - g. Payroll taxes – 767 (10.5% of payroll)
  - h. Salaries – 7,308
7. **Sherwood Forest Loan** – Purchase of Sherwood Forest property.
8. **State Grants to Civic Committee** – Eliminated from Budget.
9. **Delaware Municipal Street Aid** – Annual Street Aid – pass through expense.
10. **Trails renewal Grant**- pass through expense.

**DESCRETIONARY BUDGET EXPENSES:**

11. **Advisory** – No change.
12. **Archives** – No change
13. **Board of Assessors** – Increase of \$25
14. **Buzz Ware Village Center:**
  - a. **Program/Administration** – No change
  - b. **Maintenance** No change.
  - c. **Renovations** – Miscellaneous renovations to building. No change
  - d. **Roof Renovations** – New roof accrual finished YE 2007.
15. **Civic**
  - a. **Snow Plowing**- New cost division separated out by Civic committee; plowing is usually between \$2500 and \$5000 per year.
  - b. **Roads/Commons** – Combined into a single line item – funds can be shifted between the different accounts to accommodate unexpected expenses.
  - c. **Trash Collection/Special Trash Pickup** – Combined into a single line item – funds can be shifted between the different accounts to accommodate unexpected expenses. Estimated funds are \$46,000 for Trash; \$2000 for Special Pickup.
16. **Community Planning**- No change.
17. **Forests** – No change.
18. **Playground** – Increase of \$1000 from last year. Cost of wood mulch has increased greatly.
19. **Registration** – No change.
20. **Safety** -
  - a. General- No Change
  - b. Town Watch Coordinator-No change
  - c. Harvey Road Speed Enforcement- Decreased by \$1,000

21. **Town Expenses**



\*you are welcome hither\*

**Dated Materials  
Enclosed**

Notice of Next  
Town Meeting

Minutes of Previous  
Town Meetings