

Advisory Committee Meeting  
Village of Arden  
Monday, August 31, 2009

Present: Bill Theis, Steven Threefoot, Lisa Mullinax, Denis O'Regan, Warren Rosenkranz, Ray Seigfried, Jeffrey Politis, Cookie Ohlson, Sue Rothrock, Cecilia Vore, David Michelson, Elaine Hickey.

Advisory Committee Chair Bill Theis convened the meeting at 7:36 PM.

**Town Chair – Steven Threefoot**

***Waste Removal Contract***

As of Sept. 1 the Ardens will be under contract with Delaware Waste Management for trash and recycle pickup. Recycling will be picked up on Thursdays instead of Tuesdays. Trash will continue to be picked up on Fridays. DWM will continue to use the same recycle bins we have from the previous contractor. DWM has placed their name on the bins. Residents no longer need to use special bags for yard waste. Any yard waste bag will suffice. There is also no limit on the number of bags of yard waste that will be picked up. This 3-year waste contract is 20% higher than our previous 3-year contract, but still 10% cheaper than the other bids we received.

***Wireless Tower***

Verizon Wireless and United Water are in negotiation regarding the use of the Town Water Tower for antennae installation. They need to negotiate first. They both seem to want the deal to work.

***Date of September Town Meeting***

The date of the Sept. Town Meeting will be Tues., Sept. 29 instead of Mon., Sept. 28 due to the Jewish holy day of Yom Kippur falling on the 28<sup>th</sup>. The change in date has been announced in *The Page* and will be placed in the *News Journal*, on Town bulletin boards, and on the Town Meeting Minutes which will be mailed to each residence prior to the meeting. Steven consulted with our Town attorney Ted Rosenthal who agreed that the change made sense but that the community needed to be notified well in advance.

Ray Seigfried and Warren Rosenkranz both voiced their feelings that the date should not be changed without community input. Cecilia Vore, Jeff Politis, and Denis O'Regan all felt that this situation emphasizes that we need to put in place a process on how to handle date changes of the regular Town Meeting. The general consensus was that the way this current date change was handled should not set a precedent and a process involving community input needs to be put in place for the future. Cecilia pointed out that there is already a process in place. According to the Act to Reincorporate the Town Meeting decides what to do in situations that are not spelled out in the Act. We did not foresee this situation in time to have this done at the last Town Meeting.

***Town Meeting Motions***

Steven asked that any Motions that Committees plan to present at the Town Meeting be sent to the Town Secretary ahead of time so that they can be typed up on one sheet and distributed to the Town Assembly at the Sign-In Table.

### **Advisory Chair – Bill Theis**

#### ***Advisory Committee Retreat***

The Advisory Committee Retreat will be held on Saturday, November 14 from 10:00 AM to 2:00 PM in the Buzz Ware Village Center.

#### ***Assessor Nominations***

Bill needs a slate of candidates for Town Assessors by mid-September.

### **Treasurer – David Michelson**

Copies of the Statement of Financial Activity, with data current to 8/30/09, were distributed. David requested that all Committees get their vouchers to him in a timely manner. If they still have vouchers from last fiscal year (prior to April 1), those need to be sent to the Trustees.

Cecilia asked if expenses involving Referenda should come out of the Registration budget or the Town budget. Steven said that normal Referendum expenses should come out of the Registration budget but expenses for any other Referenda originating as a result of Town Meeting should come out of the Town budget.

### **Safety – Denis O'Regan**

From the Office of Emergency Management, Denis will distribute 2 folders that contain information on: what to do, phone numbers, forms, etc. He will also report on the tree cutting at Indian Circle.

Denis is looking into Citizen Corps which provides training for citizen groups, like the Safety Committee, on what to do for your neighborhood.

The Committee will be starting a Safety Blog for the Village of Arden which they feel will improve the sharing of information and get to the Committee faster. Bill and Denis will moderate the blog. No names will be mentioned. Names will be assigned a number on the Blog. The Committee will see how it goes. If it goes well it could be enhanced. If not, it will be taken down.

### **Registration – Cecilia Vore**

Cecilia will announce the dates regarding the Referendum: mailing around 10/16-22, counting around 11/6-13.

Steven mentioned that there is a Census coming up. He will send Cecilia the list of categories.

### **Playground – No report**

### **Forest – No report**

### **Community Planning – Ray Seigfried**

They are still searching for someone to make the sign for The Memorial Garden.

Before the Town Meeting they should have a response back from the County regarding Instant Ticketing.

Ray will announce that Danny Schweers will be heading up the sub-committee for maintaining the Website. There is a search on for a Web Master who will work with Danny to put information on our website and insure that it stays current.

Someone attempted to steal a STOP Sign at the corner of Hillside and Millers. It was reported to the police. The sign was not embedded in cement, as it should be. The Safety Committee will look into it.

### **Civic – Sue Rothrock**

A new metal roof has been placed on the Spring House.

The soccer goals are still in place even though the Playground Committee said they would dispose of them. Steven said he would speak to the Playground Committee about it.

A couple more trees have died. Steven mentioned that we also need to be concerned about the dying trees in the forest and the damage they do to the young and/or healthy trees in the forest when they fall. Should we consider removing dying trees from the forest?

Steven said the Town has approached our State Senators and Representative for \$14,400 to offset our loss of Municipal Street Aid for this year and most likely again next year.

### **Buzz Ware Village Center – Warren Rosenkranz**

At Town Meeting Warren will talk about all that the BWVC has been doing and the financial impact.

Shelley Robyn will talk about how successful the Community Garden has been.

Cookie Ohlson had a question regarding the G3 donations to the BWVC for repairs and maintenance and exactly what G3 is. Warren explained that G3 is a nonprofit that raises money through sales and grants to improve the BWVC. Steven asked that G3 tell the Village the restrictions on the G3 funds so that when the Village cuts checks against those funds, the Village knows the restrictions are being followed. Jeff Politis said that the Budget Committee needs to know if the G3 donations are going into the BWVC general fund or restricted to a particular use. Denis O'Regan similarly pointed out that the purpose for the G3 funds should be evident in the bookkeeping so that down the road the future BWVC Committee will know what it takes to run the BWVC where the money came from in the past for general maintenance and special projects. Jeff Politis advises the G3 to stipulate exactly how they want their funds to be spent.

### **Budget – Jeffrey Politis**

Jeff distributed copies of a sample Referendum Ballot and the 2010-2011 Budget, and walked the Committee through the Budget. This is the first Budget that clearly separates Trust money from Town money. Under the Trust non-budgeted items there is a significant hike in County Taxes, which is an approximation, and there is also an estimated increase in the School Tax. Jeff also raised the question as to why the Trustees are not paying office space rent.

The Town will continue in the 2010-2011 Budget to give \$7,000 to the BWVC even though the BWVC has been self sufficient. Any budgetary surplus at the end of the year goes into the Town Reserves.

The Civic budget has been increased by \$8,000 because they are not getting some of their usual grant money.

All Committees need to check their numbers on the proposed Budget and get back to the Budget Committee with and questions.

The Budget Committee recommends that the Town Treasurer be a paid position since it requires a specific skill set plus a good amount of work and time. How filling the Treasurer position should be handled is also a concern because it necessitates a specific skill set. As an elected position, the qualifications of the nominees would have to be vetted somehow.

The Budget Committee also recommends establishing a Capital Fund to maintain the BWVC. There was also discussion regarding the Town Reserve (\$25,000) and the Trust Reserve (\$155,000). The Committee predicts a deficit at the end of 2010-2011 which would come out of the Trust Reserve. At the end of 2011 the Trust Reserve would have roughly \$109,000 and the Town would still have its \$25,000 Reserve. The Trustees need to clarify how they plan to use the Johanna Schroeder bequest of unrestricted funds. Steven asked Jeff to ask the Trustees about that.

#### **Audit – Cookie Ohlson**

Cookie will present the Quarterly report at Town Meeting.

#### **Archives – Lisa Mullinax**

Archives will have their 5<sup>th</sup> Anniversary Celebration and new show opening on Oct. 25. Remembrance Day, honoring the founding mothers of the Archives, will be held on Oct. 11.

There is a search on for a Curator position for Archives. Payment will come out of donations made to the Museum.

#### **Agenda Items for Town Meeting**

- 1- Nominations for Assessors (Advisory - Bill Theis)
- 2- Motion for future location of Town Meetings (BWVC – Warren Rosenkranz)  
Discussion limited to 20 minutes
- 3- Proposal of a resolution for a process for changing the date of a regular Town Meeting.
- 4- Second reading of changes made to Ordinance 11 (Safety – Denis O'Regan)
- 5- Motion for Absentee Voting for Town Officials and Committee Members.

Meeting adjourned at 9:35PM

See Attachment of Letter sent from Ray Seigfried to the Advisory Committee on 9/7/09

Respectfully submitted,

Elaine Hickey  
Secretary, Village of Arden

Letter sent from Ray Seigfried to the Advisory Committee on 9/7/09:

To Members of the Advisory Committee,

Last week at our Advisory meeting we spent much time discussing the date change of our Town Assembly regular meeting from Monday, September 28 to Tuesday, September 29. The Arden Page already announced this change before the Advisory meeting and the majority of members at the Advisory meeting agreed to this change. I, personally, understand the reasoning behind the change but still do not agree with the manner in which it was done. By now the word is out that the meeting is changed to Tuesday and I am not recommending that we change this.

My opposition to the process of this change is based on the act to reincorporate. It is very clear in the act to reincorporate that Town Assembly and only Town Assembly has the authority to make this type of change. The Advisory Committee can consult the Chair, organize the agenda and recommend ways to make meetings more efficient but it nor the Chair can change the date of a regular meeting because there is no option provided in section 5 [a] of the act to reincorporate. The only way to make this change is through Town Assembly voting for such a change and this did not occur. So now we stand with a meeting that is not technically a regular meeting or a special meeting.

An option that would be in agreement with the act to reincorporate is to make this meeting a special meeting [as others have recommended] and follow section 5[b]. If this is not done then I question if any decision made at this meeting can be considered official.

Beyond this one meeting I am very concerned about how this action could be interpreted and effect future Town Assembly meetings. To clarify this uncertainty an ordinance would provide a written process reviewed and voted on by the full Town Assembly. So I want all of you to know that I will present a draft ordinance to make clear the process of changing the date of a regular meeting. I will review the ordinance at this upcoming meeting but not placed before Town Assembly until our January meeting. I would ask all of you for your feedback of how this ordinance should be stated. Thank you.

Ray