

Danny presented the following agenda:

Join Zoom Meeting

Meeting Notice

Advisory Committee

Tuesday, September 7, 2021, 7:30 p.m.

via Zoom.us teleconference

**AGENDA:**

- 1) Acceptance of Previous Minutes
- 2) Set Agenda of Next Town Meeting

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3) TYPICAL TOWN MEETING AGENDA:

- 3a) Call to Order
- 3b) Approval of Minutes
- 3c) Recognize New and Departed Residents
- 3d) Visitors
- 3e) Reports by Officers and Trustees
- 3g) Assessors: 14 Nominations
- 3h) Committees Reports (Ascending Order)
- 3i) Old Business
- 3j) New Business
- 3k) Good and Welfare
- 3l) Adjourn
- 4) Old Advisory Committee Business
  - 4a) Ad Hoc Committee to study updating Charter and Ordinances
  - 4b) Formation of new trust to handle Schroeder funds
- 5) New Advisory Committee Business
- 6) Guests Comments and Questions
- 7) Adjourn

**Attendance:** Danny Schweers, Brooke Bovard, Jeff Politis, Lisa Mullinax, Betty O'Regan, Jennifer Borders, Elizabeth Varley, Larry Walker, Cookie Ohlson, Steven Benigni, Deborah Ricard, Carol Larson, Beverly Clendening.

Guest: Carol DiGiovanni, Marianne Cinaglia

## **AGENDA**

1) Acceptance of Previous Minutes- June Advisory Minutes approved as presented.

2) Set Agenda for next Town Meeting

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- Advisory Committee Report - Nominations for Board of Assessors  
Submit nominee to Advisory @arden.delaware.gov.
  - Board of Assessors
  - Budget – 2022/2023 Budget Ballot Approval
  - Civic - Motion to approved trash contract per Civic Committee recommendation. (Present Motion as a separate item before the Committee reports).
  - Community Planning - Motion approve formation of Governance Task Force.
  - Safety - Motion to adopt New Castle County Mitigation Plan
  - New Business - Discussion and possible motion for mask mandate & What documents created town officers?

Danny presented Motion to approve the agenda. Unanimously approved

Added after meeting: Playground - Fill vacant position

## TYPICAL TOWN MEETING AGENDA

3a) Call to order, at 7:36 p.m.

3b) Approval of Minutes -. Minutes approved as presented.

3c) Recognize New and Departed Residents: Linda Eaton - Deborah Ricard will contact brother to see if there is anything he would like to share with community about Linda.

3e) Visitors:

3f) Officers/Trustees

- Communications Report - Jeff Politis

Resolution #2101: To adopt New Castle County's Hazard Mitigation Plan as our plan. Safety Committee will present it as part of their report.

- Jeffrey, as Town Chairman, was given the authority to meet with the Village lawyer to draw up a draft of the Trust that would move money from the Villages into a Trust. There is now a draft of the Trust on the Village website for people to review. (Recommend set it up so people can comment on line. Will check with Rob, town's IT person). Public meetings will be scheduled to review and discuss options. Once vetted thoroughly it will be presented at a 2022 town meeting. Suggested a committee or task force to take it on (TBD).

- Jeff will follow up with Civic Committee about who will report on the walk through with Del Dot.

- Jeffrey called Point of Oder about Carols DiGiovanni's interruptions.

- Trustee – Elizabeth Varley  
Minor amendment to the policy. Permit process for trees.
- Treasurer – Skip Bailey - absent
- Advisory - Danny Schweers  
Danny will submit 14 Assessors nominations. At present, the list of volunteers consists of the following.  
Michael Oates, Vicki Scott, Deborah Ricard, John Scheflen, Brooke Bovard, Laura Wallace, Elizabeth Varley, Al Marks, Tom Wheeler, Denis O'Regan, Sachin Puranik, Kelly Gillen, Bob Erenburg.

3g) Assessors – Deborah Ricard

Jeff will announce that no alternative assessment has been presented.

3h) Standing Committees Reports (Ascending Order)

*(Descending: Jan & June. Ascending: March & Sept)*

- Archives - Lisa Mullinax  
The Museum is closed. Still waiting for information from insurance assessor about repairs. Planning an October, a new exhibit.
- Audit – Cookie Ohlson meeting September 20<sup>th</sup>.
- Budget – Deborah Ricard
  - 2022/2023 Budget Ballot Referendum.  
(Standard Referendum Policy: There is an opportunity for anyone to present a motion at Town Assembly to change the budget should they

disagree with the budget. This is why the Referendum ballot is presented at the Town Assembly to be approved to be sent out through referendum at the meeting. It can be amended at the meeting. This is a recommendation of the Budget Committee, but ultimately, the Town Assembly is the one who approves it to be sent out).

- BWVC - Betty O'Regan & Mary Stevens Co-Chair
- Civic – Steven Benigni
  - Trash collection

A trash hauling public information Zoom meeting is scheduled for September 12, Sunday, at 2 pm. Civic will present to the three Arden's two proposals cost comparison based on Arden's cost figures only. There are four options with subset options with fix and variable options. All to be discussed. Yearly cost savings for Arden only range from \$7,000 to \$16,000 in year 3 of the plan (Highest \$12,000 year 1). The Civic Committee will vote on its recommendation at the end of the information public meeting. What would the \$16,000 savings be per leasehold? Jeff estimates \$55 or \$60. (Civic believe this meeting is not that detailed).

Jeff expressed concern about FOIA and Contracts rules of public viewing of sensitive bid offers being posted on the web that was submitted by two companies to Arden. He suggests use Company A and Company B when posting their bid proposal information onto the Village website instead of their company's name. Clarification, there is no problem with verbally sharing the companies' names when discussing proposal information but recommends do not post to the website their company names.

Procedural logistics: Village need to vote on which collection going to approve before the budget makes it recommendation. **Motion** Danny made a motion that present the motion for the trash hauling contract as a separate item before the Committees Reports. Approved.

Suggest posting information about the meeting on Facebook since anyone is allowed to attend public meetings. Will deliver flyers to outside of residents' mailboxes.

- Storm water Zoom meeting tomorrow to review preliminary report and present for public comment. Will post to Village website so people can ask question. Will request bullet items since the report is 90 pages. Carol will find out from Drew if there will be a final report to present to Town Assembly.
  
- Community Planning – Jennifer Borders
  - American Rescue Plan to discuss the types of projects that are allowed. To date the committee has already received more than \$100,000 for the town and now they have to figure on how to spend it by 2024. They have started a list of projects. For this Town Meeting they will present for discussion and open it up for Q&A to gather ideas. Then hold as many public meetings as needed to gather more ideas. Sometime in 2022 (January) bring a recommendation to town meeting for a vote.

Referendum - The budget Committee is putting the full amount of money (\$200,000) into the budget. Jen would like to work with Deborah

on the wording. TimeLine for the Budget Referendum: Footnote disclosure: Money from ARPA policy

Jeff suggests the budget line item is a method to spend which will be approved at the Town Assembly. Community Planning would come to the town assembly to approve the process and move it forward. In essence, the Village through referendum is going to allow the town to make a process to spend the money.

Timeline - Registration sends out budget in October along with Assessor election ballot. They are counted in November. The Budget Referendum approves money to be spent starting in March. You can have it approved in January but can't spend till March. The money is available the following budget year.

\*Jeff called Point of Order for Carol DiGiovanni's inappropriate hand and facial expressions when Jeff speaks.

- Draft of the Governance Task Force Formation document. The task will look over current governing documents (Charter, Ordinances, Policies, Motions) for consistency and for clean up any things that are unfocused. The other point of the task force is to look forward towards the future to see if there are ways to craft our governing documents in a way that helps to give the town a better footing going forward by trying to help it fulfill some of its goal.

**Motion** Approve formation of governance task force.

- Forest - Carol Larson will be attending Board of Adjustment hearing to protest a variance that would allow building closer to the woods. It's on-line September 9 at 6.

- Playground – Larry Walker

Elections: Fill vacant position by A.J Stalloni and submitting Maddie Rogers name.

Budget Referendum: Playground Committee requests a separate line item for an additional \$10,000 (supplement to state grant) for installation of new playground equipment. Brooke requests a written summary explaining the shortage to be submitted before the next budget meeting which is scheduled Sept 16.

- Registration – Elizabeth Varley

Discussing upcoming election. Because this is a mail ballot, Registration can accept nominations from the floor. Once budget is passed, they will have both documents for Town Meeting on Monday, printer on Thursday, mailed no later than Friday because if the time constraints of mailing from the time of town meeting and time limit for people to receive their ballots and time limit when you cannot go beyond 45 days before the ballots are counted. Election is scheduled for Tues, November 2. Registration Committee is meeting by Zoom next Tuesday and Thursday to rectify the registration.

- Safety – Brooke Bovard



3i) Old Business

3j) New Business

- Video meetings

The Governor's office put out an interpretation that says you do not have to have hybrid meeting, it can be solely video meeting. (Jeff will supply Danny with a copy of notice).

- Discussion and potential motion will be presented by Jennifer Border for a town wide mask mandate for public indoor spaces which will be presented under New Business.
- What documents created town officers?

This question is based on the email listed below which outlines three main questions that Marianne would like answered.

To: Elizabeth Resko, Secretary of the Town assembly and Advisory Committee

From: Marianne Cinaglia, former Trustee, former Chair of Advisory Committee

Re: Treasurer/Officer Matters in Official Arden Documents

According to the description of the Secretary of the Town Assembly in Arden's Charter (Section 5(h), The Secretary has charge and custody of the books, journals, records, papers and other effects of the Village and all transactions of the Town Assembly. According to the minutes of the Town Assembly of January, 1968 the Town Assembly Secretary also acts as Secretary to the Advisory Committee.

In keeping with these assigned responsibilities, I am asking for the following information in order to better understand some of the processes being used by the "four officers."

**1. Is the present Treasurer using same procedure for paying bills used by Trustees? If it changed, how/when was the change made?**

In March 2009 the Trustees relinquished the authority to sign checks for expenses incurred by the Town Assembly and Town Committees that were covered in the Budget referendum to the Town Treasurer. The process that had been used by the Town Committees and the Trustees was as follows.

Money was allocated to Committees by fall referendum vote to perform duties assigned in Committee description or by special vote of Town Assembly.

Committee Chair and one other committee member would sign contract with an independent service provided if one was necessary.

The Committee Chair and one other member signed the invoice for payment of supplies or services and the invoice was presented to the Trustees' Administrative Assistant for payment.

Upon the receipt of the above invoice, the Trustees' Administrative Assistant wrote check for payment.

**2. Questions about recent Budget Statements**

When/how did trash collection change from being a budgeted item under Civic Committee to a non-budgeted expense?

When/how did the Town Secretary's and bookkeeper's salary change from being budgeted expenses to non-budgeted expense.

What is included in the Operation and Fees line item included in Village non-budgeted expenses?

**3. Where/When in official referenda, ordinances or motions were the "Town Officers" formerly established and assigned their responsibilities.**

In keeping with the Secretary's assigned responsibilities, I would appreciate having the Secretary of the Town Assembly forward me the certified records of where/when in official referenda, ordinances or motions the group of four officials now referred to as "Town Officers" were formally established and assigned their responsibilities.

Thank you for your attention to these matters.

3k) Good and Welfare

3l) Adjourn

4) Old Advisory Committee Business

4a) Ad Hoc Committee to study updating  
Charter and Ordinances

4b) Formation of new trust to handle  
Schroeder funds

Carol DiGivionni - She wants to know if Town Chair has invited Ted Rosenthal to speak to the Town Assembly? Carol believes the case is not closed and believes that it was publicly announced that Arden won case. She disagrees. She would like to know why her lawyer had to send Village lawyer a certified letter request Ardens proposal? She says that the Chair has not provided Ardens perspective on what they want the trust to look like.

5) New Advisory Committee Business

6) Guests Comments and Questions

7) Adjourn

8) Meeting was adjourned 10:01 p.m.

Next Advisory Meeting is scheduled for **Monday, January 3, 2022**, 7:30 p.m.

Respectfully submitted,

Elizabeth Resko,

Village Secretary