

## **Village of Arden, Governance Task Force**

### **Meeting Minutes: May 26, 2022**

**Attendance:** Ray Seigfried (Chair), John Scheflen, Barbara Macklem, Lynda Kolski, Beverly Clendening, Steve Benigni, Kate Threefoot

Ray called the meeting to order 7:35 PM.

**Minutes from April 28, meeting were reviewed and approved.**

### **Report from Sub-Task Force on Ordinances**

#### Ordinance, Resolution, Policy Memo

The Task Force discussed recommendation 1, dealing with the need to have resolutions on Ordinances vetted by the appropriate village committee before presentation to Town Assembly. The purpose of this recommendation is to improve the quality of proposals to make better use of time at Town Assembly. A question concerning assignment of resolutions to the appropriate review committee was raised. After discussion it was recommended that the process be changed to refer all Ordinance proposals to the Advisory committee for assignment to a committee. The Advisory Committee or the Chair of the Advisory Committee independently of in consultation with the Advisory committee will make this assignment. The assigned committee can comment and make recommendations but does not have the power to veto a proposal. The question was raised about the procedure for repealing an ordinance. Recommendation 4 of the memo recommends that the words “*enact, amend or repeal*” be added as a parenthetical phrase in Charter Section 5(e). There was no discussion of the other recommendation for Ordinances.

A question, unrelated to the specific recommendations of the sub-Task Force, concerning the procedure for reading of proposed changes to an Ordinances was raised. The Charter states that the proposed Ordinance must be read at two consecutive Town Assembly meetings, either regular meeting or special meeting. There was a concern that in the event of a Special meeting the timeline for voting on an Ordinance resolution might be contracted. It was suggested that the wording be changed to “...and read at two consecutive meeting, whether regular or a special meeting called specifically to consider this ordinance resolution”.

#### Resolutions

Recommendations 3 under resolutions in the memo will be removed. It was agreed the need for input from town committees applies only to resolutions related to Ordinances.

#### Policies

There was a lengthy discussion about recommendation 1 concerning the need for a compilation of the policies and procedures used by Arden Village Committees and officers. There was some concern that this would place an undue burden on committees. A public record of policies

would allow for better communication within the village and greater continuity of practice as the composition of committees change. It was pointed out that a compilation and display of policies would highlight any inconsistencies across committees or with Village ordinances and that these could then be adjusted. It was suggested that only policies and procedures that affect residents outside of the committee need be published on the webpage. After discussion it was agreed that the wording of Recommendation 1 be changed to improve clarity. The new wording will be: *“The GTF recommends that a compilation of policies and procedures be created and that these be placed in the Village webpage.”*. It was agreed that the GTF recommendation should include a statement about the authority of committees to make, amend and repeal their own policies and that these changes should be reported to Town Assembly (recommendation 4).

### Ordinance 1 and 2

These ordinances had been discussed in detail at the April meeting of the full GTF. John reiterated that the committee still needs to determine if there are any parts of the code (for example, vehicle speed on Village streets) for which the Village may want to request an exemption. A lawyer needs to be consulted on this issue.

### Ordinance 3

Kate Threefoot prepared a summary of the transfer of responsibility for local service functions from the Village of Arden to New Castle County. This document was shared with the entire committee in advance of the meeting. Kate noted that “the language of Ordinance 3 is inconsistent with Title 9 Delaware Code.” According to Delaware Code, New Castle County provides Local Service Function by default. The municipality is obligated to demonstrate that it is providing a local service to receive credit from New Castle County. It is recommended that Ordinance 3 be revised to reflect this. In addition, the timeline and procedure for claiming the Local Service Function credit from New Castle County is understood by the current Chair and Treasurer but has evolved over time. It is recommended that this task and responsibility to be documented in Policies/Practices to ensure continuity over time. It was also noted that Ordinance 3 states that responsibility for trash and garbage collection is transferred to New Castle County. This part of the Ordinance should be revised. The GTF suggested that the Ordinance and Policy sub-TF revise the wording of Ordinance 3 and present this at the next GTF meeting. Finally, Part 2 of Ordinance 3 concerns the preservation of the right to employ a police force. It was recommended that this part of the ordinance be removed as this right is stated in the Charter.

### Ordinance 4

This Ordinance was reviewed by the Sub-TF. The only part of this ordinance that needs to be revised in the fines imposed for violations. This should be discussed in a more general discussion of fines and enforcement issues. Section 8 of this ordinance gives the Civic Committee the responsibility of establishing rules for the Commons. The Forest Committee

establishes rules for the Sherwood and Arden Forest. The ordinance states that “the rules should be posted in several places in the Village.” The rules are not presently posted. The Sub-TF recommends that Civic and Forest Committees be asked to do this.

### **Report from the Sub-Task Force on the Charter**

The sub-TF is still working on Section 2: Territorial Limits. There is not definitive answer as to how this should be done. The Sub-TF has also reviewed Sections 4 and 11. There are no recommendations with respect to these two sections.

The meeting was adjourned at 9:24 PM