

## GTF Meeting Minutes Thursday, December 7, 2023

Task Force Attendees: Ray Seigfried, Barbara Macklem, Lynda Kolski, Steve Benigni, Bev Clendening, John Scheflen Kate Threefoot

Guests: Jeffrey Politis, Sachin Puranik, Tom Wheeler, Warren Rosenkranz, Deborah Ricard

The meeting called to order at 7:41

Minutes from the September 28 approved without change.

### Charter Review

The goal for this meeting was to review all current suggested changes to the Charter and make final revisions. Jeff Politis sent suggestions for several section that were considered. The future plan is to send the suggestions for Charter revision to the attorney who will review them and forward comments. The Task Force will review any changes the attorney suggests and then present the document to the Town Assembly at the January Town Assembly meeting.

Preamble: no changes

Section 1: no changes

Section 2: Part B territorial additions are still not available.

Section 3:

Change "above the age of 18 years" to "18 and older"

Parts e-h the attorney has more legal definitions to share

Section 4: no changes

Section 5:

5 (a) Jeff suggested that the wording should include the possibility of virtual meeting. The current wording makes it appear that the meeting must take place in a specific public place. The committee agreed that the Charter should be worded so the possibility of virtual meeting is left open. All agreed to a change in wording to "other suitable public physical or virtual venue"

5 (a) "Mailed" changed to "delivered" and "at least 5 7 days prior thereto" changed to " ....as the state requires.

5 (b) "Mailed" changed to "delivered" and "at least 5 7 days prior thereto" changed to " ....as the state requires. Change 30 days to 45 days.

5 (e) This section applies to enacting, amending and rescinding . Change text to "Enacting, amending or repealing an ordinance shall be voted upon...." *Bev's editorial: this wording did not make sense with the rest of the sentence, I changed this to "No motion to enact, amend or rescind an ordinance of the Village shall be voted upon by the Town Assembly unless submitted to the Town Assembly in writing and read at the two consecutive meetings next preceding the meeting at which such ordinance shall be voted upon. The two meetings may be regular meetings or a special meeting called for that purpose."*

5 (f) Change text to “The Town Assembly via a majority vote of the Town Assembly meeting can call for a referendum as defined in Section 3B.”

5 (i) Question regarding seal of the Village. Decision is to leave it in.

Section 6. Discussion about the inclusion of the word officials. Officers are a subset of the officials. Chair of TA and Secretary are defined by the Charter. A recent motion at TA defines the Officers as the Chair of TA, Secretary, Treasurer and Chair of Advisory remove the phrase, “including a Treasurer.”

### Section 7 Board of Assessors

New piece of information from the lawyer: Delaware is not a home rule state where local municipalities are given a full range to govern through referendum. Arden is not a home rule municipality. We may recommend but the state assembly is the decider. Technically we could make a change to the Charter by a motion at TA meeting and have it approved by State Assembly. A referendum is not required. An ordinance is under the municipality control.

Members of the Task Force were not in agreement about changes to this section. The following compromises were agreed upon after discussion:

Essential elements from original 7a

- All of the following added to the first sentence of the NEW 7 (a) The town assembly shall elect a board of assessors, for a term of one year, no change to the number of assessors (7), a minimum of two meeting during their deliberations rather than during each year
- Add all of 7(e) and 7(f) back to the charter
- Hare system – Town Assembly should decide the methods of election. This should be in an Ordinance not in the Charter
- No change to 7g

### Section 8 Budget

First sentence of “old 8 a” needs to stay in. Move it to the first sentence of “new 8a”. The precise number of Budget committee members (5) is an essential element of the governing of the town and must stay in.

Jeffrey suggested the following changes which were accepted

- (a) **The Budget Committee shall consist of five (5) residents of the Village elected by the Town Assembly.** The Budget Committee shall prepare a budget **governing reflecting** (1) the expenditure of ~~all~~ Village funds, the use and expenditure of which are not specifically governed by Federal, State or County laws, rules and regulations; and (2) **governing** the expenditure of all monies derived from the collection of ground rents, the lawful use and expenditure of which are now and hereafter subject to the approval and consent of the residents of the Village.

### Section 9

The first and third sentences of old “a” moves before first sentence of new section “a” also the ex officio member

Section 10 -13- no changes

Section 14 - can second signature be some officer other than the secretary if necessary – officer or chair of committee; change wording to by **a second official of the Village.** ~~the Secretary of the Town Assembly.~~

New section 15 Amendments

Ray will pursue ways of recommending charter changes with the attorney. Alternately, there could be an ordinance that addresses the need for a referendum to recommend a charter change.

The current wording of this section states that changes would be approved at a TA meeting and then sent out for referendum. It was suggested that changes to the Charter could be approved by a ballot vote where ballots are sent to all residents and a decision is made based on the returned ballots. Voting could be left open for an extended period of time.

Meeting adjourned at 10:54