



"you are welcome hither"



VILLAGE OF ARDEN

TOWN ASSEMBLY

JANUARY 22, 2024

Town Meeting Minutes



Next Town Assembly for the Village of Arden – March 25, 2024, 7:30 p.m., Gild Hall
2119 The Highway, Arden, Delaware

MOTIONS/RESOLUTIONS/POLICIES

8.0 Advisory Committee Report –Sachin Purnaik

Motion: The Advisory Committee moves to allow broadcast of the Town Meetings via the web to residents of the town through 2024. **Motion Approved.**

10.0 Governance Task Force – Ray Seigfried

1st reading of Ordinance appeal: 5, 7,8, 9, 10, 12

2nd reading of Ordinance: 1 (repealed), 2 (repealed), 13

Elizabeth Varley presented **Motion:** Move to call a special town meeting to review the Charter changes with the date to be set by the Advisory Committee. **Motion Approved.**

Hand Vote

Yes – Voting to have a special town meeting 38

No - Oppose to special town meeting 15

The Motion Passes. Sachin Puranik, Advisory Chair, will call the meeting.

11.5 Community Planning – Jennifer Borders

First Reading: DRAFT REVISIONS Ordinance # 15 Registration of Vacant Dwellings and Annual Registration Fees.

11.8 Budget – Deborah Ricard

I move that should Arden’s Budget Referendum fail to be approved by a majority of eligible voters as required by the Act of Reincorporation, the last approved budget shall remain in effect until a new Budget Referendum process can be successfully completed. The new referendum process must be completed within 120 days of the rejection of the previous budget referendum. **Tabled**

13.0 New Business -Warren Rosenkranz

Motion to hold special meeting no later than 21 days from submission of petition.

Withdrawn due to the late hour and will be reintroduced at the next town meeting

TOWN ASSEMBLY REPORTS AT- A- GLANCE

5.0 Town Chair - Jeffrey Politis

- Referendum for increase school funding is set for Feb 13. Presentation to the community is scheduled January 31.
- Speed cameras Update.
- NCC hazard mitigation plan: Seeking a general sense of the Village if there is interest in pursuing backup generators for three designated community buildings are a good idea and if it makes sense to pursue grant funds.
- Assuming Jeff is elected this March, then March 2025 will mark the end of 10 years and he is planning to retire. A little over a year to find a replacement.

6.0 Trustee Report – Carl Falco

- Update: Finances & Land Rent
- New Castle County programs available to reduce your property taxes.

7.0 Treasurer’s Report – Skip Bailey

- Review of basic financial reports effective as of December 31, 2023

8.0 Advisory Committee Report –Sachin Purnaik

- Nominations for Committees & Officers
- Motion to broadcast town meeting to residents through 2024

9.0 Board of Assessors – Deborah Ricard

- Providing upcoming schedule

10.0 Governance Task Force – Ray Seigfried

- The Governance Task Force that was established in March 2022 has accomplished their task to review all government documents and present their recommendations for the Charter and ordinance that are posted to the village website in their entirety. For this town meeting they have highlighted some of the charter recommendations.

11.0 Committee Report. (Descending Order)

11.1 Safety – Simon Hamermesh

- A request has been received to petition our state senator for the installation of speed limit radar sign.
- The committee is intending to purchase and store square breakaway and green u-channel sign posts.

11.2 Registration – Elizabeth Varley

- The Registration Committee conducted the annual Budget Referendum & Assessors Election and reported election results.

TOWN ASSEMBLY REPORTS AT- A- GLANCE

- Reported results of the Special Referendum.
- The Committee will conduct the Election of Committees and Officers at the March town meeting.
- Cecilia Vore has resigned after 42 years as Registration Chair. Elizabeth Varley has been elected to serve as chair.

11.3 Playground – Mark Wood

- The required playground committee inspections have been made, and all equipment is in safe condition.
- Six “playground swing mats” have been ordered for the swings on the Village Green
- Our Approved ARPA Project was to install a new climber on Village Green which has been delivered and installed
- Playground Committee in the future will be looking into acquiring some equipment for toddlers and kindergarteners.

11.4 Forest - Co-Chair: Carol Larson & Beverly Clendening

- Updates on Invasive Management
- Tee Policy is in development.
- Update on Water Quality Master Plan:
Watershed E
E1 pervious paving for the pump path found many utilities under [ath which is a problem.
E2 small water detention facility
decided to concentrate on the larger facility and address the smaller one in future.

11.5 Community Planning – Jennifer Borders

- First Reading: DRAFT REVISIONS Ordinance # 15
- Registration of Vacant Dwellings and Annual Registration Fees.

11.6 Civic – Steven Benigni

- Clubhouse Path mostly completed.
- Installation Bioretention garden.
- Plan replacing fallen American elm trees.
- SEM contract expires Sept.
- How best to handle future snow and ice events
- The Sherwood Green to be aerated in the fall.

TOWN ASSEMBLY REPORTS AT- A- GLANCE

- Update Walt Whitman and Soldiers and Sailor’s memorial
- **11.7 BWVC - Co-Chairs Toby Ridings & Mary Young**
- Building Usage Manager, Pam Cohen, has provided her notice.
- New heat & A/C contract with Calvert.
- The BWVC was used recently for villagers who lost power.
- New exercise class
- They are celebrating its 100th anniversary this year.
- **11.8 Budget – Deborah Ricard**
- Motion to provide for continued Village spending should the annual budget referendum fail. Motion Tabled
- The Arden’s 3-Year Financial Forecast will be presented at the March Town Assembly Meeting.
- Meet the Committees sponsored by Registration Committee scheduled for February 4th.
- **11.9 Audit - Helen “Cookie” Ohlson**
- Committee met on January 11 to examine transaction. All is in order.
- **11.10 Archives – Lisa Mullinax.**
- ARPA Funds—Arden Craft Shop Museum website update
- Ongoing Activities: Afternoon with the Artist (Clair Consavage), current exhibition, Woman Artists of the Ardens 1900-1960.
- March Election update.
- **12.0 Old Business**
- The Schroeder trust document update
- **13.0 New Business**
- Motion to hold special meeting...Tabled

Attendance:

First	Last		First	Last	
Warren	Rosenkranz	1	Kathrine	Threefoot	33
Steve	Benigni	2	Carl	Falco	34
Elizabeth	Resko	3	John	Scheflen	35
Andrew	Jordan	4	Eric	Reed	36
Marianne	Cinaglia	5	Barbara Anne	Macklem	37
Deborah M	Ricard	6	William 'Skip'	Bailey	38
William	Theis	7	Lynda	Kolski	39
Ray	Seigfried	8	Sachin	Puranik	40
Simon	Hamermesh	9	Danny	Schweers	41
Elizabeth	Varley	10	Barbara	Henry	42
Kevin	Wray NV	11	Clay	Ridings	43
Steve	Tanzer	12	Toby	Ridings	44
Bob	Erenburg	13	Larry	Walker	45
Ellie	Hansen	14	Mary L	Marconi	46
Carol	DiGiovanni	15	Dorinda	Dove	47
Vicki	Scott	16	Ron	Ozer	48
Ed	Rohrbach	17	Ellen	Dolmetsch	49
Laura	Wallace	18	Terri	Lamborn	50
Lisa	Wolfe	19	Elaine	Hickey	51
Helen 'Cookie'	Ohlson	20	Grace E	Ressler	52
Mike	Curtis	21	Paul	Nolan	53
Sadi	Somerville	22	Stevie	Nolan	54
Walter	Borders	23	Garrett	Colgan-Snyder	55
Jennifer	Borders	24	Will	Hayflinger NV	56
Heidi	Hoegger	25	Eli	Rust NV	57
Susan	Stith	26	Jake	Palmer NV	58
Tom	Wheeler	27	Pam	Politis	59
Joad	Kazan	28	Jeffrey	Steen	60
Carol	Larson	29	Cecilia	Vore	61
Sally	Sharp	30	Mary	Young	62
Mike	Moran	31	Jess	Colgan-Snyder	63
Brian	Killian	32			

- 1.0 **Call to Order** - Chairman Jeffrey Politis convened the meeting to order at 7:38 P.M.
- 2.0 **Approval of Minutes:** September 25, 2023 & October 2, 2023 Town Assembly Meeting minutes were **approved** unanimously as presented.
- 3.0 **New Residents** – Welcome! Terrie Lamborn grew up in Arden and she is back.

Recognition of Departed

In MEMORIAM

We would like to pay tribute to our friends, neighbors, and love ones who we have lost this past year. This tribute is a celebration of their lives and the enduring memories they have gifted us.

Tom Holloway, Alice V. Ponte, Connee McKinney, Joanne Forsberg, Mary Lockerman. Edward Carol, Frank J Heymann, Tim Donovan, Dianna Ricci, Aaron Hamburger (Former Trustee), Robert (Bob)Stith, Phil Fisher, Joe Zebleckes (non-resident but active BWVC), Randy Hoopes, Van Taylor, Since the last town meeting we also lost:
Jack Dolmetsch, Jamie Jameson, Jeana Carey

All were welcomed to comment.

A moment of silence.

4.0 **Visitors**

- John Cartier 8th district
Based on the County Police Report- Community Vendor Report from October to present Arden remains a very safe community.
Code Enforcement Report: 1 case open.

The new train station replaces an outmoded facility built. It is officially named the Claymont McDowell Transportation Center, honoring former state Sen. Harris B. McDowell Jr., a longtime advocate for improved mass transit in the state. Its features include a parking garage with 464 spaces, two elevators and an area for bicycle parking. The adjacent surface parking area includes eight charging stations for electric vehicles. An overhead bridge will take riders to and from the northbound tracks.

John Cartier filed for 2024 reelection. He pledges to continue to be involved, sustaining, and visible with our innovative Georgist Community.

- Marcus Henry – For County Executive (marcushenryde.com)

5.0 Town Chair - Jeffrey Politis

Communications from the Chair.

Since the last town meeting....

1. We moved into 2024. Happy New Year to Everyone.
2. Reminder that the Village occasionally sends out an email. If you are not on our email distribution and wish to be, please sign up at arden.delaware.gov. The link is on the right.
3. Many of you are aware that a referendum for increase school funding is set for Feb 13. We have arranged a presentation to the community by the district to walk through the referendum request. That meeting is set for Wed, Jan 31 at 7:30 pm at the Buzz. Note that the page had the Gild Hall, but the meeting is actually at the Buzz.
4. Speed Cameras Update: Deldot published the guidelines for speed cameras in early December for review. Those guidelines can be found at https://regulations.delaware.gov/register/current_issue.shtml. I have spoken to Deldot about these guidelines and here is where things stand. Municipalities need to pass an ordinance approving the use of speed cameras on the roadway, there is a 75-day minimum requirement for leasing the equipment at a cost to be determined, but likely in the lower tens of thousands, an agreement to monitor the cameras by the organization with jurisdiction over the road is required, and a speed study within one year of the request is required showing excessive speeds. Currently, the state police has only agreed to monitor the use of speed cameras in work zones. I have asked our legislators for help getting the agreement from the state police. This is a critical approval. Deldot will not support with its resources a speed camera speed study without knowing that the state police will monitor it. We can hire a third party to do the speed study and may be able to enlist WILMAPCOs help, but that would come at our expense and I would not recommend it without the state police

approval. Additionally, I would not recommend an ordinance at this time until we truly understand the costs and process involved. Note that speed cameras are meant to be temporary. Although we don't yet know the cost, it is possible, and maybe likely, that we would not recuperate the cost of the cameras as the first month of placement drivers are issued warnings. So if the cameras provide the desired result – slowing traffic, then it is unlikely that money from speeding tickets would cover the cost of the cameras. Thus, as of today we are in a holding pattern until we get clear direction from the state police.

Many of you are aware of the efforts by the community to ensure that the Ardens are prepared for emergencies. I have been heavily involved with this effort as a resident of the town. One critical need that the group identified is to have back up power at each of our buildings that were designated in our NCC hazard mitigation plan. For the Ardens, those buildings are the Buzz Ware Village Center, the Gild Hall, and the Candlelight theatre. This would ensure that the Ardens had a least one building available for residents to go in case of a disaster to act as a reception center, place of contact, command center, etc. We recently used the Buzz in this capacity during the last outage. I bring this up tonight because we have an opportunity to get funding for this effort through a FEMA grant. The grant would provide 75% of the funding for back up generation and the Ardens/community would come up with the remaining 25%. The plan would be to have direct piped natural gas generators at the Gild Hall and the Candlelight and have battery back-up at the Buzz that can be recharged by the existing solar cells, providing back up even in the case of loss of gas pipeline pressure. The total cost are still being considered, but are likely between 120K-160K total, meaning the Ardens, through various means would need to come up with 30-40K. I am not asking for monetary approval tonight, but wanted you to be aware of the numbers. I am interested in a general sense of the Village if you think getting back up generators are a good idea and if it makes sense for us to pursue the grant.

5. It seems that Arden is not immune from the kind of discourse that is happening nationally. I have witnessed opinions stated as fact, misinformation in articles and handouts, and a general disdain, if only from a few, towards those who are working and volunteering for the benefit of the Village. It seems that in some cases, people would prefer to listen to those who are not directly involved vs those who are. Or to those who wish to be involved after the fact. Although each of you decide for yourselves how you want to behave and who you want to listen to, I would encourage you consider just that and

whether your actions are being done for the benefit of the town. It's too easy these days to get riled up and we should be mindful actions and words.

6. Along those lines, be nice tonight. Remember that those who are here tonight are like you focused on the community and things that are important to the community. Make sure you address ideas and not people. Remember that not everyone who speaks is comfortable speaking in public or at a microphone so try to be patient and hear their message as much as possible.

7. Finally, this March marks the end of my 9th year as town chair. Assuming you elect me as town chair this March, then March 2025 will mark the end of 10 years as town chair. That feels like plenty to me. Although things may change, it is highly, repeat highly unlikely that I will run again – meaning simply that you have a little over a year to find my replacement. If you are interested in talking to me about what I think Town Chair does and what the town chair will do in the future, let me know. I took over from Danny, who took over from Steven, who took over from Bill – that's as far as I go back. All of us have done the role a little differently and whoever the next town chair is, will certainly do it their way. Please consider if it is you.

8. Thank you to the forest committee for supplying refreshments.

9. A reminder that this meeting is being recorded and we ask that you please state your name when you speak.

Let's have a respectful and deliberative meeting. Thanks

So submitted
Jeffrey Politis
Town Chair, Village of Arden.

Questions/Comments

- A show of hands in order to get a sense if people are interested in owning generators for the Villages of Arden. All supported investing in generators except for 4 people.
- Need SOP standard operating procedure. All of the things are being considered CERT training, community emergency response, set up more rigorous plans, more standard practices.

- The generators will be owned by the Village of Arden.

Communications Report – Thank you!

6.0 Trustee Report – Carl Falco

Finances: Hard copies of the Trustees' quarterly financial summary are available tonight; the financial summary will also be available as a part of the Trustees Report when it is posted as part of the Town Assembly meeting minutes.

Land Rent: Land rent bills are being prepared and will be mailed the first week of February. Land rent is due March 25, 2024. Included with the land rent bills is an explanation of how the land rent amount is determined, based upon the 2023 Arden Board of Assessors Report.

Also included with the land rent bills is a reminder to leaseholders of New Castle County programs available to reduce your property taxes. The Trustees rebate the amount of the reduced tax bill to the leaseholder. Over \$47,000 was returned to leaseholders last year.

You can get information about the property tax reduction programs online or by calling New Castle County at 302-395-5520. The county personnel will help you with the application process. Please be sure you apply before the deadline of April 30th so that your tax reduction can be approved and processed for the upcoming tax year.

Leasehold transfers: Since the September Town Assembly meeting there have been no leasehold transfers.

Respectfully submitted,
Carl Falco, Trustee

Questions/Comments

Mill Lane - Storm Water Management Plan. Civic Committee is scheduled to speak to the Assessors for the March town meeting. Once they receive the actual design and survey of the amount of land, then they can address an easement and have more information about how to address the amount of land that is taken. Whether it is taken from land rent, it depends on how that works out.

Trustees Report – Thank you!

7.0 **Treasurer's Report** – Skip Bailey

The Treasurer would like to remind all Village residents that all Village financial policies, general policies and those regarding monetary gifts, investment guidelines, endowment funds, and requests for grants are all found on the Village of Arden website under Budget Committee/Finances. These policies have been and remain in place.

Review of basic financial reports

All reports are effective as of December 31, 2023.

Statement of Financial Position

Funds are in standard status.

Statement of Financial Activity

Committees, other budgeted items.

Statement of Fund Balance

All is in order.

Additional information

- \$125,000 was invested in a 5.15% 9-month CD at FCCB (First Citizens Community Bank)
- \$5,467 = Total interest from bank accounts for 2023
- \$66,811 Total increase in Fidelity investment account value for 2023 (basically Schroeder Trust)

Respectfully Submitted,
Skip Bailey, Treasurer

Treasurer Report Thank you!

8.0 **Advisory Committee Report** –Sachin Purnaik

Good evening, everyone,

At the end of this report, I will be presenting a motion to broadcast the next 3 meetings via web conference. We tested doing this last year successfully and this motion will allow us to continue the process of exploring hybrid Town Assembly meetings. I would like to state ahead of time that the motion does not allow participation, but it does allow those at home to follow along.

The Advisory Committee is charged with finding nominees for the March election. During the March 25th Town Assembly, we will vote to fill 4 Officer

positions as well as Committee positions. Two nominees are needed for every open committee position.

So far, the following are willing to serve. If any members of the Town Assembly have the names of additional nominees, are willing to serve yourself, or have a correction, please speak up now or let me or the relevant committee chair know.

Chair of the Town Assembly, one year term: Jeffrey Politis

Secretary, one year term: Liz Resko

Advisory Chair, one year term: Sachin Puranik

Treasurer, two-year term: Skip Bailey

The following committee positions are all 2-year terms:

Archives: Elaine Hickey and 3 more candidates needed

Audit: Cookie Ohlson and 1 more candidate needed

Budget: Brooke Bovard, Dan Henn, and 2 more candidates needed

Buzz Ware Village Center: 4 candidates

Civic: Carol Larson, Albert Marks, Jeffrey Steen, and 1 more candidate needed

Community Planning: David Gerbec, John Scheflen and 2 more candidates needed

Forest: Beverly Clendening, Stevie Nolan, Eric Reed, and Jeffrey Steen

Playground: Larry Walker and 3 more candidates needed

Registration: Steve Tanzer and 5 more candidates needed

Safety: 4 candidates needed

The deadline for nominations is at the end of the Advisory Committee meeting on Monday, March 4th. After that, absentee ballots will be available for those who cannot attend the March meeting of the Town Assembly. Candidates are encouraged to write a statement about why they are running. There will be instructions for posting these statements on the Arden website tomorrow. Thanks to Jess Colgan-Snyder, this year we will be having an additional event called Meet the Committees. The event is to inform residents, new and old, of the purpose of each committee and hopefully encourage participation in Town governance. As usual, a meet the candidate event will take place on March 9th.

Motion: The Advisory Committee moves to allow broadcast of the Town Meetings via the web to residents of the town through 2024. Voice Vote.

Motion passed

Speaking Against Motion:

○ Supports zoom town meeting but feels as though it needs to go beyond just broadcasting. Many reason (weather, health, age, responsibilities) why people cannot attend in person. Believes that a hybrid meeting would not restrict participation but rather increase participation. To address hand count, form a separate group that would just count zoom participants and on the floor, count continue as usual. Both can have a hand count and all can vote. Doesn't believe it is beyond the technical capabilities that are available now. Against this motion.

Speaking For the Motion

○ There are unanswered questions about access to decision making and participation for people who cannot attend (physically, work, children etc.) Believes that this is a small step in the direction towards the most basic issues of access.

○ Suggest to continue to broadcast town meeting so data can be collected to determine if there is an interest in full hybrid.

○ There were two different things they (the group formed by Advisory to look into voting via zoom) were looking at that had significant challenges for voting digitally: 1) Robert's Rules challenging people at home digitally. 2) In general, everyone would have to agree to vote digitally. That means both in-person attendance and those who zoom into meeting would all vote with a device or cell phone. Many times, a quick hand votes are all that is needed. It is not unlikely that a town meeting would have several quick hand counts but

with digital voting those quick hand counts turn into a longer process time to digitally vote. In favor of just broadcasting town meeting.

Background

○ A group was formed by the Advisory Committee (Simon Hamermesh, Deborah Richard, Jeff Politis, Liz Resko) to look into voting via zoom for town meetings. It was considered the first step in a test run in getting use to using the equipment. The June town meeting was broadcasted with two who attended via zoom. There are logistics and technical issues that need to be worked out but with more thought and with time this can be overcome. This is what was advised for the first step.

Suggestions

○ Check out other Municipalities to see how they are handling hybrid with full participation and voting.

Respectfully Submitted,
Sachin Puranik, Advisory Chair

Questions/Comments

BWVC has 2 candidates: Brooke Evans & Patric Berry.

Advisory Report – Thank you!

9.0 Board of Assessors – Deborah Ricard

The 2024 Board of Assessors includes Deborah Ricard, Denis O'Regan, Brooke Bovard, Tom Wheeler, Shana Pinter, Steven Curley and Sachin Puranik.

An organizational meeting was convened on Wednesday, November 29, 2023. Deborah Ricard was elected Chair and Brooke Bovard was elected Secretary.

Meetings are generally scheduled for the second Monday of each month at 7:30 pm in person at the Buzz Ware Village Center; attending via Zoom is an option. Our first working meeting was held Monday, January 15. The next meetings will be February 12, March 11, April 8, May 13 and June 10. Mondays, May 20 and June 17, are tentatively scheduled as extra work meetings, if needed, to complete our annual report. Public Meetings are scheduled for 7 pm on Mondays, May 13 and June 10. The Public Meetings are

opportunities to share your opinions on assessment issues. All meetings are open to the public.

The topic of discussion for each session as well as Zoom contact information is posted on the official bulletin board outside the BWVC and on the Assessors page of the arden.delaware.gov website. The Assessors welcome you to attend to hear the discussions.

Please be aware of the Brandywine Schools referendum to be held on Tuesday, February 13. This is the first Brandywine School District referendum since 2016. Learn more about this topic at brandywineschools.org/referendum. The passage of this referendum will cause land rents to increase; be informed and prepared.

Respectfully submitted,
Deborah Ricard

Board of Assessors – Thank you!

10.0 Governance Task Force – Ray Seigfried

Report to the January Town Assembly

Twenty months ago, in March 2022, the Town Assembly passed a motion to create an ad hoc Task Force to review all government documents and present our recommendations. I am pleased to inform you that our Task Force has accomplished this task. Join me in recognizing members of the Taskforce;

John Scheflen

Kate Threefoot

Beverly Clendening

Steve Benigni

Lynda Kolski

Barbara Macklem

We have not always agreed during this process, but we have always found a path forward. I encourage you to go to our web page, where we have posted our recommendations for the charter and ordinance. Let me highlight some of the charter recommendations;

- Added a Preamble
- Created gender-neutral language throughout the charter

- Added Sherwood Forest and Mill Race land purchases to our Territorial Limits
 - Added definitions of an ordinance, resolution, policy, and motion.
 - Included language for a virtual meeting
 - Defined a time limit of 45 days from receipt of notice for a special meeting
 - Clarified amendments to ordinances.
 - Transferred the process of The Board of Assessors, Budget Committee, and Registration Committee out of the charter by placing this language in an ordinance and keeping the responsibility and function of each of these in the charter. Why? Delaware, like most states, is a non-home rule state. This means that our state allows communities to request a local government charter with the approval of the General Assembly. Once approved, any ordinance made on a local level, as long as they do not conflict with state or federal law, can be made. Any changes to the charter require approval by the State General Assembly. Therefore, to give Arden greater flexibility, we recommend taking the process out of our charter into an ordinance for our control.
 - We reduced the language to allow Arden to appoint a police force if appropriate.
 - Fire Zoning and housing codes were eliminated because we follow the NCC code.
- Concurrent with the charter recommendations, changes to existing ordinances are already being processed through the Town Assembly for review, with three readings and a final vote.
- Our final recommendation is to repeal the existing Arden Bylaws to prevent conflict in government documents. Any items of importance can be transformed into an ordinance. At this time, I will turn over our recommendations to the Town Assembly for your approval.
- Ray Seigfried chair of Governance Task Force

Comments/Questions

How to move the Task Force recommendations forward?

Suggest to hold a special meeting and vote on it.

Motion Elizabeth Varley presented a Motion: Move to call a special town meeting to review the Charter changes with the date to be set by the Advisory Committee.

Hand Vote

Yes – voting to have a special town meeting 38

No - Oppose to special town meeting 15

The **Motion Passes**. Sachin Puranik, Advisory Chair, will call the meeting.

Speaking for or Against Motion

Speaking Against Motion

- Against a special town meeting because there needs to be a better process put in place going forward. There are a few extensive changes and many minor changes. Some of the extensive ones will totally change how we have done things in the past. Does not believe there is a reason to have these critical changes because they are not fixing a problem. Believes that it is critical important that the town understand what these changes are, what they mean and what the end result impact would have going forward. It will take more than one meeting to have significant discussion, gaining an understanding in order to go forward and vote. There are significant changes to the Budget, Registration and Assessors sections which are key cornerstones of what this town runs on.
- Express concern that one town meeting is not enough to discuss what has taken two plus years to put together. It is understood that there are things in the Charter that definitely need change. But if we are going to make this happen, we need to make as much information available to as many people as often as possible.
- Believes the GTF recommended that all changes to the charter be determined by referendum vote and therefore cannot have a special town meeting. This was removed last week. GTF disagrees about requiring a referendum vote. It was removed because the attorney recommended to take out Section 15 because it was incorrect. Some drastic changes were recommended by the GTF to switch some procedure/process from the Charter to an Ordinance. It would be identical language. The reason to switch it would give the Arden community more control and authority over things they want to do. If you keep the Charter with these procedures and not switch them over to an Ordinance, you would have to go to the state legislature every time the community wants to do something. The function and the responsibility of the Budget Committee and all the other committees are kept intact in our Charter.

- A series of public meetings was scheduled. Budget & Assessors attended public meeting and unanimously opposed the changes that effect their section.

Speaking for the Motion

- In favor of a special town meeting. It would be comforting if there were some kinds of assurance that they would not be altering the Charter at this meeting without a robust representative vote. The Governance Task Force has been meeting for approximately 2+years in developing these changes. They held monthly meetings in which all were welcomed to attend and participate (minutes posted to village website). They also advertised and held 6 public meetings. Only the Budget Committee and the Assessors attended those meetings that addressed their section of the changes. All reports and changes have been posted to the Village website. There is nothing that has prevented anyone from attending these meetings, reading the information provided to educate themselves. Every opportunity was available to educate themselves. The outreach, the education and the information that has been provided by the GTF has been available for all who are interested. Changes were recommended and GTG believes for the right reason.

- Support the motion but request to have the town lawyer present at the special town meeting because it is not clear that through a simple vote the Charter can be amended. Also, to have the lawyer present to ask questions about what can be legally done via a vote and what might need to be done through some other mechanism.

Note:

- Need to decide if there will be a vote at the special town meeting..
- No minutes were made available from any of the public meetings.

Read the following Ordinance into town minutes

GTF Recommendations for Ordinances- Town Assembly Meeting 01/22/2024			
Ordinance	Status	Recommendation	Rationale

Ordinances # 1 and #2: Arden Safety Code	2nd reading	Repeal Ordinances #1 and #2 and enact an ordinance for 20 mph speed limit	The full text of these two ordinances is not available; Title 21 of Delaware code covers the content of original Ordinances 1 and 2; the 20-mph speed limit is more restrictive than Title 21 specifies
Ordinance #13: Off-street Parking	2nd reading	revise; see separate sheet	
Ordinance # 5: Noise	1st reading	Repeal Ordinance #5	Ordinance # 5 The New Castle County has a noise ordinance which is comprehensive. Arden is covered by the county’s ordinance.
Ordinance # 7: Discharging Rifle, Etc., or Other Explosives	1st reading	Repeal Ordinance #7	New Castle County has an ordinance, which applies to Arden, that prohibits discharge of a firearm in northern Delaware within 200 yards of a dwelling. For Arden that would mean that discharge of a firearm is unlawful anywhere in Arden (New Castle Code Section 22.032.00). If Arden’s ordinance were to be retained it would have to be amended to add the justification defenses referenced in the State law and to clarify some of the definitions used in the Ordinance. Rather than amend Ordinance #7, it would be better to repeal it and instead to rely on the New Castle County ordinance.
Ordinance # 8: Dog Control	1st reading	Repeal Ordinance #8	Delaware State law, Title 16, Section 3048F is part of a broader law that deals with dog licensing, welfare and control and dangerous and potentially dangerous dogs. Section 3048F applies to all of Delaware, including Arden. The State law and Arden ordinance are

			similar. The primary difference is that the State law is a mandatory leash law. Arden’s ordinance does not have a leash law, but Arden's ordinance cannot override the State law.
Ordinance #9: Mini-Bikes	1st reading	Repeal Ordinance #9	There appears to be little or no value to an ordinance that merely incorporates state laws or other Arden ordinances.
Ordinance #10: Public Utilities	1st reading	Real Ordinance #10	State and county regulation and laws govern this topic.
Ordinance #12: Use of Commons	1st reading	Repeal Ordinance #12, add Sept 2010 revision date to Ordinance #4	Ordinance #12 was meant to be an amendment of Ordinance# 4. The link for this ordinance on the Arden website is the text of Ordinance #4. Ordinance #4 states the revision date of September 27, 2010. Ordinance #12 is superfluous and should be removed from the list of Ordinances.

Questions/Comments GTF Recommendations for Ordinances

Repealing of **Ordinance #1 and #2** Arden Safety Code (second reading)

- A new ordinance will be created recommending a 20-mph speed limit.

- When writing this ordinance suggest to consider pedestrian rights-of-way like the City of Newark has in place. If it is a part of the Delaware code, then you don't need to write it into Arden Ordinance but will investigate.

Ordinance #13 Off Street Parking

- Clarification about amended Ordinance in how to read it. The cross off is what was read the first time and the red text is the new wording.
- Leaseholders need to make driveways to accommodate overnight parking. The Watershed Plan encourages pervious surface; this goes against that plan.
- Consider adding to the Ordinance - if two wheels are off the road, it should not prevent safety vehicles from entering.
- Rights-of-way is an issue if you park off the street behind the curb, is that acceptable? Rights-of-way is part of Ordinance #11.

Ordinance #5 – Noise (repeal)

- Propose to keep Arden Ordinance #5 Noise even though NCC has a comprehensive noise ordinance. This will allow residents to appeal to both parties because one might be more sensitive and responsive than the other.

Ordinance #7 discharging rifle, etc., or other explosives (repeal)

- Request to confirm that projectiles, such as bow and arrow, are included in the Ordinance.

Ordinance #8 – Dog control (repeal)

- There is judicial history on dog law in Arden and the ability for Municipalities to have their own animal control laws that are considered over the county/state law. Disagree with the sentence “Arden’s ordinance cannot override the State law”. Want to make sure that Arden is not giving up their ability to govern. (GFT: If Arden had an exemption from state law, it would be in the code). Not an exemption. It was a resident who succeeded in court in defeating a violation administered by the county based on the Arden dog ordinance. In essence, they received a violation from the county. They took it to court and the judge said no, they were compliant with the Arden dog ordinance.

Ordinance #10 – Public Utility (repeal)

- Per the ordinance information that is currently posted on line “The Civic Committee should review relevant statues along with typical interactions with

utilities to determine whether or not Ordinance #10 is needed. The Civic Committee is to recommend repeal or revision of ordinance #10". The Civic Committee to date has not recommended repeal.

Ordinance #13

Off-Street Parking

Adopted June 1982; Revised June 26, 1995

Section 1. Purpose: Arden Has had a policy of encouraging leaseholders to provide off street parking ON their leaseholds. The ordinance makes this policy a requirement.

Section 2. Every leaseholder in Arden shall provide a parking place on the leasehold and off the roads and right-of-way of Arden to accommodate every vehicle regularly used by persons living on the leasehold.

Section 3. All residents must Park On the leasehold and not on the streets or right-of- way in Arden.

Section 4. Habitual overnight parking, such as three times a week, on Arden streets or rights-of-way is prohibited.

Section 5. The Safety Committee shall administer this ordinance and shall, issue up to three warning to violators of the ordinance prior to notice of prosecution. A copy of this ordinance shall be issued with the first notice of violation.

Section 6. The Safety committee with the advice of the community planning Committee may grant an exception from the requirement of this ordinance to any leaseholder the committee determines is unable to comply because of lack of land or road frontage. Such exemptions shall be in the form of a written statement to be filed with the Secretary of The Town Assembly and the Administrative Assistant to the Trustees.

Section 7. Violation of this ordinance shall be punishable by a fine of \$100.00 due within fifteen days From Notice of prosecution, payable to The Village of Arden.

Section 8. Appeals to this ordinance should be made prior to the third notice of Violation. Appeals to this ordinance after the third notice of violation will not waive the imposition of fines and costs.

GTF Recommendations

Section 4 is vague; "habitual overnight parking, such as three times a week" should be changed to a specific limit. The present wording does not address exceptions for guests or other occasional visitors who may need to park on Arden roads for short periods.

The Safety Committee should be given authority to adopt additional policies for the administration of this ordinance.

Fines should be reviewed.

Proposed Amendment to Ordinance #13

Ordinance #13

Off-Street Parking

Section 1. Purpose: Arden has had a policy of encouraging l Leaseholders are required to provide off street parking ON their leaseholds. The ordinance makes this policy a requirement.

Section 2. Every leaseholder in Arden shall provide a parking place on the leasehold and off the roads and rights-of-way of Arden to accommodate every vehicle regularly used by persons living on the leasehold. The rights-of-way on Arden street are defined in Section 7, Ordinance 11.

Section 3. All residents must park on the leasehold and not on the streets or rights-of-way in Arden.

Section 4. Daytime parking with two wheels off the road surface is allowed except where such parking is specifically prohibited. Occasional Habitual overnight parking, such as three times a week, on Arden streets or rights-of-way is prohibited to accommodate guest or business vehicles is allowed with permission from the Safety Committee.

Section 5. The Safety Committee shall administer this ordinance and shall issue up to three warning to violators of the ordinance prior to notice of prosecution. A copy of this ordinance shall be issued with the first notice of violation.

Section 6. The Safety committee with the advice of the Community Planning Committee may grant an exception from the requirement of this ordinance to any leaseholder the committee determines is unable to comply because of lack of land or road frontage. Such exemptions shall be in the form of a written statement to be filed with the Secretary of The Town Assembly and the Administrative Assistant to the Trustees.

Section 7. The Safety Committee has the authority to develop policies that govern the administration of this ordinance.

Section 7 8. Violation of this ordinance shall be punishable by a fine **that does not exceed the limits prescribed by State law** of \$100.00 due within fifteen days **F**from **N**notice of prosecution, payable to The Village of Arden.

Section 8 9. Appeals **related to violations of** this ordinance should be made prior to the third notice of Violation. Appeals to this ordinance after the third notice of violation will not waive the imposition of fines and costs.

Governance Task Force – Thank you!

11.0 Committee Report. (Descending Order)

11.1 Safety – Simon Hamermesh

The Safety Committee reports that there are no updates from the Wilmaco Steering Committee. Two in-person meetings have been held but were missed due to scheduling conflicts. The following meetings will be held remotely. We will be working hard to attend.

A request has been received to petition our state senator for the installation of a speed limit radar sign. This is being addressed and we will keep you apprised of any progress.

I hope to have more news on this at the next meeting on both these matters.

The committee is intending to purchase and store square breakaway and green u-channel sign posts as they are durable, constantly useful, and subject to fluctuating price and availability. Additionally, sign post visibility enhancements and hardware will be procured. Previous purchases have included square breakaway and green u-channel sign posts, hardware, reflective traffic signs, and a 6” Seymour ground auger.

At our previous meeting we all elected Brian Killian to this committee. Thank you, Brian, for joining us. We are grateful for your enthusiasm.

The Citizens Emergency Response Training has started while the general interest group continues to meet. Please direct inquiries to Jeffrey Politis. It is also great to see such enthusiasm. I would like to invite anyone interested in joining this committee to let me or a member of the registration committee know to place you on the ballot for the upcoming elections. We will be needing two additional candidates.

Safety Report – Thank you!

11.2 Registration – Elizabeth Varley

Fall 2023 Elections

The Registration Committee conducted the annual Budget Referendum & Assessors Election. Ballots were counted on Nov. 8 for the 2024-25 Budget Referendum and election of the Board of Assessors for 2024. There were 356 residents eligible to vote in these elections. We received 264 valid envelopes containing ballots and 2 invalid envelopes (no signature on return envelope) giving us a 74% participation.

Under the rules for approval, the budget needed 179 “yes” votes to pass. There were 4 invalid budget ballots. The votes in detail are as follows: 205 for “Approve Entire Budget,” 3 “Disapprove Entire Budget” and 48 ballots with itemized disapprovals. All items on the budget were approved. Individual disapprovals are posted on the village website and included in this report, but will not be read aloud:

Advisory Committee	0
Archives	19
Board of Assessors	1
Budget Committee	0
Civic Committee	15
Community Planning	7

Forest Committee	25
Playground Committee	22
Registration Committee	0
Safety Committee: General	16
Safety- Speed Enforcement.	12
Buzz Ware Support	10
Donations: ACRA	8
Donations: Arden Page	1
Donations: Arden Library	9
Donations: Fire Companies	3
Donations: Arden Club	20
Contingencies	20

Using the Hare System of Proportional Representation, the following residents were elected to the Board of Assessors in this order: Deborah Ricard (convener), Denis O'Regan, Brooke Bovard, Tom Wheeler; elected simultaneously: Steven Curley, Shana Pinter and Sachin Puranik.

Thank you to Rachel Brown, Simon Hamermesh, Dan Henn, Andrew Larason, Jean Mullin, Stevie Nolan, Laura Wallace and Rachelle Zazzu, who were also willing to serve and allowed their names to be placed in nomination.

Thank you to all the candidates for their thoughtful statements about themselves and their candidacy.

Results of the Special Referendum

The Special Referendum to change the amount of approval needed to pass a referendum failed. There were 158 YES votes and 101 NO votes, but under existing rules a majority of all eligible voters (179) was needed for passage.

The Registration members conducting the elections were Steve Tanzer (chief elector), Rebecca Meick, Elizabeth Varley and Cecilia Vore, plus ex-officio members Carl Falco, Rachel Kantner and Liz Resko. The committee thanks Beverly Clendening, Simon Hamermesh, Brian Killian, Shana Pinter, Deborah Ricard, Tom Wheeler and Rachelle Zazzu for assisting with the count.

Election results were posted on arden.delaware.gov and are filed in the Town Office in the Registration Committee's election records. Actual ballots are kept for one year.

The Committee will conduct the Election of Committees and Officers at the March meeting. Residents who are 18 years of age or older and who have lived in the Village for 6 months or more on March 25 are eligible to vote. Absentee voting is available for those who are unable to attend the March 25 meeting. To request an Absentee Ballot, download the Request Form at arden.delaware.gov and submit it by March 18. We also have printed copies available tonight.

You can see candidate statements and a sample ballot on the website as this information becomes available. If you are a candidate, we thank you for running and invite you to post a statement by following the link on the website.

After 42 years serving on various committees, including the past 21 years as chair of Registration, Cecilia Vore has resigned from the committee. Elizabeth Varley has been elected to serve as chair.

The committee distributed 22 Welcome packets to newcomers in 2023. If you know of newcomers, or are a newcomer and haven't received one, please contact the Committee.

You can see candidate statements and a sample ballot on the website as this information becomes available. If you are a candidate, we thank you for running and invite you to post a statement by following the link on the website. Committee member Jess Colgan-Snyder is hosting a "Meet the Committees" event at the Buzz Ware Village Center on Sunday, Feb. 4, from 2 to 4 pm. You are invited to come, have some refreshments, and learn about the committees and all they do to care for the village. We hope you'll consider running for a committee and sharing the load.

Respectfully submitted,
Steve Tanzer

Registration Report – Thank you!

11.3 Playground – Mark Wood

Since the last Town Meeting, the required playground equipment inspections have been made, and all equipment is in safe condition. Additional playground mulch was added to places where it was needed.

Six "playground swing mats" have been ordered for the swings on the Village Green, and these should arrive and be installed next month. These will be

identical to the mats already installed under the Sherwood Green swings, and they have worked out very well.

Our Approved ARPA Project was to install a new climber on Village Green to replace the existing non-compliant jungle gym. The new climber has been delivered and installed, and children regularly can be seen climbing on it.

There presently are few items of playground equipment that had been designed for children aged 3-6 years old, and the Playground Committee in the future will be looking into acquiring some equipment for toddlers and kindergarteners.

Submitted by Mark Wood, Chairman

Playground Report – Thank you!

11.4 Forest - Co-Chair: Carol Larson & Beverly Clendening

The Forest Committee election slate will include Bev Clendening, Eric Reed, Stevie Nolan, Paul Nolan, Jeff Steen and Laura Wallace.

Eric Reed (with a big assist from Jeff Politis) secured the bridge that tends to travel in high water. Thank you, Eric and Jeff.

Invasive Management: Even in the winter our work crew is still going out to work on invasive plant removal, unless it's under 30 degrees.

What is the count volunteer hours we have on invasives?

What would you like to say about your celandine project?

Would you like to add the conferences and classes that add to our ability to serve the Forest.

Tree Policy: We have a tree policy in development which is intended to coordinate tree management throughout Arden by the Civic Committee, Forest Committees and the Trust. It will include best practices for tree work, and procedures for managing tree care, with the intention of reducing costs by coordinating the work. We propose to have a panel of folks knowledgeable about trees to represent respective committees and the Trust, meet periodically and report back with advice. Anyone interested in contributing ideas to this effort watch for a public meeting to be scheduled.

Water Quality Master Plan: As proposed in the ARPA funding, we applied for and received a \$75,000 Grant for Watershed E3. BMP E3 is the largest and most effective BMP facility in the group of three projects for Watershed E.

During the design process for E1, which was previous paving for the pump path, we found that many utilities – gas lines and water lines – run under the path. Putting a facility there would be a problem if the utilities had to dig up their lines. For E2 at the corner of Wind and Mill Lanes, the plan proposed a small water detention facility. We decided to concentrate on the larger facility and address the smaller one in future.

New edition of LEAF! Living on the Edge of the Arden Forests is available for your enjoyment. Beautiful design and photographs by Lisa Wolfe.

Issues and Answers: we can address any questions or concerns you have about the Forest in this new column to be published in the Arden page.

Questions/Comments

- Water levels data for Naaman’s Creek available NCCt
- Forest Committee just secured \$75,000 for the Village. Thank you!

Forest Report – Thank you!

11.5 Community Planning – Jennifer Borders

G'Ardeners Community Garden Annual Report:

The G-Ardeners Community Garden is open to members of the Ardens community and is operated on the grounds of the Sherwood Green by volunteer members. Applications for plots will be available at the annual kick-off meeting on March 4th, 7:00 PM at the BWVC. The garden will officially open the first Saturday of Spring 3/23/24. Contact Toby Ridings and Dave Jones, Garden Reps, for further details.

In 2023, there were 16 gardeners: 11 from Arden, 4 from Ardencroft, 1 from Ardentown. The balance of carryover cash is \$272.00.

The community garden will host a talk with Madi Walter of Urban Farm Site of (DNREC) on “Planning for A Successful Season”. She will also provide info about the 2024 Urban Farmer and Gardener Mini-Grant Program that is accepting applications. This program awards up to \$3,000 to support and enhance new and existing urban farms and community gardens projects throughout New Castle County. The Community Garden is seeking funding for a tool shed and materials to build raised beds. This meeting is open to all who may be interested. February 26, 2024 at 7:00 PM at the BWVC.

Reported by G'Ardeners Community Garden representatives Toby Ridings and Dave Jones.

American Rescue Plan Act (ARPA):

We have about \$48,000 left to spend from our original grant of about \$219,000, and we need to commit to spending it before the end of 2024. The Village of Arden approved funding for four proposals in a Special Town Meeting in 2022. You can see the details of those projects on the Town's website Arden.delaware.gov. If you have an idea to benefit the Town, consider making a proposal. The new application form is at the same website. The deadline for submitting new proposals is February 16, 2024. The proposals will be reviewed by the March 2024 Arden Town Assembly, however, a special Town Meeting maybe needed depending on how many applications are received. Community Planning is again shepherding the process, but will remain neutral in the selection of projects. If you are considering applying, please let the Community Planning Committee know so that we can answer questions and help with the application by contacting us at Planning@Arden.delaware.gov. For those who have received funding but still have uncompleted projects, please aim to have your contracts lined up and expenses reported to the Town Treasurer and Community Planning Committee a week or two prior to the March Town Assembly so that we will have an accurate estimate of how much we will be able to give to the next round of projects.

The Ardens Transportation Working Group:

Progress is being made on the Ardens Transportation Plan that was approved last summer by all three Ardens. A monitoring committee has been established and is meeting monthly. Currently, Deldot is working on replacing some of the missing speed limit signs along Harvey Road. There is more information at the Wilmapco website, "Connecting with the Ardens": <http://www.wilmapco.org/ardens/>. The monitoring committee meets monthly via Zoom on first Mondays at 1:30 PM. These meetings are open to the public. Contact me or Pam Politis for a link if you would like to attend.

Introduction to the Revisions for Ordinance 15:

The Vacant Dwellings Registration Ordinance was enacted by Town Assembly more than a twelve years ago. As the members of the Planning Committee change at each election, interpretations of how to enforce it by new committee members have varied. The revisions proposed here try to create a clearer document that provides more uniform guidance for future Planning

Committees and enforce the ordinance according to the wishes of the Town Assembly.

These revisions will also help leaseholders better understand their obligations under the law and promote compliance. The Planning Committee has put in a great deal of time and consideration, over several years, into drafting the proposed changes. We have consulted with the Governance Task Force which is also looking at revisions for this and other ordinances. The proposed changes have been voted on and approved by the Community Planning Committee. Ted Rosenthal, the Town's legal counsel, has reviewed the proposed revisions and has stated that, "The most recent draft of the ordinance looks consistent with my recommendations."

Tonight, we will be doing a "first reading" of the proposed revisions to Ordinance 15. Two more readings are required at Town Meetings for these revisions to be approved. I will read the newly revised ordinance. If you would like to follow along, I will be reading from the left-hand side of the hand-out, then I will go over the changes individually, then take any questions you may have.

[Reading of Revised Ordinance 15-- see attached.]

[Review of clarifications and revisions-- see below.]

1. Clarification: Workshops, studios, guest cottages will be allowed.

Revisions clarify the approval of usage of dwellings as guest cottages, workshops, studios or lawful businesses if they are in continuous use. As has long been the practice in Arden since its founding, artisans, makers and workshops have been an important part of our community. It is Planning's opinion that we should not penalize these uses within the Vacant Dwelling Ordinance (section III.B.1).

2. Revision: Property will be considered occupied if any dwelling on leasehold is occupied, including any ADU.

Revisions allow that a property with Accessory Dwelling Units (ADU's)-- is considered occupied if any one of the dwellings or ADU's has a full-time tenant. Previously, all ADU's had to be 100% occupied creating a potential burden for leaseholders, landlords, and a headache for enforcement of this ordinance.

Section III.B.2

3. Clarification: Short-term use is defined as 90 days

Revisions define "short-term" use as a minimum of 90 days occupation per year. Previously, no time-frame was defined; this opened up the possibility that

someone could stay in a dwelling for as little time as a week or less per year and still claim it was occupied.

Section III.B.3

4. Clarification: Evidence of occupancy is more clearly defined

Revisions require that at least two in a specified list of four types of evidence of short-term occupation, for example the receipt of regular mail, or the usage (3ii), not just connection, of utilities. The previous list of evidence of short-term occupation stated that a long list "may include" certain evidence, but which evidence would constitute proof of occupancy was unclear.

Section III.B.3

5. Revision: Number of fee waivers increased from one to two

The number of waivers allowed for a vacant dwelling without incurring a fine, or fee, was increased from one to two. A waiver is typically granted by a vote of the Town Assembly if the leaseholder is renovating or attempting to sell/lease their house and needs more time. It was felt that the existing one-year maximum was too strict and could make life difficult for those selling or renovating in a multi-year process.

Section VII

More info on Vacant Dwellings Ordinance 15:

Full text of original ordinance and the proposed revised ordinance are on Arden.Delaware.gov at the Community Planning Committee page. You can also send us your comments via email at Planning@Arden.Delaware.gov

Respectfully submitted,
Jennifer Borders, CPC Chair
Attachment:

DRAFT REVISIONS Ordinance # 15
REGISTRATION OF VACANT DWELLINGS AND
ANNUAL REGISTRATION FEES

I. Purpose. The purpose of this ordinance is to require the registration of all vacant dwellings and the payment of registration fees to assist the Village of Arden in protecting the public health, safety and welfare, as well as to encourage occupancy for civic engagement in the Village of Arden; to monitor the number of vacant dwellings, to assess the effects of the condition of those dwellings on the Village, particularly in light of fire safety hazards and possible unlawful, temporary occupancy use of vacant dwellings, including illicit drug users and traffickers, and to require of the leaseholder of such vacant dwellings their registration and the payment of related fees, and to promote substantial efforts to rehabilitate such vacant dwellings. The provisions of this ordinance are applicable to the leaseholder of such vacant dwellings as set forth herein.

II. Administration. The administration of the registration of vacant dwellings and the registration fee shall be facilitated by the Village Secretary and the Community Planning Committee.

III. Definitions. The following words and phrases shall have the meanings respectively ascribed to them as follows:

A. Dwelling: A single unit providing complete, independent living facilities for one or persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. ADU's [Accessory Dwelling Units] are considered dwellings.

B. Occupied: Any dwelling, including ADUs, shall be deemed to be occupied if

1. one or more persons resides in all or any part of the dwelling, uses the dwelling as a guest cottage, workshop, studio, or lawful business under New Castle County Code, as the legal or equitable leaseholder/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same or,

2. the ADUs on a leasehold shall be deemed occupied if any dwelling on leasehold is occupied as described in section B.1 above, or,

3. a leaseholder who maintains a dwelling for short-term residential use shows evidence of periodic occupancy that exceeds, in the aggregate, ninety (90) days per year, such as leases, affidavits, or proof of insurance; and evidence offered to prove that a building is so occupied must include, but shall not be limited to at least two (2) of the following:

- i. the regular receipt of mail through the U.S. Postal Service;
- ii. proof of continual usage of standard residential utilities – electricity, water/sewage;
- iii. a valid business license;
- iv. the most recent federal or state income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy.

C. Vacant: A dwelling shall be deemed to be vacant if it is not occupied as described in section III. B.

D. Leaseholder: A leaseholder of the premises or any lesser estate therein, a mortgagee, a vendee-in-possession, assignee or rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a building subject to the provisions of this section and as set forth below.

IV. Applicability: The requirements of this ordinance shall be applicable to each leaseholder of residential property consisting of one or more vacant dwellings that shall have been vacant for more than one (1) year. Each such leaseholder shall cause to be filed a notarized registration statement, which shall include the street address and parcel number of each such vacant building, the names and addresses of all leaseholders. The registration fee(s) as required by subsection IV of this ordinance shall be billed by the Village Secretary in November and shall be paid by January 31 of each year. For purposes of this section the following shall also be applicable:

- (A) If the leaseholder is a corporation the registration statement shall provide the names and residence addresses of all officers and directors of the corporation and shall be accompanied by a copy of the most recent annual franchise tax report filed with the secretary of state;
- (B) If an estate, the name and residence address of the executor of the estate;

- (C) If a trust, the name and address of all trustees, grantors and beneficiaries;
- (D) If a partnership the names and residence addresses of all partners with an interest of ten percent or greater;
- (E) If any other form of unincorporated association the names and residence addresses of all principals with an interest of ten percent or greater;
- (F) If an individual person, the name and residence address of that individual person.

V. Registration statement and fees; local agent. If none of the persons listed, as above, is shown at an address within the state, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith.

Registration shall be required for all vacant dwellings and shall be required whenever any dwelling has remained vacant for more than one (1) year. In determining the one-year period of vacancy, the dwelling shall be considered vacant if periods of short-term use do(es) not exceed 90 days in the aggregate. In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party from compliance with any other building or housing code requirement.

One registration statement may be filed to include all vacant buildings of the owner so registering. The leaseholder of the vacant property as of November 1 of each year shall be responsible for the payment of the non-refundable registration fee. Said fee shall be billed by the Village and based on the duration of the vacancy as determined by the following scale:(i.) No fee for properties that are vacant for less than one year;
(ii.) \$500.00 for properties that are vacant for at least one year but less than two years;
(iii.) \$1,000.00 for properties that are vacant for at least two years but less than three years;
(iv.) \$2,000.00 for properties that are vacant for at least three years but less than five years;
(v.) \$3,500.00 for properties that are vacant for at least five years but less than ten years; and
(vi.) \$5,000.00 for properties that are vacant for at least ten years, plus an additional \$500.00 for each year in excess of ten years.

VI. Appeal rights. The leaseholder shall have the right to appeal the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement. On appeal, the leaseholder shall provide satisfactory evidence of occupancy, as defined in section III.

VII. Waiver of registration fee. The leaseholder shall have the right to apply for a waiver of the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement for the registration fee. A waiver of the registration fee may be granted by the Village through a majority vote at the next regular Town Assembly meeting upon application from the leaseholder within 30 calendar days from the date of the bill for the registration fee. Waivers may be granted by the Village if the leaseholder:

- (i.) Demonstrates with satisfactory proof that he/she is in the process of demolition, rehabilitation, or other substantial repair of the vacant dwelling; and

(ii.) Objectively demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant dwelling; or

(iii.) Provides satisfactory proof that he/she is attempting to sell or lease the property during the vacancy period.

(iv.) Has paid all past due vacant registration fees and all other financial obligations and debts owed to the Village which are associated with the vacant property.

With regard to an extension of a waiver only, the time period of the extension shall commence on the date of the written decision granting the extension. **A leaseholder may receive up to two waivers of registration fees for the same property.**

VIII. Delinquent registration fees as a lien. After the leaseholder is given notice of the registration fee due, except for those leaseholders that have properly perfected an appeal pursuant to subsection VI and VII above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Village, and shall constitute a lien in accordance with Title 25, Section 2901 of the Delaware Code and the Village may commence a civil action to collect such unpaid debt.

IX. Duty to amend registration statement. If the status of the registration information changes during the course of any calendar year, it is the responsibility of the leaseholder, responsible party or agent for the same to contact the Town Secretary within 30 days of the occurrence of such change and advise the Town Secretary in writing of those changes.

X. Violations; penalties. The failure or refusal for no reason of any leaseholder, or agent of a leaseholder acting on behalf of the leaseholder, to register a vacant dwelling or to pay any fees required to be paid pursuant to the provisions of this ordinance, within 30 days after they become due shall constitute a violation and will be fined in the amount of \$100.00 for each failure or refusal to register, or for each failure or refusal to pay a required vacant dwelling fee, as applicable.

ORDINANCE 15: SUMMARY of Revisions Proposed to Town Assembly 1/22/2024:

1. **CLARIFICATION:** *the use of dwellings as guest cottages, workshops, studios or lawful businesses is allowed as long as in continuous use (section III.B.1).*
2. **REVISION:** *A property with ADU('s) is considered occupied if any one of the dwellings has a full-time tenant (section III.B.2).*
3. **CLARIFICATION:** *Allowable "short-term" use is defined as a minimum of 90 days occupation per year (section III.B.3).*
4. **CLARIFICATION:** *Evidence of short-term occupation requires at least two in a list of four types of evidence (section III.B.3).*
5. **REVISION:** *The maximum number of fee waivers is changed from one to two (section VII).*

DRAFT REVISIONS Ordinance # 15 REGISTRATION OF VACANT DWELLINGS AND ANNUAL REGISTRATION FEES	EXISTING Ordinance # 15 REGISTRATION OF VACANT DWELLINGS AND ANNUAL REGISTRATION FEES
<p>I. Purpose. The purpose of this ordinance is to require the registration of all vacant dwellings and the payment of registration fees to assist the Village of Arden in protecting the public health, safety and welfare, as well as to encourage occupancy for civic engagement in the Village of Arden; to monitor the number of vacant dwellings, to assess the effects of the condition of those dwellings on the Village, particularly in light of fire safety hazards and possible unlawful, temporary occupancy use of vacant dwellings, including illicit drug users and traffickers, and to require of the leaseholder of such vacant dwellings their registration and the payment of related fees, and to promote substantial efforts to rehabilitate such vacant dwellings. The provisions of this ordinance are applicable to the leaseholder of such vacant dwellings as set forth herein.</p> <p>II. Administration. The administration of the registration of vacant dwellings and the registration fee shall be facilitated by the Village Secretary and the Community Planning Committee.</p> <p>III. Definitions. The following words and phrases shall have the meanings respectively ascribed to them as follows:</p>	<p>I. Purpose. The purpose of this ordinance is to require the registration of all vacant dwellings and the payment of registration fees to assist the Village of Arden in protecting the public health, safety and welfare, as well as to encourage occupancy for civic engagement in the Village of Arden; to monitor the number of vacant dwellings, to assess the effects of the condition of those dwellings on the Village , particularly in light of fire safety hazards and possible unlawful, temporary occupancy use of vacant dwellings by transients, including illicit drug users and traffickers, and to require of the leaseholder of such vacant dwellings their registration and the payment of related fees, and to promote substantial efforts to rehabilitate such vacant dwellings. The provisions of this ordinance are applicable to the leaseholder of such vacant dwellings as set forth herein.</p> <p>II. Administration. The administration of the registration of vacant dwellings and the registration fee shall be facilitated by the Village Secretary and the Community Planning Committee.</p> <p>III. Definitions. The following words and phrases shall have the meanings respectively ascribed to them as follows:</p>

<p>A. Dwelling: A single unit providing complete, independent living facilities for o persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. ADU’s [Accessory Dwelling Units] are considered dwellings.</p> <p>B. Occupied: Any dwelling, including ADUs, shall be deemed to be occupied if</p> <ol style="list-style-type: none"> 1. one or more persons resides in all or any part of the dwelling as a guest cottage, workshop, studio, or lawful New Castle County Code, as the legal or equitable leaseholder/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same or, <ul style="list-style-type: none"> o No zoom, in-person only 2. the ADUs on a leasehold shall be deemed occupied if any dwelling on leasehold is occupied as described in section B.1 above, or, 3. a leaseholder who maintains a dwelling for short-term residential use shows evidence of periodic occupancy that exceeds, in the aggregate, ninety (90) days per year, such as leases, affidavits, or proof of insurance; and evidence offered to prove that a building is so occupied must include, but shall not be limited to at least two (2) of the following: <ol style="list-style-type: none"> i. the regular receipt of mail through the U.S. Postal Service; ii. proof of continual usage of standard residential utilities – electricity, water/sewage; iii. a valid business license; iv. the most recent federal or state income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy. <p>C. Vacant: A dwelling shall be deemed to be vacant if it is not occupied as described in section III. B.</p>	<p>A. Dwelling: A single unit providing complete, independent living facilities for one or persons, including permanent provisions for living, sleeping, eating cooking and sanitation. ADUs [Accessory Dwelling Units] are considered a dwelling.</p> <p>B. Occupied: Any dwelling shall be deemed to be occupied if</p> <ol style="list-style-type: none"> 1. one or more persons actually resides in all or any part of the primary dwelling or conducts a lawful business as the licensed business occupant, or as the legal or equitable leaseholder/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same or, 2. 100% of any leaseholder ADU’s are occupied as described in section 1 <p>or,</p> <ol style="list-style-type: none"> 3. a leaseholder who maintains a dwelling for transient use shows evidence of continual periodic occupancy, such as leases, affidavits, or proof of insurance for this use. 4. Evidence offered to prove that a building is so occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services, a valid business license, or the most recent federal or state income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy. <p>C. Vacant: A dwelling shall be deemed to be vacant if</p> <ol style="list-style-type: none"> 1. no person or persons actually, currently resides in or conducts a lawfully licensed business in any part of the building as the legal or equitable leaseholder or tenant-occupant(s), or leaseholder occupants, or tenant(s) on a permanent, nontransient basis or, 2. less than 100% of any leasehold ADUs are occupied as described in section 1or, 3. a leaseholder who maintains a dwelling for transient use has a period between occupancies of more than 12 months and/or cannot provide evidence of lease affidavits or proof of insurance for this use.
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<p>I. I.</p> <p>D. Leaseholder: A leaseholder of the premises or any lesser estate therein, a mortgagee, a vendee-in-possession, assignee or rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a building subject to the provisions of this section and as set forth below.</p> <p>IV. Applicability: The requirements of this ordinance shall be applicable to each leaseholder of residential property consisting of one or more vacant dwellings that shall have been vacant for more than one (1) year. Each such leaseholder shall cause to be filed a notarized registration statement, which shall include the street address and parcel number of each such vacant building, the names and addresses of all leaseholders. The registration fee(s) as required by subsection IV of this ordinance shall be billed by the Village Secretary in November and shall be paid by January 31 of each year. For purposes of this section the following shall also be applicable:</p> <p>(A) If the leaseholder is a corporation the registration statement shall provide the names and residence addresses of all officers and directors of the corporation and shall be accompanied by a copy of the most recent annual franchise tax report filed with the secretary of state; (B) If an estate, the name and residence address of the executor of the estate;</p> <p>(C) If a trust, the name and address of all trustees, grantors and beneficiaries;</p> <p>(D) If a partnership the names and residence addresses of all partners with an interest of ten percent or greater;</p> <p>(E) If any other form of unincorporated association the names and residence addresses of all principals with an interest of ten percent or greater;</p> <p>(F) If an individual person, the name and residence address of that individual person.</p> <p>V. Registration statement and fees; local agent. If none of the persons listed, as above, is shown at an address within the state, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health safety or welfare and for purposes of service of any and all</p>	<p>D. Leaseholder: A leaseholder of the premises or any lesser estate therein, a mortgagee, a vendee-in-possession, assignee or rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation that is directly or indirectly in control of a building subject to the provisions of this section and as set forth below.</p> <p>IV. Applicability: The requirements of this ordinance shall be applicable to each leaseholder of residential property consisting of one or more vacant dwellings that shall have been vacant for more than one (1) year. Each such leaseholder shall cause to be filed a notarized registration statement, which shall include the street address and parcel number of each such vacant building, the names and addresses of all leaseholders. The registration fee(s) as required by subsection IV of this ordinance shall be billed by the Village Secretary in November and shall be paid by January 31 of each year. For purposes of this section the following shall also be applicable:</p> <p>(A) If the leaseholder is a corporation the registration statement shall provide the names and residence addresses of all officers and directors of the corporation and shall be accompanied by a copy of the most recent annual franchise tax report filed with the secretary of state;</p> <p>(B) If an estate, the name and residence address of the executor of the estate;</p> <p>(C) If a trust, the name and address of all trustees, grantors and beneficiaries;</p> <p>(D) If a partnership the names and residence addresses of all partners with an interest of ten percent or greater;</p> <p>(E) If any other form of unincorporated association the names and residence addresses of all principals with an interest of ten percent or greater;</p> <p>(F) If an individual person, the name and residence address of that individual person.</p> <p>V. Registration statement and fees; local agent. If none of the persons listed, as above, is shown at an address within the state, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health safety or welfare and for purposes of service of any and all</p>
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<p>notices or registration statements as herein authorized and in connection herewith.</p> <p>Registration shall be required for all vacant dwellings and shall be required whenever any dwelling has remained vacant for more than one (1) year. In</p> <p>determining the one-year period of vacancy,</p> <p>vacant if periods of short-term use do(es) not exceed 90 days</p> <p>In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party from compliance with any other building or housing code requirement.</p> <p>One registration statement may be filed to include all vacant buildings of the owner so registering. The leaseholder of the vacant property as of November 1 of each year shall be responsible for the payment of the non-refundable registration fee. Said fee shall be billed by the Village and based on the duration of the vacancy as determined by the following scale:</p> <ul style="list-style-type: none"> (i.) No fee for properties that are vacant for less than one year; (ii.) \$500.00 for properties that are vacant for at least one year but less than two years; (iii.) \$1,000.00 for properties that are vacant for at least two years but less than three years; (iv.) \$2,000.00 for properties that are vacant for at least three years but less than five years; (v.) \$3,500.00 for properties that are vacant for at least five years but less than ten years; and (vi.) \$5,000.00 for properties that are vacant for at least ten years, plus an additional \$500.00 for each year in excess of ten years. <p>VI. Appeal rights. The leaseholder shall have the right to appeal the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement. On appeal, the leaseholder shall provide satisfactory evidence of occupancy, as defined in section III.</p> <p>VII. Waiver of registration fee. The leaseholder shall have the right to apply for a waiver of the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement for the registration fee. A waiver of the registration fee may be granted by the Village through a majority vote at the</p>	<p>notices or registration statements as herein authorized and in connection herewith.</p> <p>Registration shall be required for all vacant dwellings, and shall be required whenever any dwelling has remained vacant for more than one (1) year or more. In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner agent or responsible party from responsibility for compliance with any other building or housing code requirement.</p> <p>One registration statement may be filed to include all vacant buildings of the owner so registering. The leaseholder of the vacant property as of November 1 of each year shall be responsible for the payment of the non-refundable registration fee. Said fee shall be billed by the Village and based on the duration of the vacancy as determined by the following scale:</p> <ul style="list-style-type: none"> (i.) No fee for properties that is vacant for less than one year; (ii.) \$500.00 for properties that are vacant for at least one year but less than two years; (iii.) \$1,000.00 for properties that are vacant for at least two years but less than three years; (iv.) \$2,000.00 for properties that are dwelling vacant for at least three years but less than five years; (v.) \$3,500.00 for properties that are vacant for at least five years but less than ten years; and (vi.) \$5,000.00 for properties that are vacant for at least ten years, plus an additional \$500.00 for each year in excess of ten years. <p>VI. Appeal rights. The leaseholder shall have the right to appeal the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement. On appeal, the leaseholder shall provide satisfactory evidence of occupancy, as defined in section III.</p> <p>VII. One time waiver of registration fee. The leaseholder shall have the right to a waiver of the imposition of the registration fees to the Village upon written notification to the Town Secretary no later than 30 calendar days from the date of the billing statement. A one-time waiver of the registration fee may be granted by the Village through a majority vote at the next regular meeting</p>
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<p>next regular Town Assembly meeting upon application from the leaseholder within 30 calendar days from the date of the bill for the registration fee.</p> <p>Waivers may be granted by the Village if the leaseholder:</p> <ul style="list-style-type: none"> (i.) Demonstrates with satisfactory proof that he/she is in the process of demolition, rehabilitation, or other substantial repair of the vacant dwelling; and (ii.) Objectively demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant dwelling; or (iii.) Provides satisfactory proof that he/she is attempting to sell or lease the property during the vacancy period. (iv.) Has paid all past due vacant registration fees and all other financial obligations and debts owed to the Village which are associated with the vacant property. <p>With regard to an extension of a waiver only, the time period of the extension shall commence on the date of the written decision granting the extension. A leaseholder may receive up to two waivers of registration fees for the property.</p> <p>VIII. Delinquent registration fees as a lien. After the leaseholder is given notice of the registration fee due, except for those leaseholders that have properly perfected an appeal pursuant to subsection VI and VII above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Village, and shall constitute a lien in accordance with Title 25, Section 2901 of the Delaware Code and the Village may commence a civil action to collect such unpaid debt.</p> <p>IX. Duty to amend registration statement. If the status of the registration information changes during the course of any calendar year, it is the responsibility of the leaseholder, responsible party or agent for the same to contact the Town Secretary within 30 days of the occurrence of such change and advise the Town Secretary in writing of those changes.</p> <p>X. Violations; penalties. The failure or refusal for no reason of any leaseholder, or agent of a leaseholder acting on behalf of the leaseholder, to register a vacant dwelling or to pay any fees required to be paid pursuant to the provisions of this ordinance, within 30 days after they become due shall constitute a violation and will be fined in the amount of \$100.00 for each failure or refusal to register, or for each failure or refusal to pay a required vacant dwelling fee, as applicable.</p>	<p>upon application from the leaseholder within 30 calendar days from the date of the bill for the registration fee. Waivers may be granted by the Village if the leaseholder;</p> <ul style="list-style-type: none"> (i.) Demonstrate with satisfactory proof that he/she is in the process of demolition, rehabilitation, or other substantial repair of the vacant dwelling; and (ii.) Objectively demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant dwelling; or (iii.) Provides satisfactory proof that he/she is attempting to sell or lease the property during the vacancy period. (iv.) Has paid all past due vacant registration fees and all other financial obligations and debts owed to the Village which are associated with the vacant property. <p>With regard to an extension of a waiver only, the time period of the extension shall commence on the date of the written decision granting the extension and, in no event shall an extension exceed one year. An extension of a waiver shall only be granted once.</p> <p>VIII. Delinquent registration fees as a lien. After the leaseholder is given notice of the registration fee due, except for those leaseholders that have properly perfected an appeal pursuant to subsection VI and VII above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Village, and shall constitute a lien in accordance with Title 25, Section 2901 of the Delaware Code and the Village may commence a civil action to collect such unpaid debt.</p> <p>IX. Duty to amend registration statement. If the status of the registration information changes during the course of any calendar year, it is the responsibility of the leaseholder, responsible party or agent for the same to contact the Village Secretary within 30 days of the occurrence of such change and advise the Town Secretary in writing of those changes.</p> <p>X. Violations; penalties. The failure or refusal for no reason of any leaseholder, or agent of a leaseholder acting on behalf of the leaseholder, to register a vacant dwelling or to pay any fees required to be paid pursuant to the provisions of this ordinance, within 30 days after they become due shall constitute a violation and will be fined in the amount of \$100.00 for each failure or refusal to register, or for each failure or refusal to pay a required vacant dwelling fee, as applicable.</p>
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Questions/Comments

- o B1 - Concern about “uses the dwelling as a guest cottage, workshop, studio, or lawful business”. Does that open up the Ardens to the situation

where a cottage purchased by an outside person who turns it into their personal studio and removes it from the Arden books? Then it becomes a lot of non-Arden residents owning studios in the Village. Suggest amending ordinance to read Arden residents only.

Community Planning Report – Thank you!

11.6 Civic – Steven Benigni

- There are currently three candidates for the two open Civic Committee positions for the March elections: Carol Larson, Albert Marks, and Jeffrey Steen. We need at least one additional candidate for the village to be able to fill these two positions. Please consider placing your name on the ballot and joining us in our important work of managing the village’s public works tasks and projects.
- If committee membership is not for you, we can always use volunteer help with the many routine tasks and special projects that come up. Let us know if you might be willing to lend a hand.
- Work on the excavation and repaving of the Clubhouse Path has been mostly completed. We will plant appropriate vegetation along the path in the spring. The project is being funded by a matching DNREC Outdoor Recreation and Trails Project (ORPT) grant. Thanks to the residents and leaseholders along the path for their cooperation and to the volunteers who helped clear the bamboo.
- As the Forest Committee reported, the Village’s application for a DNREC Community Water Quality Improvement Grant has been approved. The grant money will be combined with village ARPA money to fund the installation of a bioretention garden along Mill Road in Watershed E of the village’s Water Quality Master Plan.
- The Forest Committee also reported on the establishment of a village Tree Policy. The Civic Committee is participating in its development and implementation. We welcome others in our community to participate in this ongoing project.

- We are pursuing Delaware state tree grant funding to replace the fallen American elm trees on the Village Green with an appropriate substitute. The elms split as they grew due to what we assume was a genetic weakness in that particular elm hybrid.
- Representatives from the three villages met to discuss trash, recycling, and yard waste removal options for when our three year contract with SEM, formerly Trash Tech, expires in September. SEM is waiting for information from the Delaware Solid Waste Authority on possible landfill rate hikes before they prepare a proposal to the Ardens. The village representatives also discussed service issues, including commingling of yard waste with household trash and fluid leakage onto the roadways.
- A reminder that if you have trash, recycling, or yard waste service issues involving your leasehold, you should contact SEM customer service. (The number is on the trash can.) Report problems involving multiple leaseholds or repeated issues to the Civic Committee. Please remember to follow the guidelines listed on the trash/recycling information sheet available here and online. For example, recycling and yard waste should not be placed in plastic bags.
- An updated quarterly trash schedule has been posted on the village website. FYI: This week is a yard waste week.
- Before and during snow events like the ones this past week, the Civic Committee is in communication with our contractor to determine a course of action to clear and treat our roadways. Afterwards we review and evaluate to see how we can best handle future snow and ice events.
- The Village and Sherwood Greens were aerated this fall.
- We've had a few broken street signposts that will soon be repaired or replaced.
- The committee is working to clarify guidelines as to what may be posted on village bulletin boards.

- A reminder to keep an eye on nearby stormwater catch basins and help keep the grates cleared of debris.
- Work towards marking the Walt Whitman and Soldiers and Sailors' Memorials is proceeding. The Archives committee has been fruitfully contacted to get background information about the memorials. Under consideration is the installation of a bronze plaque at each location. Archives will be consulted before any purchase. The plaques would solve the problem of where the memorials are actually located and what constitutes the memorial.
- Additional work would be to restore the Soldiers and Sailors Memorial yardarm. It still exists, but in a decrepit condition. Making lemonade out of lemons, a suitable mast fell into the Civic Committee's "lap" during a recent storm that toppled an eastern red cedar tree trunk into the utility lines nearby. Work on the concrete base would be needed to see if it still suitable as a base.
- Of note, in just over a year, the Village will celebrate its 125th anniversary. Installing the plaques and restoring the yardarm would reaffirm our memory of Walt Whitman and the support for the men and women in the armed forces, past and present, and independent of our government's policy or who is in office.
- Monthly meetings of the Civic Committee are held on the fourth Wednesday at 7:30 at the Buzz Ware Village Center. Zoom access information is posted on the Civic Committee web page.
- We continue to receive suggestions and concerns through our civic@arden.delaware.gov email account. We appreciate your input and will continue to address these issues as they arise.

Respectfully Submitted,
Walt Borders for the Civic Committee

Questions/Comments

The committee thanked Archives for all their help in researching Soldier & Sailors Memorial.

- Wood post will be used for the replacement of street signs.
- The Club path received public money and the changes are ADA compliant.

Civic Report – Thank you!

11.7 BWVC - Co-Chairs Toby Ridings, Mary Young

Overall, things continue to go well at the Buzz. We have a great team among our committee members and staff and are proud to continue to host many great community and rental events.

Website Communications

We encourage the use of website communications with the BWVC – ArdenBuzz.com - for any meetings, rentals or community events. This is an efficient way for all the committee and staff to be apprised of upcoming events and/or ideas.

For all government meeting cancellations or changes - please give 24-hour notice. This ensures that our paid staff does not spend unnecessary time on set-up, etc. if meeting dates are changed.

We are sad to announce that our Building Usage Manager, Pam Cohen, has provided us with her notice. She has done a wonderful job in her role at the Buzz and we thank her for all of her efforts. We are currently actively seeking candidates to fill this position. Please let us know if you have any interest or know someone who does.

Maintenance/Repairs

The Buzz has entered into a new heat & A/C contract with Calvert to ensure that we are appropriately maintaining all of our building's HVAC systems.

Comfort Zone

The BWVC was used recently for villagers who lost power to charge their phones, stay warm and connect with others.

Programing

The Buzz is host to a new exercise class with Joan Phipp, adjunct dance professor at Cabrini University. She teaches dance, dance history and stress

management. This class helps students to build better balance, enhance mobility, and be more energized. It by donation Tuesday mornings at 10:00AM.

Keep apprised of all our regular programming, events and classes in the Page and on our website at ArdenBuzz.com.

The BWVC Building is celebrating its 100th anniversary this year --- the Cornerstone reads 1924. We are currently exploring ideas to celebrate this milestone, so stay tuned!

Buzz Ware Village Report – Thank you!

11.8 Budget – Deborah Ricard

I want to thank Co-Chair Garrett Colgan-Snyder, Secretary Vicki Scott, Bob Erenburg and David Gerbec for serving on the Budget Committee and meeting via Zoom on the third Thursday of most months. Our committee appreciates the insight and assistance that have been received from Treasurer Skip Bailey, Senior Trustee Carl Falco and Chair of Town Assembly Jeffrey Politis as work on Arden's 3-Year Financial Forecast begins. This annually updated document will be presented at the March Town Assembly Meeting.

At this time committee members David Gerbec and Vicki Scott are recognized for their dedication and service on the Budget Committee. David has served as spreadsheet master and Vicki as Secretary. Both David and Vicki have expiring terms and have decided not to run for re-election.

The Budget Committee is currently seeking candidates to complete Budget's slate in the March elections. Currently Dan Henn and Brooke Bovard have thrown their hats in the ring. A minimum of 2 additional candidates is needed. Kindly contact Advisory Chair Sachin Puranik or speak to any member of the Budget Committee if you have an interest in joining this team. All Arden residents are encouraged to attend Meet the Committees sponsored by Registration Committee member Jessica Colgan-Snyder on Sunday, February 4, at the Buzz Ware Village Center. This is an opportunity to learn what all the committees, including Budget, do to keep our government running smoothly. I hope to see many of you at that event.

Finally, due to the lateness of the hour and the dwindling group remaining, Budget Committee withdraws its motion tonight to provide a failsafe allowing our village to continue financial operations into the new fiscal year in the event an annual Budget Referendum fails.

Respectfully submitted,
Deborah Ricard

Questions/Comments

○ Ray commenting on the motion that was tabled. According to the town Charter, the budget with any amendment hereto, shall be approved by town assembly and submitted to general referendum for the residents of the Village. The budget if approved by majority of the residents of the Village, shall govern the use and expenditures of all monies herein during the fiscal year. What that means is it would render the Budget's motion in conflict. He suggest withdrawing the motion. Governance Task Force and the Budget Committee will meet to discuss further.

Budget Report – Thank you!

11.9 Audit - Helen "Cookie" Ohlson

Deborah Richard read the report
Cookie Ohlson, Debbie Ricard and Laura Wallace, with the attendance of Skip Bailey, town treasurer, met on January 11 to examine Arden's quarterly vouchers, invoices, and investments. All is in order.

Cookie Ohlson,
Chair, Audit Committee

Questions/Comments

Will address at next meeting to discuss developing a policy for an external audit every 3 or 5 years.

Audit Report – Thank you!

11.10 Archives – Lisa Mullinax

Barbara Macklam read the report
ARPA Funds—Arden Craft Shop Museum website update

We have submitted a detailed budget to Community Planning. The update will consist of an updated look and feel with an emphasis on images rather than text, easier navigation and better access to the collections via a PastPerfect Online portal. (PastPerfect is the software we use to catalog and manage the collections. We already have a license for this software, we just need to upgrade to share selected content online.) Updates to site content can be made by the committee. Also, the committee and volunteers are doing the lion's share of collecting content and images, site mapping and copy writing.

Ongoing Activities.

Our next Afternoon with the Artist will be Sunday, February 11, 1 to 3 p.m. We are featuring the multimedia works of Arden Artisans Collective member Clair Consavage. Our past 3 events have been well-attended and we are thrilled to showcase our local artists in this venue, now quarterly, maybe more often in the future.

Our wonderful current exhibition, Woman Artists of the Ardens 1900-1960 will continue through October 2024.

March Election.

We have 2 committee members up for election in March. Elaine Hickey will be running again, Barbara Henry will not. (But she will continue to volunteer. Thank you, Barbara!)

Regular museum hours are Sunday, 1 to 3 p.m. and Wednesday, 7:30 to 9 p.m. You are welcome hither!

Respectfully submitted,
Lisa Mullinax

Archives Report – Thank you!

12.0 Old Business - The Schroeder trust document has gone through the last review with the town's attorney. It will be reviewed one more time and then posted. The Arden chair will send out an email notice when posted to the Village website for public viewing. He is planning on having a discussion about it at the March or June town meeting. The settlement of the lawsuit was to put the Schroeder money into a trust. A trust document has been drawn up in which the town assembly would vote on it and money movement through a referendum.

13.0 New Business

Motion to hold special meeting no later than 21 days from submission of petition.
Withdrawn due to the late hour and will be reintroduced at the next town meeting. 3

14.0 Good & Welfare

- Kevin thanked the community for their help with the flooding in his apartment from the storm.
- Deborah Ricard thinks everyone should give themselves a hand for staying to the end of this town meeting due to the late time.

15.0 Motion to Adjourn 11:25 P.M.

Respectfully Submitted,
Elizabeth Resko, Village of Arden Town Secretary

Postcard reminders and agenda will be mailed prior to next Town Assembly meeting
Those attending Town Meetings are eligible to vote are 18 years of age, or older

All are welcome hither
Attachments next page

Trustees of Arden	
Financial Report	
Town Meeting January 22, 2024	
Current Assets as of December 31, 2023	
Schroeder Bequest (Arden B&L)	\$ 21,243
Schroeder Bequest (Vanguard)	236,632
Trust Reserve (Arden B&L)	103,428
Trust Reserve (Vanguard)	33,310
M & T Checking Account	<u>71,165</u>
Total Cash & Equity	\$ 465,777
Accunts Receivable	<u>49,967</u>
Total Current Assets	\$ 515,744
Income & Expenses	
Income Mar 25, 2023 - December 24, 2023	
Land Rent	\$ 777,922
Other Income-All Sources	21,875
Total 2023-24 Income YTD	\$ 799,797
Expenses Mar 25, 2023 - December 24, 2023	
Village of Arden	\$ 200,000
Trust Administration*	18,982
New Castle County and School Tax	481,966
Tax Rebates to Leaseholders	47,158
Total 2023-24 Expenses YTD	\$ 748,106
Surplus or (Deficit)	\$ 51,691
*(Salary, Payroll Tax, Legal, Audit, Bookkeeping, Office Rent, Operations)	

UNAUDITED
FOR DISTRIBUTION
AND DISCUSSION
PURPOSES ONLY
FOR ARDEN
TOWN ASSEMBLY

Village of Arden
Statement of Financial Activity
As of December 31, 2023

	<u>9/25/23- 12/31/23</u>	<u>Budget</u>	<u>% to Budget</u>	
Revenue				
4000 - Transfer from Trustees - Land Rent	200,000	201,878		
4100 - Donations, grants, rentals	39,602	30,000		
4510 - Franchise Fee Receipts	18,898	15,100		
4900 - Interest Income	4,039	1,500		
Total Revenue	260,540	248,478		
Expenses				balance left in budget
6000 - Payroll & Payroll Taxes	15,645	20,700	75.58%	5,055
6300 - Administrative Expenses	20,481	40,150	50.98%	19,669
8000 - Committee Expenses - see detail below	42,883	84,300	50.87%	41,417
8010 - Contributions & Donations	5,800	5,800	100.00%	-
Contingency Fund	0	10,000	0.00%	10,000
8030 - Trash Service	52,295	69,278	75.49%	16,983
Total Expense	137,084	230,228	59.54%	93,144
Surplus (deficit)	123,456	18,250		
Committee	Actuals YTD	Budget		balance left in budget
Advisory	0	100		100
Archives	1,759	1,800	97.72%	41
Board of Assessors	0	100	0.00%	100
Budget	0	100	0.00%	100
Buzz Ware - Renovation Fund	0	2,000	0.00%	2,000
Buzz Ware - general operating support	0	5,000	0.00%	5,000
Civic	35,714	58,000	61.58%	22,286
Community Planning	0	500	0.00%	500
Forest	5,009	8,000	62.61%	2,991
Playground	401	4,000	10.03%	3,599
Registration	0	300	0.00%	300
Safety	0	4,400	0.00%	4,400
	42,883	84,300	50.87%	41,417

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Village of Arden
Statement of Financial Position
As of December 31, 2024

		Notes
Checking/Savings		
TD/FCCB Banks Checking Account	96,452	includes \$500.96 TD bank Buzzware Debit Card
1010 - Municipal Street Aid Checking Account	15,660	
1010 - FCCB Money Market Account	353,872	
1010 - TD Bank Money Market Account	996	
1010 - FCCB 9 month CD	125,000	
1032 - Arden Building & Loan	32,310	
1050 - Fidelity Investments - net value @ 12-31-23	475,412	Schroeder Bequest - initial investment \$301,002
Total Cash	1,099,702	
 LIABILITIES		
2000 - Accounts Payable, Current Liabilities, PR Tax Payable	-	
 FUND BALANCES		
Buzz Ware Renovation Fund	49,618	
J Schroeder Bequest	475,663	
Memorial Garden	12,588	
Municipal Street Aid	5,160	
Capital Maintenance Fund	30,000	
Village - cash available to meet budgeted expenses @ 8-31-23	282,506	
Vacant Dwelling Fund	32,481	
Delaware Invasive Species Council Grant	-	
Playground Grant	7,108	
ARPA Funds	204,578	

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Special Village Funds

	Buzz Ware	Buzz renovation	J. Schroeder Bequest	Memorial Garden	MSA	Capital Maint Repair Fund	Vacant Dwelling Fund	Playground Grant	Total ARPA Funds	ARPA Sewer Upgrade	ARPA Playground Equipment	ARPA Archives Internet Upgrade	ARPA Stormwater Management
3/25/23- 12/31/23													
Revenue													
4000 - General Funds - Village	-	-	-	-	-	-	-	-	-	-	-	-	-
4010 - Donations	-	7,472	-	1,405	-	-	-	-	-	-	-	-	-
4100 - Program Donations	5,530	-	-	-	-	-	-	-	-	-	-	-	-
4300 - Grants	-	-	-	-	18,331	-	-	-	-	-	-	-	-
4400 - Rentals	25,095	-	-	-	-	-	-	-	-	-	-	-	-
4520 - Vacant Property Registration Fees	-	-	-	-	-	-	-	-	-	-	-	-	-
4800 - Interest & Dividend Income	-	-	-	-	-	-	-	-	-	-	-	-	-
SREC	-	-	-	-	-	-	-	-	-	-	-	-	-
9900 - Unrealized loss on Investments	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenue	30,725	7,472	-	1,405	18,331	-	-	-	-	-	-	-	-
Expenses													
6000 - Payroll & Payroll Taxes	18,877	-	-	-	-	-	-	-	-	-	-	-	-
6300 - Administrative Expenses	255	-	-	-	-	-	-	-	-	-	-	-	-
6310 - Janitorial Supplies	473	-	-	-	-	-	-	-	-	-	-	-	-
6320 - Printing Expenses	389	-	-	-	-	-	-	-	-	-	-	-	-
6500 - Equipment Purchases	128	-	-	-	-	-	-	20,880.00	-	-	-	-	
6520 - Professional Fees - Other	-	-	-	-	-	-	-	-	-	-	-	18,620	
7020 - Utilities (gas, electric, water, telephone)	3,726	-	-	-	-	-	-	-	-	-	-	-	
7060 - Licenses/Permits/Fees/Name/monitoring	-	-	-	-	-	-	-	-	-	-	-	-	
7070 - Alarm monitoring	215	-	-	-	-	-	-	-	-	-	-	-	
7600 - Renovations	2,572	2,855	-	-	-	-	-	-	-	-	-	-	
7600 - Repairs & Maintenance	833	2,794	-	-	-	-	-	-	-	-	-	-	
8000 - Program Expenses	3,662	255	-	-	-	-	-	-	1,475	8,921	-	-	
8010 - Contributions & Donations	-	-	-	-	-	-	-	-	-	-	-	-	
8030 - Trash Service	-	-	-	-	-	-	-	-	-	-	-	-	
8040 - Tree Service	-	-	-	-	-	-	-	-	-	-	-	-	
8050 - Road Maintenance	-	-	-	-	24,000	-	-	-	-	-	-	-	
8060 - Ground Maintenance (mowing, etc)	-	-	-	-	-	-	-	-	-	-	-	-	
9000 - Debt Service	31,130	-	-	-	-	-	-	-	-	-	-	-	
Total Expense	31,130	5,904	-	-	24,000	-	-	20,889	1,475	8,921	-	18,620	
Surplus (Deficit)	348	1,569	-	1,405	(5,669)	-	-	(20,889)	(1,475)	(8,921)	-	(18,620)	
Carried forward fund balance	0	48,049	475,663	11,183	10,829	30,000	32,481	27,997	211,128	9,110	7,875	15,000	135,400
Fund balance		49,618	475,663	12,588	5,160	30,000	32,481	7,108	39,317	7,635	954	15,000	116,780