

The regular meeting of the **September 2024** Village of Ardentown was convened at 7:30 pm on **Monday, September 9, 2024**, in person in the Candlelight Theater. Melissa Parsonson, Town Chair, presiding. A quorum was present.

In Attendance:

- | | | | |
|---------------------|-----------------------|-------------------------|-----------------------|
| 1. Anne Lutz | 13. Lindsey Sherwood | 24. Michael Pione | 35. Jessica Riggelman |
| 2. Cindy Cohen | 14. Melissa Parsonson | 25. Oliver Gutsche | 36. Brandon Paris |
| 3. Steve Cohen | 15. Bethany Rees | 26. Lisa Wilson Riblett | 37. Michael Tanis |
| 4. Mhairi Craig | 16. Jill Emery | 27. Joan Fitzgerald | 38. Annie Gutsche |
| 5. Alison Wakelin | 17. Dan Emery | (leaseholder) | 39. Shelley Robyn |
| 6. Stuart Craig | 18. Katie Donovan | 28. Sherri Lindner | 40. Joe Painter |
| 7. Esther Golton | 19. Beverly Bizup | 29. John Elisens | 41. Lee Painter |
| 8. Barbara | Hawkins | 30. Cortney Hayflinger | 42. Sami Smith |
| Mondzelewski | 20. Pat Lane | 31. Art Cohen | 43. Hillary Daye |
| 9. Betty Ann Themal | 21. Michael Magee | 32. Edmond Bischoff | 44. Sharon Kleban |
| 10. Suzanne Cherrin | 22. Judith Glenn | 33. Mary Ann Patterson | 45. Maura Lynch |
| 11. Cheryl Regan | 23. Marian Pione | 34. Brian Patterson | 46. Dela Muhlenberg |
| 12. Maureen Gordon | | | |

APPROVAL OF MINUTES: Minutes for the May 2024 meeting were approved as submitted.

GOOD & WELFARE:

- Best wishes to Janet Cosgrove for a speedy recovery from a recent foot injury.

TREASURER'S REPORT: Peter Slattery submitted the following current balances as of September 9, 2024.

Operating Accounts:

Checking: Starting Balance	\$28,514.56	Savings: Starting Balance	\$23,296.87
Income	\$ 1,667.26	Income	\$ 0.79
<u>Expenses</u>	<u>\$13,445.56</u>	<u>Expenses</u>	<u>\$ 0.00</u>
Current Balance	\$16,736.26	Current Balance	\$23,297.66

Total Checking & Savings: \$40,033.92

Expenses:	\$13,445.56	Income:	\$1,667.26
Trash Tech	\$12,322.16	Comcast/Verizon	\$1,467.26
Restoration	471.76	Donation/Mem Garden	\$ 200.00
Playground Mulch	75.00		
Admin Supplies	576.65		

Municipal Street Aid:	\$14,270.36
ARPA Funds:	\$61,307.92
Arden Bldg & Loan Balance:	\$17,923.84

SPECIAL PRESENTATIONS:

- **Delmarva Power: Alternate Route for Power Lines:** Melissa presented Ben Gruswitz's Ardentown presentation (see http://bit.ly/transmission_lines). There is a 2026 Proposal from Delmarva Power to replace the towers and electrical lines for Ardentown, Ardencroft, St. Edmunds, Montessori, developments along Silverside Road and more, impacting over 60 properties. There is an opportunity now for improvement to their plan. We are proposing relocation of the towers and lines to the Sunnyside Tract.

This is a unique opportunity to change the path and not endanger homes and forests in the heart of our village.

Comments from town meeting attendees: Sconset residents are opposed to the changes as they will affect their properties. Deep discussions needed, may have some foothold with them in that they have found high lead content under the existing towers, may cause delays. Hoping we reach out to the other communities affected, and wondering what our legal rights are. (Trustees confirmed that our lawyer, Ted Rosenthal, is working on our behalf but Delmarva's easement is very solid. The 3 Ardens are all making motions on this in September, then can move forward with valid input from the Ardens' residents.) Local officials are aware of these plans. Suggest a clearer set of maps to help us make this important decision. Agree neither options are great choices, but we are seeking permission for Delmarva to consider our request for the best outcome possible, which is still not optimal.

MOTION: MOVE TO ALLOW ARDENCROFT'S "ALTERNATE ROUTE FOR POWER LINES" PLAN TO BE SHARED WITH DELMARVA POWER AND STATE OFFICIALS AS AN OPTION FOR THEIR CONSIDERATION. Motion seconded.

Vote: All in favor with 3 abstentions. **Motion passes.**

- **Final ARPA Proposals** - All ARPA monies need to be allocated by end of 2024, and spent by end of 2026. Peter Slattery indicated we have \$46K left to allocate for spending this year. Lisa Riblett indicated approved ARPA funds require signed contracts by December 31st, 2024. Public Works Committee presented the following proposals for rain garden, roadwork and curbing around the Henry George and Pettit greens: they are requesting up to \$44K for this work, may be less once bids are finalized.
 - **Proposal #1: Use ARPA funds to spend \$10,206 for rain garden on Henry George Green & up to \$15,000 on curb for Swiss Lane bordering Henry George Green.** Public Works & Safety Committee is requesting ARPA funds for a rain garden on the Henry George Green to help with water pooling. Proposal from Advanced Ecology to build rain garden in this area for \$10,206, as well as fund a proposal to put in curb with cut-outs to direct water to the new Henry George Green rain garden for \$15,000.
 - **Proposal #2: Use ARPA funds to spend \$15,000-\$28,000 to repave/mill Woodland /Orchard Road, and slope slightly toward Pettit Green rain garden.** Public Works & Safety Committee is requesting ARPA funds for road improvements on Orchard to help runoff toward swale.
 - Discussion: Esther Golton would like to be included in discussions on the Henry George green work since it will impact her property.

MOTION: TO USE ARPA FUNDS TO PAY FOR:

1) THE RAIN GARDEN & CURBING FOR THE HENRY GEORGE GREEN (\$25,000), AND
2) REPAVING OF WOODLAND/ORCHARD SLOPING TOWARD PETTIT GREEN RAIN
GARDEN (UP TO \$28,000). Motion seconded.

Vote: All in favor. **Motion passes.**

COMMITTEE REPORTS:

- **Archives (Arden Craft Shop Museum):** Bev Bizup Hawkins reported recent articles about the museum in local magazines and TV, as well as international recognition for its Utopian community. The 20th birthday of the museum is this fall. Summer show of Micah Altman's lamp & lampshade art occurred, November 17th opens David McClintock's photo exhibition. The "Growing up in the Ardens: on the wild side" exhibit opens October 20th.
- **Assessment:** Janet Cosgrove reported the committee met August 22, 2024, and reviewed the 2024 estimated Trust Budget (posted on town website). They will be submitting questions to the Trustees for clarifications. If you have questions concerning the Trustees budget please contact Janet Cosgrove.

- **Audit:** Jill Emery reported the 2023 audit report is overdue in closing due to a small (<50) outstanding invoice/documentation from Town Treasurer. Propose closing out audit by including a note about this missing invoice.

MOTION: TO CLOSE THE 2023 AUDIT. Motion seconded.

Vote: All in favor. **Motion passes.**

- **Budget:** Alison Wakelin – Nothing to report.
- **Buzz Ware Village Center:** Shari Phalan reported plans are underway for the 100th Anniversary celebration of the Arden School. The Buzz is now an Emergency Reception Center for Arden Emergency Preparedness. Room 3 was repainted, a new water cooler is now outside of Room 4, and an art rug is to be hung in Room 1. Numerous Community Events are underway including the Ardens Artisans Collective Fall Social on 8/20 and 9/10, Henry George Day on 9/22, a Meet and Greet on 10/6, an Ardens Ready Group community event on 11/2, and the Over 80's Reception on 11/3. The Coffee House continues, ACRA Summer Program was held, and a very successful Peddlers, Potions and Practitioners holistic fair was held at this year's Arden Fair.
- **Community Planning:** Alison Wakelin reported the committee met to compile and discuss topics directed to the committee by town meetings and community engagement. We are building recommendations for the Speed Limit discussion for the next town meeting. The current list of topics is listed below, in no particular order: ARPA projects, Seeking an exemption for small livestock (chickens, goats, etc.), Village Speed Limit, Proposal for a General Store, Restorative Justice, Affordable Housing Initiative, Community Recognition Awards. Current Proposals:
 - 1) **ARPA Project Recommendations: (\$46,009.92 still uncommitted (before tonight's meeting))**
 - Fully fund Henry George Rain Garden - \$10,000
 - Fully fund Glen Work - \$15,000Other projects we would recommend with more information:
 - o Playground proposal from Lee Painter
 - o Improvement to the Candlelight Backroom
 - o Seed funding for Carriage House Proposal
 - 2) **Chicken Variance:**
 - Background: Chickens on lots less than one acre are prohibited in New Castle County. Our representative, John Cartier, is supportive of seeking a variance if all three villages are on the same page. A draft resolution is circulating among the villages.
 - The committee is generally supportive of a variance for chickens in the Ardens and there is encouragement from Ardencroft. Arden is currently discussing the issue in committee.
- **Memorial Garden:** Edmond Bischoff reported committee met on August 11th, will be replacing post and rail fencing where needed, estimate cost at \$120. In Fall & Spring will add grass seed to bare spots of lawn, estimate cost at \$75. Inquiring on their budget and how to proceed on spending monies. Next year, September 9th 2025, will be the 35th year of the Memorial Garden's dedication, looking at planning a fall celebration event.
- **Playground:** Cortney Hayflinger reported back in May, 9 yards of mulch was put down in playground by Cort and Lee & Joe Painter. Lee Painter did some swing research, safety organizations recommend 12" of mulch be installed under swingsets. Would require 50 yds of mulch \$1,100, 15 man hours. Could create basin to contain the mulch. Fall zone needs to be considered. It's 10 feet high, so would need to go out 20 feet.

MOTION: TO USE \$2K OF ARPA FUNDS FOR SAFETY UPGRADES FOR PLAYGROUND.

Motion seconded.

Vote: All in favor. **Motion passes.**

- **Public Works & Safety:** Oliver Gutsche reported that the next committee meeting is October 23rd at 7 pm at his house. All are invited to attend. Elaine Schmerling is seeking volunteers to help protect Sunnyside tract trees from deer this winter. Contact Elaine or Bethany Rees for more info.
- **Registration:** Cindy Cohen reported 2 new leaseholds changed hands: welcome to **Jessica Riggelman & Brandon Paris**, who just moved into 2300 Sconset Road (Bob DeNegris'), and to **Brian Bruce, his wife and 1 month old baby**, who are about to move into 2401 East Mall (the Phibbs') any day now. The committee also sponsored the refreshments for tonight's meeting, and remind you to come to the **rescheduled Town Summer Picnic Potluck on Sunday, September 22nd, from 1-3 pm on the Pettit Green.**

TRUSTEES REPORT:

- **Carriage House Update:** Annie Tang Gutsche reported Asbury Ivy Gables plans to renovate the Carriage House in phases. The first phase is scheduled for March/April (weather dependent), when they plan to fix the exterior of the building (e.g. windows, trim, stairs). They have committed to maintaining the structural and aesthetic integrity of the building. The time frame for the second phase will depend on what they find during the first phase, as the condition of the structure is revealed. Asbury Ivy Gables wishes to express to the community their commitment to upholding Ardentown history and integrity.
- **Safe Routes to School:** Lisa Wilson Riblett reported this long-awaited project is now complete. The timers for the traffic lights and both pedestrian poles are now working. The pedestrian pole for crossing Sconset Road (west side) only stops traffic on Sconset. The other pedestrian pole (east side) stops traffic on both Harvey and Sconset Roads while there is pedestrian crossing. Luckily, this project was completed in time for the beginning of the school year.
- **Four Bridges and Steps into the Glen:** Lisa Wilson Riblett reported work has begun by Cropper, Inc. to completely rebuild the steps from Appletree Lane into the Glen and four of the small bridges. This work should be completed this Fall. All \$20,853 will come from the ARPA money and the grant from the Outdoor Recreation, Parks, and Trails Program with no expense to the Village or the Trust.
- **Delmarva Update:** Lisa Wilson Riblett reported the Trustees are working with our lawyer, Ted Rosenthal, and others regarding Delmarva's plan to do a major clearing through our Village to prepare for the 2026 replacement of the Towers, Poles, and Lines. Our Town Chair has appointed a small ad hoc committee to continue to work on this proposed Delmarva clearing. (Committee: Lisa Wilson Riblett, Frank Malone, Marion Pione, Elaine Schmerling, Melissa with invites to Ben Gruswitz as Ardencroft Chair, Pat Toman as Ardencroft Director, Jeffrey Politis as Arden Chair and Carol Larson as Arden Trustee.)
- **Delmarva Tower Replacement:** Stuart Craig reported in an effort to keep everyone up to date regarding Delmarva's plan, we are creating a Google Doc entitled 'Delmarva Tower Replacement'. The document will contain summaries of relevant interactions with Delmarva. A link to the document will be placed on the Town website in the next few weeks so you will be able to view.
- **Keeping Shrubs on Edges of Leaseholds Trimmed, Help with Footpaths, and Drains:** Stuart Craig reported if you have shrubs on your leasehold on the edges of our narrow roads, please be mindful to have them trimmed often to keep visibility good and especially if there is a STOP sign or road sign in the shrubs. Also, if you live on the border of a footpath, please consider helping keep down our costs by cutting the grass on the footpath and helping keep it clear. This helps us not have to hire workers to do this work and that drives up our Land Rent. Likewise with the drains and swales on the edges of the roads, please help keep them running well.

TOWN CHAIR REPORT: Melissa reported: 1) **West Nile Virus** is now in Delaware, protect yourselves from mosquitoes. 2) Our **new trash vendor, Evergreen, starts September 27th.** New trash, recycling, yard waste cans will be distributed before that date.

OLD BUSINESS:

- **WILMAPCO Ardens Transportation Plan Monitoring Committee** - No update.

- **ArdensReady** - Marion Pione reported the group has been meeting and taken part in Community Rescue Training from NCC EMTs and Medics, to raise community awareness of the need for emergency preparedness in the event of a disaster. Resilience centers are the Buzz, Gild Hall and Candlelight Theater. A Community launch of ArdensReady will be held at the Buzz in early November, date TBA, with speakers, potluck, info tables, an opportunity to sign up for training, and more. For more info go to ArdensReady.org.

NEW BUSINESS:

- **Speed Limit on Veale Road:** Ardencroft is requesting a change of the speed limit on Veale Road to 25 mph, and is seeking Ardentown's endorsement.

MOTION: TO ENDORSE ARDENCROFT'S PROPOSAL TO REDUCE THE SPEED LIMIT ON VEALE ROAD TO 25 MPH. Motion seconded.

Vote: All in favor. Motion passes.

- **Proposed Ordinance - "Transmission Line Infrastructure"** - First reading September 9, 2024. (Second reading will be done at November 2024 town meeting, vote at February 2025 town meeting.)

Purpose:

High voltage electrical transmission lines, towers, and poles are, at this time, a critical component of modern infrastructure that supports our way of life. However, the current alignment of transmission lines, towers, and poles has caused almost 100 years of unnecessary harm and avoidable risk to our Village.

Findings:

1. Environmental Impact:

- The construction and maintenance of transmission lines through the heart of our Village's residences and our forest ecosystem invite non-native and invasive species and leave scarred landscape on residents' properties and through our forest.
- The non-discriminant use of pesticides by power companies is detrimental to long-standing Village efforts to save native plant species and can impact the ecosystem.
- Existing transmission towers and poles have contributed to significantly high levels of lead in the surrounding soil, and new construction will disturb these contaminated areas.

2. Health and Safety:

- With the unknown health effects and close proximity of existing transmission lines, towers, and poles, residents are exposed to electromagnetic fields with intensities far above typical background levels, potentially harming their health.

3. Financial and Maintenance Costs:

- The proximity of transmission lines, towers, and poles to residences can depress property values.
- Maintenance costs for the Village increases due to the presence of these transmission lines, towers, and poles.

4. Legal and Compliance Issues:

- Delmarva Power has demonstrated willful disregard of their existing transmission line agreements and backpedaled on prior agreements.

5. Alternative Routes:

- Alternative routes exist consistent with nearly all the transmission lines sitting along the former B&O railway alignment that minimize proximity to residences and impact only the edges of low-quality forest areas already bisected by the railway clearing.
- Other alternative routes may also exist.

Ordinance:

Now therefore, in order to protect residents who live near the transmission lines, towers, and poles, and to protect our treasured forest ecosystems, it is hereby ordained by the Village of Ardentown as follows:

1. Prohibition:

- No new electrical transmission lines and tower infrastructures are permitted within the boundaries of the Village of Ardentown.
- Additionally, no new electrical transmission lines and tower infrastructures are permitted within 500 feet of any Ardentown residential housing units and structures.

2. Definitions:

- "Transmission lines" refer to high voltage electrical lines designed to transport electricity over long distances.
- "Tower infrastructure" refers to the supporting structures, including towers and poles, for transmission lines.
- "Residential housing units" refer to any buildings or structures used for residential purposes within the Village boundaries as well as the Candlelight Theatre (Robin Hood Barn).

3. Annual Impact Fee:

- An annual impact fee shall be levied by the Village of Ardentown on Delmarva Power or their successors on the existing transmission line facilities based on the total taxable square footage on which the NCC School and County taxes are levied in the area as defined in the easement.
- The fee will use the most current annual square footage charged by the Ardentown Trustees or their successors as Land Rent to Leaseholders in the Village.
- Impact fees are due by June 1st of each year.

4. Enforcement:

- This Ordinance shall be enforced by the Village of Ardentown with support of the Ardentown Trustees and any designated officers or agents.
- Any violation or nonpayment of this Ordinance shall be subject to monthly penalties, the same that is used in Land Rent collection.

5. Severability:

- If any provision of this Ordinance is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

Effective Date:

- This Ordinance shall take effect immediately upon its adoption.

ELECTIONS:

- **Assessment** – 2 positions up for Sept 2024 election: **Janna Scheflen & Lee Painter**. Both willing to stand again. [Janet Cosgrove, Chair, serving 2023-2025; and Chair of Audit (Jill Emery) & Budget (Alison Wakelin) are ex-officio members.]

MOTION: APPROVE JANNA SCHEFLEN & LEE PAINTER BE ELECTED TO THE ASSESSMENT COMMITTEE FOR SEPT 2024-SEPT 2026 TERMS. Motion seconded.

Vote: All in Favor. **Motion passes.**

- **Budget** - 2 positions up for Sept 2024 election: **Alison Wakelin & Stefanie Lombardo**. Both willing to stand again. **Maurisa Byer** is also stepping down, **Hillary Daye** to take her place. [Maurisa Byer, Cindy Cohen, Oliver Gutsche serving 2023-2025; and Town Treasurer (Peter Slattery) is ex-officio member.]

MOTION: APPROVE ALISON WAKELIN & STEFANIE LOMBARDO BE ELECTED TO THE BUDGET COMMITTEE FOR SEPT 2024-SEPT 2026 TERMS. APPROVE HILLARY DAYE TO COMPLETE MAURISA BYER'S TERM, UNTIL SEPT 2025. Motion seconded.

Vote: All in Favor. **Motion passes.**

- **Registration** – 2 positions up for Sept 2024 election: **Mhairi Craig & Maureen Gordon**. Both willing to stand again. [Anne Lutz serving 2023-2025; and Town Secretary (open) & Trustees Secretary (Cindy Cohen) are ex-officio members.]

MOTION: APPROVE MHAIRI CRAIG & MAUREEN GORDON BE ELECTED TO THE REGISTRATION COMMITTEE FOR SEPT 2024-SEPT 2026 TERMS. Motion seconded.

Vote: All in Favor. **Motion passes.**

- **Upcoming November Elections:** Community Planning, Town Chair, Town Treasurer, Town Secretary.

Meeting adjourned at 9:35 pm.

Respectfully submitted by Cindy Cohen, filling in as Secretary of Ardentown