CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES

November 13, 2018

MEETING CONVENED: 7:00 p.m. Council Chambers

MEMBERS PRESENT: George Irvine (presiding), Kismet Hazelwood, Jason Kramer, Bob McDowell, Ajay Prasad, Sheila Smith, John Wessels.

ABSENT: John Horner, Kass Sheedy.

STAFF: Mark Brainard, Assistant to the Managers
Whitney Potts, Administrative Professional, Paralegal

GUESTS: Scott Lynch, DEMEC, Vice President Asset Development

Mr. Irvine called the meeting to order at 7:02 p.m.

1. APPROVAL OF MINUTES FROM MEETING HELD ON OCTOBER 9, 2018

The following changes were made to the draft minutes: noting absent members to the motion and the addition of Mr. Wessell's affirmative vote on page 19.

Mr. Irvine asked Ms. Potts for clarification regarding the items that were tabled for discussion at the meeting on October 9th. Ms. Potts told Mr. Irvine the following items were tabled for discussion [on October 9th] and would be discussed this evening:

1. A Better Newark Award.
2. Potential Elimination of Plastic Straws.
3. Potential Elimination of Plastic Bags.

Mr. Irvine asked Ms. Potts if the 0 Paper Mill Road discussion and recommendation were tabled on October 9th. Ms. Potts confirmed same.

> **MOTION BY MR. MCDOWELL, SECONDED BY MR. WESSELLS: THAT THE MINUTES FROM THE OCTOBER 16, 2018 MEETING BE APPROVED AS AMENDED.**
>
> **MOTION PASSED. VOTE: 7 to 0.**
>
> **AYE – HAZELWOOD, IRVINE, KRAMER, MCDOWELL, PRASAD, SMITH, WESSELLS.**
> **NAY– 0.**
> **ABSENT– HORNER, SHEEDY.**

Mr. Irvine asked Ms. Potts if City Council considered the CAC's recommendation [at the Council meeting on November 12, 2018] regarding the proposed re-write of the City Code's Tree Ordinance. Ms. Potts reported Council reviewed the CAC's recommendation at their October 22nd meeting. She stated Mr. Markham and several members of Council said they highly value the CAC's input. Additionally, Council expressed the desire to involve the CAC more frequently on matters related to the environment and conservation. Ms. Potts informed the CAC that Mr. Spadafino had been tasked with reviewing the CAC's recommendations regarding the Tree Ordinance and changing the language to reflect their concerns and recommendations. She mentioned the ordinance would be brought before Council for further review. Ms. Potts referred to the Council Meeting minutes from October 22nd regarding the creation and discussion of a working group for this matter.

Ms. Smith announced she attended and spoke at the Council Meeting on October 22nd. She believed Council's sentiment was unanimous it was not a good idea not to make the changes to the Tree Ordinance recommended by Parks and Recreation. Furthermore, Ms. Smith believed Council was convinced a comprehensive revision and rewrite of the ordinance was needed to include language that specified the evaluation of trees and their ecological services (i.e. habitat, water quality, carbon sequestration etc.).

2. <u>PUBLIC COMMENT</u>

There was no public comment.

3. <u>FUNDING REQUEST: ASHRAE LEVEL 2 ENERGY AUDIT–NEWARK MUNICIPAL BUILDING AND POLICE DEPARTMENT– ASSISTANT TO THE CITY MANAGERS</u>

Mr. Brainard announced he would discuss a systematic review of the [municipal] building's HVAC system performed by Efficiency Smart. *(Secretary's note: The CAC received an informational packet for this item prior to this meeting)* He summarized the review's findings concluded the HVAC system in the two buildings [the Police Department and Municipal Buildings] had reached the end of its useful life. The existing system was controlled by a Building Automation System (BAS) that has also reached the end of its useful life. Additionally, Mr. Brainard stated replacement parts and components for the existing HVAC system were no longer available or manufactured; therefore, this put the City in quite a quandary when the time arrived to fix any part of the system. These issues frequently occurred in correlation with the change of seasons. Efficiency Smart observed the high relative humidity in sections of the building which was a direct result of the system's failures. The system currently does not recycle air from the interior of the building, instead drawing all air from the outside. This leads to high levels of humidity as well as extremely inefficient energy use. Based on the recommendations from Efficiency Smart, the City has the ability to reduce its energy usage by as much as 30-50% by replacing the current system. This would be a reduction of around 143,000 Kilowatt-hours with a cost-savings of $15,500-$25,900 annually.

Mr. Brainard acknowledged the wide range associated with estimating the potential cost of replacement. He emphasized the difficulty associated with this estimation was due to the fact it was impossible to know the extent of the mechanical retrofit needed in the buildings. Mr. Brainard stated a thorough and complete inspection of the building systems needed to be performed. Therefore, Efficiency Smart recommended the ASHRAE Level 2 Energy Audit be performed. Mr. Brainard conducted preliminary research on this matter and said the ASHRAE Level 2 Energy Audit thoroughly examined the buildings' energy systems in detail to find a number of energy efficiency improvements. The audit would provide a detailed assessment of:

1. Air quality
2. Lighting
3. Ventilation
4. Humidity

Furthermore, all conditions that affect energy usage, performance, and efficiency would be identified in the audit; additionally, it [the audit] would help the City estimate changes in energy usage resulting from

any potential replacement projects or upgrades. Mr. Brainard said the audit would help identify problem areas and outline energy goals moving forward. He stated Efficiency Smart offered to help with energy efficiency measures as part of the review. The City looked to hire AECOM as the contractor to conduct the audit, with the anticipated cost between $20,000-$40,000. Mr. Brainard stated he, Mr. Coleman, and Mr. Del Grande were scheduled to meet with AECOM on Thursday, November 15th, to go over exactly what would be needed for the audit; specifically, when the audit could get underway as well as final estimated costs. He informed the CAC the State of Delaware Division of Energy and Climate Energy Efficiency Investment Fund (EEIF)currently offered an Energy Assessment Grant that would reimburse 50% of the cost of an energy audit such as this one. Therefore, Mr. Brainard said the City requested the CAC approve up to $40,000 for an ASHRAE Level 2 Energy Audit of the City Municipal Building and the Police Station. He stated he began the application process for the Energy Assessment Grant with the goal of receiving the full 50% match. If the 50% match was obtained, it would reduce the amount of funding needed from the CAC (i.e. from the full $40,000 to no more than $20,000). Due to the critical need for this assessment and the fact these grants were competitive and not guaranteed, Mr. Brainard requested the CAC's approval of full funding at this time to ensure the audit could be completed as soon as possible. The swift completion of the audit would allow the City to work on a performance contract for a complete replacement of the ailing HVAC system. Mr. Brainard said he would answer questions from the CAC at this time. He stated Scott Lynch, DEMEC, would be able to answer questions and provide additional information if needed.

Mr. Irvine thanked Mr. Brainard for his presentation and opened the floor to questions from the commission. Mr. Prasad asked if the Energy Assessment Grant was from the State of Delaware. Mr. Brainard reiterated the grant was part of the State's EEIF. Ms. Smith asked for clarification regarding the ASHRAE acronym. Mr. Prasad stated ASHRAE stood for the American Society of Heating, Refrigerating, and Air-Conditioning Engineers. Mr. Brainard said Level 1 of the audit was the complete audit and overview of the building (i.e. climbing into the ductwork and seeing what they already had and what needed to be replaced or fixed.) Particularly with the Municipal building's age and the number of office walls that have gone up. Level 2 of the audit would evaluate the structure and figure out what worked and what did not. Ms. Smith questioned AECOM's involvement in the process. Mr. Brainard said AECOM would be the firm to conduct the ASHRAE Level 2 Energy Audit. Additionally, they [AECOM] would write and draft the report. Ms. Smith questioned whether ASHRAE's standards were utilized for the audit and Mr. Brainard confirmed same. Mr. Brainard said DEMEC and DNREC were very helpful in providing an outline as to what the audit should cover. Furthermore, the upcoming meeting with AECOM on November 15th would help gauge what needed to be done based on the outlined parameters.

Ms. Smith said the reason she asked about the standards was because the Steering Committee was working on a Sustainability Plan with AECOM. At the most recent Steering Committee meeting, Ms. Smith said they decided to focus on the City's Energy Efficiency goals. Therefore, she believed the Energy Audit dovetailed perfectly to the Sustainability Plan. Ms. Smith said Steering Committee intended to set a baseline, as well as reduce the City's energy uses which she assumed was a topic on everyone's minds at the Federal, State, County, and City levels. She believed the ASHRAE Level 2 Energy Audit could be considered as part of the Sustainability Plan to the effect the goal was to get the HVAC system working at a highly efficient level. Mr. Brainard agreed with Ms. Smith and stated the audit would improve the HVAC system's efficiency. Ms. Smith believed the Sustainability Plan would put the City on the path towards energy efficiency; therefore, she thought the ASHRAE Level 2 Energy Audit was timely. Mr. McDowell questioned when the Municipal Building was built. The CAC believed the Municipal Building was built in the late 1970s. Mr. McDowell assumed the HVAC systems were from the 1970s era and had not been replaced. According to Mr. Brainard, one of the issues encountered (when speaking with Facilities Management) was due to the fact that most of the HVAC system has been piecemealed together over the years. Mr. McDowell said he was aware of this fact. Mr. Brainard provided the example where a part

would be replaced at one location and a different type of thermostat would be installed which he described as a "hodge-podge." Furthermore, it was not inline with the City's goals for Energy Efficiency.

Since he was appointed to the CAC, Mr. McDowell said the Municipal Building was discussed regarding its lousy air quality and inefficiency. Mr. Prasad asked for clarification regarding the water-cooled scroll chiller that was installed in 1995. Mr. Brainard believed the water-cooled scroll chiller was on the Police Station side that was built later than the Municipal Building side. Mr. Kramer referenced page 4 of the handout under Recommendation Two which stated, "Any replacement system would realize a 40-50% reduction in heating energy consumed, resulting in energy savings of approximately $12,000 annually." On page 7, Recommendation two mentioned a reduction in heating costs of 25-30%. Mr. Kramer asked for clarification regarding the difference between those numbers. Mr. Brainard believed Recommendation two on page 4 [40-50%, $12,000 annually] considered both the Municipal Building and the Police Station, whereas page 7 broke the amount into two buildings. Mr. Irvine asked Mr. Brainard if there was discussion regarding the potentially replacing the Municipal Building. Mr. Brainard announced there were no conversations related to building replacement at this time. Mr. Irvine thought it did not make sense to invest in a new HVAC system if the City acquired a new building.

Mr. Irvine questioned the useful life of an HVAC system. Mr. Brainard said the typical life of an HVAC system was between 20-25 years. Mr. Irvine stated the current HVAC system more than exceeded this time frame. He asked Mr. Brainard if there had been any return on investment protection given current operating costs, costs to commission the study, as well as any retrofitting or corrective measures. He believed the funding up to $40,000 being requested would be the initial investment through the study. Additionally, Mr. Irvine thought there would be a contract or bid writing process. Mr. Irvine believed the retrofit of these two buildings would easily exceed $200,000. Mr. Brainard said the performance contract through DEMEC was in the preliminary stages and the current goal was to identify what was broken and determine how to retrofit parts that are no longer manufactured. Mr. Brainard stated discussions centered on the most cost-efficient way using performance contracts and Green Energy funding. It was also important to recognize the George Wilson Center HVAC also needed to be replaced and Mr. Brainard hoped bundling the three buildings together in a very cost-effective way would provide the City with a faster return on that investment. Mr. Irvine urged Mr. Brainard to do some projections and thought Mr. Lynch would be able to provide him with the cost of a full retrofit and demi-retrofit. Mr. Irvine believed it was important for the City to have a concept in mind regarding the cost prior to committing to a retrofit. Additionally, he said the Return on Investment (ROI) was considerable and was fifteen to twenty years annually [for the Municipal Building and Police Building]. Mr. Irvine thought adding the George Wilson Center to the retrofit would be profitable and the City could use it as a demonstration center (i.e. Green HVAC, High LEED score HVAC). He firmly believed it was wise to not "go cheap" on the retrofit because it could showcase what others in the City could do.

Mr. Irvine thought the ROI would strengthen the case for more money from Council. He reiterated his suggestion for both liberal and conservative projections. Ms. Smith asked if the projections would be provided as part of AECOM's assessment as she thought they would provide numerous options and costs to determine the best strategy. Mr. Irvine agreed with Ms. Smith and thought projections could be made in the initial stages prior to assessment. Ms. Smith asked Mr. Brainard when the next meeting with AECOM was scheduled. Mr. Brainard reiterated the meeting with AECOM was scheduled for Thursday, November 15th. Ms. Smith asked Mr. Brainard if he would write the grant after the meeting with AECOM and possibly hire them. Since AECOM was approved as a contractor, Mr. Brainard said it would not necessarily need to be approved by Council once the City outlined what needed to be done and coordinated the process. Mr. Brainard informed Ms. Smith the intent was to get the work done that needed to be accomplished in 2019. Ms. Smith asked for clarification regarding the timeline. Mr. Brainard said the goal was to perform the audit by the end of 2018 which would allow the City to work with DEMEC and start putting together a plan or contract for Option 1, 2, or 3. Mr. Irvine asked how the City would pay for the retrofit. He described the Green Energy Fund as "citizen's dollars" and believed this type of investment met the criteria of the Green Energy Fund when it was re-written. He asked what would be necessary to pay for the most-costly option (i.e. the replacement of the entire HVAC system with Variable Refrigerant Technology (VRF) system). Scott Lynch, Vice President, Asset Development for DEMEC, said the City of Newark's Green Energy Fund was put into three buckets:

1. Individual grants for customers for the various renewable programs
2. The efficiency bucket (which was currently paying for the LED street lights that were replaced)
3. The middle bucket for Community renewables

Regarding the middle (3rd) bucket, Mr. Lynch said there would be a recommendation from DEMEC that perhaps the CAC would recommend Council include the HVAC replacement as part of the community renewables bucket. In addition to Green Energy Funds, Mr. Lynch said the City of Newark [as the other four members of DEMEC were currently doing] would have the opportunity to enroll in the actual DEMEC Efficiency Program. The DEMEC Efficiency Program utilized the Efficiency Smart Program as a tool. Mr. Lynch referenced the report that was presented to the CAC to the effect it provided a sample of some of the effort Efficiency Smart could bring, not only to the City of Newark, but also to the City's customers. Mr. Lynch expressed the report was provided free of charge as a measure of good will and noted it was essentially a Level 1 ASHRAE walk-through to provide a taste of what the efforts could be. If Newark were to enroll in DEMEC's Efficiency Program, the City would be eligible to put its own facilities up for incentives as part of the fund. Mr. Lynch informed the CAC larger funding could also come from Sustainable Energy Utility (the EEIF) for as long as it was supported. Currently, EEIF was supported by Regional Greenhouse Gas Initiative (RGGI) because State legislature had not yet funded the EEIF for the past few years. Additionally, Mr. Lynch expressed the Performance Contracting method did not require the City to bring any funds to the table and the savings from the project would be utilized to pay the bill. Mr. Lynch stated there was a way to walk into the project from the perspective of an ownership model where they would put up their own money to finance it or pay for it outright. He reiterated the Performance Contracting method would permit the City to pay off the loan and keep some of the savings. Mr. Lynch articulated DEMEC would be ready to assist these efforts.

Mr. Prasad asked Mr. Lynch how much it would cost for a total replacement of the HVAC system in the Municipal Building. Mr. Lynch was not certain of the exact cost as he said there was a lot behind the walls they did not know about (i.e. the bones, efficiency equipment, ductwork, as well as the work that was unknown). Outside the 35-55% humidity range [either below 35% or above 55%], there was the potential for mold. Mr. Lynch said the presence of mold was currently unknown. Furthermore, he was not aware of any air quality studies that had been done in the Municipal Building. Mr. Lynch thought an air quality study might need to be performed. He mentioned there could potentially be water damage or other unknown issues behind the walls. For these reasons, Mr. Lynch did not wish to speculate regarding the cost of total replacement. Mr. Lynch stated, "the air could be made comfortable, but it might not be healthy in the process." He firmly believed the City and CAC should be mindful of the bigger picture. Mr. Lynch was not implying these issues existed; however, DEMEC and Efficiency Smart could not speak for areas that had not been seen. Mr. Kramer asked if the George Wilson Center had been evaluated or if it was ready to go like the Municipal Building. Mr. Lynch said DEMEC was presented with a quote where the potential contractor could bring in to upgrade the HVAC system. Given DEMEC's understanding of Newark wanting to be more sustainable, they came back with a recommendation for the proposal to include increased efficiency measures to bring the system [HVAC] above Code and more make it more efficient. Mr. Lynch described the George Wilson Center as "a little more shovel ready" than the Municipal Building. Mr. Kramer questioned if it was realistic to assume both projects could be bidden simultaneously or as a concurrent single project. Mr. Lynch confirmed same; however, he stated the George Wilson Center could start before the Municipal Building if desired.

Mr. Irvine asked if the use of geothermal energy was considered. Mr. Lynch confirmed geothermal energy was a premium option; however, the same issues existed with geothermal energy as other sources (i.e. water to water versus air to air or water to air). Given the spacing of the Municipal Building as well its impervious structure, Mr. Lynch thought it might be necessary to drill in some areas to create wells. Additionally, he stated some parking spaces might not be useable. Mr. Irvine questioned if choices were precluded in any of the recommended paths forward (i.e. if the project was limited to any of the options provided by the ASHRAE Level 2 Energy Audit). Mr. Lynch stated the ASHRAE Level 1 Audit provided a good walk-around to the effect it brought the obvious issues to light. The ASHRAE Level 2 Energy Audit would dig deeper into the ASHRAE Level 1's findings; moreover, performance contracting would provide further information beyond the ASHRAE Level 2 Energy Audit. Mr. Lynch articulated investment grade audits would permit bankable investments for the City. Mr. Irvine asked for the current balance of the Green Energy Fund. Mr. Lynch described the available balance of the Green Energy Funds as follows:

1. $62,041.89 in individual grants for customers for the various renewable programs
2. $ 68,789.59 in the Community renewables fund (i.e. for renewables such as putting solar on top of the Municipal Building or geothermal)
3. $ 14,816.57 in the Energy Efficiency account (currently designated to pay the loan for the LED street lights)

There was discussion among the CAC members as to the end of the fiscal year for the City's Green Energy Fund. Mr. Brainard informed the CAC the City's fiscal year was determined by calendar year; therefore, FY2018 would end December 31, 2018. Mr. Irvine asked if there was any obligation to spend the Green Energy Funding by the end of the fiscal year and if funding would roll-over. Mr. Irvine questioned the rate of replenishment; specifically, if it was split into thirds. Additionally, he asked for confirmation of the annual replenishment rate. Mr. Lynch said it depended on seasonal variability and would be between $115,000-$120,000 per year. Mr. Irvine asked for the CAC's consensus on the funding request for the ASHRAE Level 2 Energy Audit. Mr. McDowell thought it was a good idea. Ms. Smith thought it sounded like something that needed to be done; specifically, due to the fact the system continually ran out of parts that were unable to be replaced. She reiterated Mr. Lynch's statement regarding the potential for unhealthy air quality and the possibility of mold. Ms. Smith believed the potential for mold and poor air quality would continue to increase due to humidity issues. Mr. Lynch agreed with Ms. Smith and stated the audit would provide further details that were greatly needed. Ms. Smith questioned what would be done if the audit was not conducted. Messrs. Lynch and Brainard emphasized the importance of the audit to the effect it would permit the City to deal with the HVAC system in an efficient manner that surpassed the status quo. Mr. Prasad asked if the audit would cost approximately $10,000-$20,000 because the City was likely to receive a grant. He questioned why the CAC was asked to approve full funding ($40,000). Mr. Lynch said according to DNREC, limited funds were available. To his knowledge, he believed funds were still available; however, the number of applications for the fund were unknown. There was no pre-application system which would permit reserve funding for the City; moreover, Mr. Lynch said it was essential to make the CAC aware of this option and to obtain permission to have full higher end costs [if they were needed].

Mr. Kramer asked if the audit would take place this fiscal year. Mr. Lynch said the audit was intended to take place by the end of 2018. According to Mr. Lynch, DEMEC already contacted DNREC to tell them they potentially would be applying for their grant. He informed Mr. Kramer DNREC highly recommended to send in the application as soon as possible. Mr. Lynch believed DNREC had funding available and would make reasonable efforts to review the application. Mr. Wessells questioned the length of ASHRAE Level 2 Audit. Mr. Lynch said the audit could take anywhere between two to three days depending on how detailed it was. He explained this type of audit sometimes required metering equipment which required a 24-hour run to log data. Ms. Smith asked if Variable Refrigerant Technology (VRF) was only an option for the HVAC replacement. Mr. Lynch believed VRF was a good idea due to the comfort aspect which allowed for individual zonal customization. Mr. McDowell questioned if the potential savings were higher with VRF. Although there was a higher cost with VFR, Mr. Lynch confirmed the potential savings followed suit. Mr. Irvine asked Mr. Brainard if he needed the CAC's recommendation to Council to spend the money. Mr. Brainard informed Mr. Irvine he would need the CAC's approval to utilize funding from account line 5195105.9094 for the ASHRAE Level 2 Audit for up to $40,000. Mr. Kramer asked Mr. Brainard if the CAC needed to release the money from the line item and Mr. Brainard confirmed this was the case. In the past, Mr. Irvine believed the CAC had previously released money by way of a recommendation to Council. Ms. Smith reiterated AECOM was an approved contractor and asked where the $40,000 would be obtained; specifically, if it came from Green Energy Funding. There was discussion among the CAC regarding where the money came from. There was discussion regarding the LED lights for the Creek Road Trail Connector and Mr. Brainard believed money was already allocated for that project. Ms. Potts stated she would follow up with the City Secretary regarding this matter. *(Secretary's note: A review of the minutes from the CAC meeting on June 12, 2018 showed the CAC recommended City Council invest up to $12,000 of the CAC Green Energy Funding to pay for the led lighting on the Creek Road Trail Connector Project)*

Mr. Lynch informed the CAC the numbers he mentioned regarding community renewables were after net (approximately $17,800) in reserves. Mr. Irvine believed the CAC's consensus was to approve funding up to $40,000. Mr. Brainard clarified the money would be requested from the CAC's account line 5195105.9094 for up to $40,000 and that fund was designated specifically for the CAC and would not come not come from the Green Energy Fund. Mr. Brainard informed the CAC most of the application was already completed and submitted after the meeting with AECOM on November 15th. Mr. McDowell asked if a motion was necessary and Messrs. Brainard and Irvine confirmed same. Mr. Irvine asked what the balance of account line 5195105.9094 was. According to Ms. Bensley, Mr. Brainard stated the only funding obtained from this line was for the Community Day t-shirts. Therefore, he believed there would be approximately $80,000 left in the account.

MOTION BY MR. MCDOWELL, SECONDED BY MR. KRAMER: TO APPROVE THE FUNDING REQUEST FOR THE ASHRAE LEVEL 2 ENERGY AUDIT FOR THE NEWARK MUNICIPAL BUILDING AND POLICE

DEPARTMENT BUILDING UP TO $40,000 FROM ACCOUNT LINE 5195105.9094

MOTION PASSED. VOTE: 7-0.

AYE– HAZELWOOD, IRVINE, KRAMER, MCDOWELL, PRASAD, SMITH, WESSELLS.
NAY–0.
ABSENT–HORNER, SHEEDY.

Mr. McDowell thought it would be beneficial to include the ASHRAE Level 2 Audit's findings on the dashboard to show the ratio of kilowatt hours to carbon saved. There was discussion at the table regarding the funding in account line 5195105.9094; specifically, to the effect they believed the funding could be used to catalyze behavior change in the community. Mr. Irvine reiterated the necessity of funding the ASHRAE Level 2 Audit and mentioned the potential to fund reusable bags and straws from this account. He asked Ms. Potts if there were any rules that governed spending for account line 5195105.9094. Ms. Potts said she would ask Ms. Bensley or Mr. Brainard for specific information related to utilizing funds from account line 5195105.9094. Mr. Kramer asked if the money in account would roll over into the next fiscal year and Mr. Brainard confirmed same.

Ms. Smith stated she observed three people idling in their cars while looking at their phone in the Park-N-Shop parking lot on her way to the CAC meeting. While she was aware signs were made regarding the anti-idling ordinance, Ms. Smith suggested funding could be utilized to refresh the anti-idling campaign as well as purchase signs. Mr. Prasad said the CAC should check to see how many anti-idling signs were still in place. There was discussion at the table regarding anti-idling signage; specifically, Mr. Prasad thought only half of the hundreds of signs ordered were put up. Ms. Smith requested Ms. Potts place the Anti-Idling Ordinance on the agenda for the CAC's meeting on December 11th.

Discussion at the table regarding various methods to advertise and remind the community about the anti-idling ordinance resumed. Ms. Potts said she would discuss the potential for promoting the anti-idling ordinance with Ms. Bensley; specifically, regarding Facebook and social media. She suggested the CAC provide specific information regarding what they wanted to be advertised for the ordinance and she would discuss this issue with Ms. Bensley and the Communications Department upon receipt of same. Mr. Kramer suggested the information regarding the anti-idling ordinance could be included on the flyer that was sent out with utility bills.

4. OPTIONS FOR FOIA TRAINING FOR THE CAC–CITY SECRETARY'S OFFICE

Mr. Irvine asked Ms. Potts for clarification regarding options for FOIA training. Ms. Potts said FOIA training was scheduled for all of the City's boards and commissions members on Thursday, January 31, 2019 at 6:30 p.m. in the Council Chamber. Max Walton, Attorney with Connolly Gallagher, would be the presenter and the training would be approximately two-hours long. Ms. Potts encouraged the CAC to attend if their schedule permitted. Mr. Prasad asked if there was a registration process for FOIA training. Ms. Potts believed pre-registration was not required; however, she informed she would send an email to the CAC to obtain a headcount.

5. OLD/NEW BUSINESS

Mr. Irvine announced the CAC would flip the order of discussion for Old/New Business and asked Mr. McDowell to provide an update on Reforestation Day.

- Reforestation Day

Mr. McDowell announced Mses. Smith and Hazelwood attended Reforestation day and said it was an incredible success. He was unsure the total number of volunteers; however, he said the turnout was unusually high. Ms. Smith believed there were 68 volunteers at the event and Ms. Hazelwood agreed. Mr. McDowell said a group of students from the University volunteered, as well as 27 students from Newark Highschool [along with their parents]. Ms. Hazelwood thought a group of volunteers came from Amazon and Mr. McDowell confirmed same. Mr. McDowell said all 400 trees were planted and believed another 400 could have been planted. He stated he took many pictures of the event and made a banner for the volunteers to hold which said, "Reforestation Day Newark Red Park 2018" to document the event. Mr. McDowell said every tree received a plastic perforated tube to protect them from deer. Three different species of trees were planted:

1. Beech
2. Black Gum
3. Red Maple

Mr. McDowell announced the National Wildlife Federation (NWF) donated the trees. Ms. Smith expressed the donated trees were whips (bare roots) and described them as a tiny sticks with roots. Because Newark was considered a community habitat, Mr. McDowell said the NWF was more than happy to donate trees; however, the only stipulation was a minimum of 100 trees could be requested. Therefore, he expressed the NWF would not have a problem if the CAC asked for double the minimum amount next year. Mr. McDowell thought it might be necessary to adjust the planting date next year due to the fact the trees were not available this year when they were requested. Mr. Prasad asked if the plastic tubes required manual removal and Mr. McDowell and Ms. Smith confirmed same. Mr. McDowell informed Mr. Prasad that Mr. Zalesky stated the tubes would not need to be removed for a couple of years. Mr. McDowell said the trees were approximately 1'. Ms. Smith reported the trees would continue to growth up through the tube; and would protect the tree from deer. According to Mr. Zalesky, Mr. McDowell stated the tubes increased the trees survival rate from 30%-70%. Ms. Smith believed rate of success with the tubes was closer to 70%. Without the tubing, the trees would be subject to damage from mice or deer. Mr. McDowell said there were photographs taken which would be beneficial to promote Reforestation day next year. He announced a recent article in the Newark Post documented the events success. Ms. Hazelwood said the Newark Post had additional pictures of Reforestation day online. Mr. Irvine asked Ms. Potts if the Communications Department could publish an article highlight the success of the first annual Reforestation Day. Ms. Potts expressed she would discuss the matter with Ms. Bensley and the appropriate parties. She asked Mr. McDowell to provide her with pictures and content to aid her discussion with Ms. Bensley and the appropriate parties.

Mr. Irvine suggested the CAC write a thank you letter to the NWF for their donation which would include a copy of the Newark Post Article and pictures from Reforestation Day. Mr. McDowell said he would write a thank you letter to the NWF and would bring it to the CAC's next meeting on December 11th. Mr. Irvine announced the CAC's Annual report would be due soon and asked Mr. McDowell if he would be willing to write it. Mr. McDowell agreed to write the report since it would be included with the thank you note for NWF. Mr. Irvine asked Mr. Wessells to write this year's Community Day entry and stated it would be similar to previous years; however, the entry needed to include updates regarding questions previously posed and feedback received.

- A Better Newark Award:

Ms. Smith believed it was time to put the A Better Newark Award away and said, "I just don't think it's a viable thing. We tried really hard." She expressed the CAC made a nice push regarding the award's promotion. Mr. Irvine asked for the CAC's consensus regarding the award. Despite the CAC's efforts, Ms. Smith was concerned as she was uncertain if the last person nominated for the award received it. She questioned whether the receipt of the award was contingent upon the recipient coming to a City Council meeting to receive it. Generally speaking, most individuals who won the reward declined to attend City Council meetings to receive them [the awards]. Ms. Smith stated there was a company who won the award; however, they were unable to attend the Council meeting to receive it. Ms. Smith thought Ms. Ohliger did not seem interested in receiving the award and asked if it meant she (or any winner) would not get the award if they did not pick it up at a Council meeting. There was discussion among the CAC regarding whether Barbara Ohliger [the last person who was chosen the award] received the A Better Newark Award. Ms. Smith thought there was a communication breakdown and asked Ms. Potts if she knew why people did not receive the A Better Newark Award. She said the CAC went to great lengths and put in a lot of work for Ms. Ohliger. Ms. Smith described the process as laborious and informed Ms. Potts it was difficult to put Ms. Ohliger on the old form. Ms. Potts said she would follow up with Ms. Bensley regarding the award. Ms. Smith stated Ms. Ohliger was out of the country for three months and shared the information prior to her departure.

Ms. Smith asked if it would be possible to send recipients the A Better Newark Award by mail. Ms. Smith said, "We need to know. Once it leaves our hands and is approved [what happens?]. I did the follow up I was asked by Renee to do, and I still think it should result in an award." She believed it reflected poorly on the CAC and the City if the award did not materialize. Ms. Smith said the possibility could exist where Ms. Ohliger decided she did not want the award; however, she believed the award still should be presented. Mr. Prasad agreed with Ms. Smith and stated the practice of requiring individuals to come to City Council meetings to receive their awards was a recent development in the last two years. Prior to two years ago, he said the CAC handed out the award in an "old-fashioned" way; specifically, individuals got their awards one way or the other. Mr. McDowell echoed Mr. Prasad's statement and suggested the possibility of mentioning the award at a Council meeting. He thought the award could be mailed to individuals if they were unable to attend a Council meeting. Mr. Kramer suggested the winner of the award could be given advanced notice as to the Council meeting when the award would be given and stated the award could be mailed if the winner was unable to attend same. Mr. Wessells also believed the distribution of A Better Newark Award at a City Council meeting was a recent development. He thought this development occurred closer to four or five years ago.

There was discussion at the table regarding when it was determined individuals needed to come to Council for their awards. Mr. Irvine said the idea of distributing the award at Council meetings was to raise awareness and promote [the award's] notoriety; however, it was unsuccessful. Mr. Irvine believed other attempts to promote the award were unsuccessful (i.e. giving the award to members of the CAC, promoting the award through the newspaper, handing out flyers in the community and asked people to nominate themselves). Despite all efforts, Mr. Irvine expressed people did not apply for the award and questioned if it should continue. Ms. Smith thought the award had reached the end of its useful life. Although popular at one time, Ms. Smith said interest in the award declined. Mr. Irvine thought the CAC could revive the community's interest in the award; however, he believed effort would be required. Mr. Prasad feared what might happen if the CAC were to disband the award; specifically, to the effect people would apply after it no longer existed. He expressed he would rather let the award sit dormant for a year or two. If applications for the award were not received during that time, he thought it might be appropriate to evaluate continuing the award. Ms. Smith and Mr. Irvine agreed with Mr. Prasad's suggestion to re-evaluate the award. Mr. Irvine thought it was important to give the past recipient her award and believed the process needed to be updated. Ms. Smith echoed Mr. Irvine's statement and said she wanted to ensure Ms. Ohliger received the award.

Mr. Irvine announced he wanted to discuss 0 Paper Mill Road and asked if all members of the CAC were present at the meeting on October 9th. Ms. Hazelwood and Mr. Kramer said they were unable to attend the meeting. Ms. Potts said Mr. Horner was unable to attend the CAC's October 9th meeting. Ms. Smith said Mr. Markham recommended Parks and Recreation obtain a recommendation from the CAC on the Tree Ordinance revision prior to coming to the Council. She stated the CAC wrote their recommendation for the Tree Ordinance at their last meeting on October 9th. Mr. Irvine said the CAC decided not to make a recommendation on 0 Paper Mill Road's annexation at the last meeting. He asked Ms. Potts where Council stood regarding 0 Paper Mill Road. Ms. Smith thought Council recommended Parks and Recreation develop a working committee to assist with the revision of the Tree Ordinance. Ms. Potts said Mr. Spadafino was tasked with creating a working group to assist with the ordinance and this was noted in previous Council minutes of late. She reiterated Council appreciated the CAC's feedback. Ms. Smith stated the "ordinance needed to be revamped". Ms. Smith believed the developer for 0 Paper Mill Road would come back to the Planning Department and Council. She thought there was a three-step process for the developer and thought the development could not be annexed until the Tree Ordinance requirement was satisfied. Ms. Smith the current language in the ordinance said certificate of occupancy could not be granted until the trees were in the ground. She believed the Parks and Recreation Department needed to change the ordinance, so they would have access to the money in lieu of trees fund. Ms. Smith stated the creation of this fund was offered as a solution because the required trees could not be placed in that area. She noted the ordinance was brought to the CAC prior to Council and the CAC advised Council not to approve the fund solution. Ms. Smith said Council received the CAC's recommendation and told the Parks and Recreation Department to fix the ordinance to reflect the 21st century concerns about trees. Since there were two large projects scheduled which required large amounts of trees to be removed, Ms. Smith said the plan was stuck on annexation and it was up to the developer. She was unsure as to what could happen to the project and said it could not be annexed without a tree solution.

Upon review of the October 22, 2018 Council meeting minutes, Ms. Potts informed the CAC Mr. Coleman suggested to wait to establish a potential timeline until further review and feedback and noted Parks and Recreation's potential timeline may be reviewed at the November 26, 2018 Council meeting and may include substantive changes to the ordinance and the establishment of a working group. Mr. Irvine believed the CAC should take part in the working group. Ms. Smith believed Ms. Sierer asked her and other members to participate in the working group. Mr. Irvine thought the CAC could make a general recommendation as a commission about the 0 Paper Mill Road Development, regardless of the changes to the Tree Ordinance. He expressed the CAC had made their recommendation about the Tree Ordinance abundantly clear to the effect they did not believe the ordinance as proposed was in the City's best interest. Mr. Irvine said the CAC could decide not to act on 0 Paper Mill Road and believed the Tree Ordinance could be rewritten and reviewed under their purview. According to Mr. Irvine, it was obvious the CAC's feedback was welcome as they raised valuable points others had not thought of. Mr. Irvine said the CAC could choose to make a recommendation on the pros and cons of annexation for 0 Paper Mill Road. However, he thought the CAC's input regarding the Tree Ordinance would be applied prior to consideration for annexation. Mr. Irvine said the CAC needed determine if 0 Paper Mill Road should be annexed for the City and asked if it was appropriate or aligned with their vision to permit annexation and removal of trees. He was concerned about accepting money in lieu of trees for the 0 Paper Mill Road development to the effect planting trees elsewhere did not have equal habit value and allow for impervious surface to be put on that land. Ms. Smith believed the status quo needed to be broken in order to improve the habitat and conserve the environment in Newark.

Mr. Irvine did not believe it was wise to assume the homeowner's association would pick up the cost the City did not want to incur, and he believed it was not effective in other neighborhoods including his own. Mr. McDowell said there were similar issues in New Castle County which lead to many problems. Mr. Irvine said the cost-benefit analysis was not accurate. While the benefit of annexation might be seen in near term, he believed the City would ultimately be stuck with the bill. Mr. Irvine was concerned with the loss of habitat due to annexation and reiterated the CAC needed to decide if they wished to endorse annexation that leads to the use of property [which they believed was not in the best interest of the watershed]. Mr. Irvine was inclined to believe the annexation did not make sense. When she reviewed the ordinance, Ms. Smith said one of the issues [brought to her attention by Peter Saenger] was due the fact the Planning Commission did not consider the same elements as the CAC considered. She did not believe planning should be devoid of environmental concern; furthermore, Ms. Smith thought the CAC should change the work of the Planning Commission to include 21st century thinking about the environment. Mr. Irvine agreed with Ms. Smith and thought it would be useful to revisit the process by which plans developed and the review of same. Ms. Smith stated the re-write of the ordinance needed to include 21st century language regarding the ecological services of trees.

Mr. Irvine believed the CAC should think about the annexation for 0 Paper Mill Road and wanted to make a statement and recommendation; specifically, the environmental merits of annexation and any concerns. He asked Ms. Potts to place 0 Paper Mill Road on the agenda for the next CAC's next meeting on December 11th as he wanted to discuss the environmental implications of the proposed annexation. Mr. Wessells asked what would happen if the annexation was not approved; specifically, if the houses would be hooked up to sewer or septic. Mr. McDowell and Ms. Smith said the development would use County septic if annexed. There was discussion at the table regarding the environmental implications of septic systems and the removal of trees.

- Follow up discussion of potential elimination of plastic straws:

Mr. Irvine asked the CAC if they wished to move discussion of the potential elimination of plastic straws and bags to the meeting on December 11th. The CAC discussed the agenda and agreed to discuss the potential elimination of plastic straws and plastic bags at the next meeting. Mr. Irvine informed the CAC his son was a student at local school; additionally, his son was involved [at his school] with Project Citizenship which required students to come up with a project and make recommendations for an issue. Some of the students already chose the issue of plastic straw reduction. Mr. Irvine thought the CAC needed ideas for this issue and recommended they talk to the student group who chose plastic straws as their platform. Mr. Kramer asked if Mr. Irvine's son could attend the next meeting. Mr. Irvine said he intended for the entire Project Citizenship team (including his son) to attend the next CAC meeting. He believed the students could generate an idea which might enable the CAC to turn into a recommendation. Mr. Irvine said the CAC did not have a staff to perform research and believed the students could provide valuable tools.

- Follow up discussion on potential elimination of plastic bags:

Mr. Irvine said the CAC already completed research regarding the potential elimination of plastic bags. He suggested the New Newark Partnership, which was being reformed, could potentially partner with the CAC to make the potential elimination of plastic bags a signature project for them. Mr. Irvine thought the CAC's and New Newark Partnership could work together on this issue and contribute to the City's economic and environmental development. He expressed he was on the Organizing Committee for the New Newark Partnership and said he would attempt to put this item on their agenda. Mr. McDowell thought the involvement of the New Newark Partnership would help the CAC on their path forward. Mr. Kramer agreed with Mr. McDowell and stated partnership would look less adversarial and "would look less of us [the CAC] verses the merchants". Mr. Irvine believed Newark and the State of Delaware were behind other municipalities and states on the elimination of plastic bags.

Mr. Irvine asked Ms. Smith to provide an update regarding the Steering Committee. Ms. Smith said she was constantly reminded by Bahareh van Boekhold, chair of the Steering Committee, it was important for the CAC to participate. She informed AECOM worked on the Sustainability Plan and the Steering Committee guided them through the process. Ms. Smith described it was very hard to wrangle the big ideas of sustainability. The initial focus was delineated into three main areas under energy:

1. Reduce greenhouse gases
2. Green infrastructure
3. Transportation

Ms. Smith informed the CAC that AECOM would interview City departments (i.e. Water, Electric, etc.) who were already [hopefully] working towards applying Federal and State standards or reducing greenhouse gases. She listed the following areas that were targeted for this effort:

1. City operations to increase efficiency
2. Create greenhouse gas inventory. Ms. Smith said she relayed the CAC's concept of the energy dashboard
3. Reducing diesel powered vehicles
4. Increasing electric vehicle infrastructure (i.e. putting in plugs to support these vehicles)

She summarized the plan as "taking the huge idea of sustainability for the City and narrowing it down to some focus areas first. Ms. Smith said additional areas of focus would be determined after the focus areas were identified. She expressed she brought the Community Sustainability Plan to the Steering Community that was brought to them by Dr. Burns. Mr. Irvine suggested Ms. Smith provide the Steering Committee with information regarding the Smart Cities initiative; specifically, the utilization of information technology to better measure for energy use, transportation corridors and efficient distribution of energy. Ultimately, Mr. Irvine said these measures would lead to cost savings and environmental benefits. Ms. Smith stated there was an individual with AECOM who was very knowledgeable regarding the utilization of information technology in this capacity. She expressed confidence in AECOM regarding their direction on the path to sustainability. She said the Smart Cities initiative as well as Green Cities [based in Philadelphia] were two great resources. Ms. Smith thought AECOM used Lancaster, Pennsylvania, as a model city for Newark. Mr. Irvine thought other comparable cities were chosen for the fact they were university cities. He mentioned Burlington, Vermont as an example of a university City similar to Newark. Mr. Irvine believed the New Newark Partnership was in the process of comparing and analyzing benchmark cities (who also have universities) to Newark. He said he would share a list of comparable cities with the CAC at a later time.

Ms. Potts said she would provide helpful information via email to the CAC that was available on the Smart Cities website that listed comparable cities to Newark, Delaware. Mr. Irvine suggested AECOM research Smart Cities to assist the Steering Committee and Sustainability Plan. He believed the University of Delaware could assist as a resource for the City regarding sustainability. Ms. Smith agreed and emphasized the importance of the partnership. Additionally, she believed Dr. Burns with the New Newark Partnership had the idea of solar energy and panels well-developed. Mr. Irvine thought the City and University shared the common interest of solar energy; therefore, he hoped to have more information regarding the costs associated [with solar energy] at the CAC's next meeting. Ms. Smith announced Michelle Bennett was on the Steering Committee and said she was the University's spokesperson for sustainability. Mr. Irvine asked Ms. Smith to discuss the shared bus roots with the University and Newark. He thought there was a window of opportunity for the CAC to provide feedback or weigh in on the shared bus route and hoped the item could be placed on an upcoming agenda. Mr. Irvine thanked Ms. Smith for representing the CAC at the Steering Committee.

6. PLANNING & DEVELOPMENT REPORTS

Mr. Irvine stated the CAC could potentially assist Planning and Development with land-use issues.

7. NEXT MEETING–DECEMBER 11, 2018

Mr. Kramer announced he would not seek reappointment for the CAC and believed his last meeting would be in March 2019. While he enjoyed his time on the CAC, he expressed he needed spend time with his son. Mr. Kramer said it was his intent to attend meetings until his term expired. There was discussion at the table regarding Mr. Kramer's upcoming resignation to the effect all members considered him to be a valuable member and appreciated his contribution.

8. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Whitney Coleman Potts, Paralegal
Administrative Professional

/wcp