

CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES

March 12, 2019

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

MEMBERS PRESENT: George Irvine (presiding), Jason Kramer, Bob McDowell, Helga Huntley, Mary Clare Matsumoto, Sheila Smith, John Hornor, John Wessells

ABSENT: Kismet Hazelwood, Ajay Prasad, Kass Sheedy

STAFF: Whitney Potts, Administrative Professional, Paralegal

GUESTS: Andrew O'Donnell, District 3
Raphael Kim, Sydney Gray, Deeksha Reddy, Ella Salinski, Nour Tantush (Newark Charter Highschool)

Mr. Irvine called the meeting to order at 7:00 p.m.

1. APPROVAL OF MINUTES FROM MEETING HELD ON FEBRUARY 12, 2019

MOTION BY MR. WESSELLS, SECONDED BY MR. MCDOWELL: THAT THE MINUTES FROM THE FEBRUARY 12, 2019 MEETING BE APPROVED AS RECEIVED.

MOTION PASSED. VOTE: 8 to 0.

AYE – HORNOR, HUNTLEY, IRVINE, KRAMER, MATSUMOTO, MCDOWELL, SMITH, WESSELLS.

NAY– 0.

ABSENT– HAZELWOOD, SHEEDY.

2. PUBLIC COMMENT

There was no public comment.

3. LITTERING IN DELAWARE WATERWAYS – NEWARK CHARTER HIGH SCHOOL

Raphael Kim, Sydney Gray, Deeksha Reddy, Ella Salinski, Nour Tantush, students at Newark Charter Highschool (NCHS) with Project Citizen provided a presentation on littering in Delaware waterways. Ms. Reddy said littering in Delaware's waterways effected the State's 952,065 residents and 9 million tourists yearly. She stated the problem was longstanding and was an issue for as long as waterways were open to the public. Ms. Reddy said Shirley Posey, Director of the Christina Watershed Cleanup, stated there were approximately 17 tons of trash per year in one part of the Christina River. Ms. Salinski announced they found lots of trash when they participated in the Christina Watershed Cleanup last year.

Ms. Kim announced there was no specific policy to address littering in waterways and said Delaware did not have a State-sponsored organization or awareness program to address it. Ms. Reddy said Delaware's littering fines are some of the lowest in the U.S.; specifically, violators can be fined up to \$500 and were required to complete service hours. In other states such as Massachusetts, Ms. Reddy reported littering fines can be up to \$25,000. Ms. Tantush thought the government should be involved as it would be more impactful if they sponsored a littering awareness program. Ms. Kim said their proposed policy was to create an awareness program about the littering situation in Delaware's waterways, as well as increasing fines. She thought people who might disagree with this policy if they had not visited Delaware's waterways and observed the magnitude of the problem.

Ms. Salinski said Delaware was the only state in the U.S. that did not have an established, state-funded litter awareness program. She listed the merits of a littering awareness group as follows:

1. The citizens would be more conscious of the materials they threw away and recycled;
2. Citizens would be aware of the importance of sustainability in the future, &
3. More citizens would be encouraged to volunteer their time and clean up the community.

Ms. Kim stated Delaware's first offense was a littering fine of \$500 and 8 hours of community service. The second offense within two years was a minimum fine of \$75 and up to 25 hours of community service. Ms. Kim announced most states also had fines between \$100-\$1,000 for the first offense of littering; moreover, some states like Massachusetts had higher fines of \$15,000-\$25,000. She thought it was a good idea that some states based their fines from the distance of the litter from the nearest waterways. Ms. Kim believed this would be a good standard for Delaware to follow if littering fines were changed in the state. She announced the information regarding fines could be obtained from <http://www.ncsl.org/>. Ms. Kim said some benefits of raising littering fines were:

1. The fines would discourage people from littering;
2. Enforcing higher fines would lead to more people obeying the rules;
3. It sets a harsh penalty for those who littered and would prevent them from doing it again;
4. Money collected from fines would be reused in the government and community.

Ms. Tantush said they spoke to community members in Newark and asked them how they contributed helping with the litter problem in the state. She said the City's Parks and Recreation Department, DNREC and the Delaware Solid Waste Authority (DWSA) were part of the discussion. Additionally, Ms. Tantush announced she went to a landfill in the state to ask them about their litter program. Ms. Tantush believed the Christina River cleanup for 2019 would take place on April 6. Additionally, Ms. Tantush and the other students recently interview members of Delaware State Senate's Environmental, Natural Resource and Energy Committee (ENREC). Ms. Reddy announced they went to Legislative Hall on Wednesday, March 6, 2019 to attend a hearing where State Senator Gerald Hocker said he would be willing to work with them in the future to enact their solution. Ms. Kim hoped more young people would be involved in this issue so they could raise their generation to help Delaware become more environmentally sustainable. She noted they took to social media to promote their ideas and see what Delaware's youth thought about them. Ms. Salinski thanked the audience for listening and asked if there were any questions.

Mr. Irvine thanked the students for their presentation and announced they already started to implement their plan. He opened discussion to the CAC members.

Mr. McDowell questioned whether the students obtained data from DNREC regarding the different types of plastic that showed up as litter. Ms. Tantush said there was substantial research regarding plastic littering in Delaware and believed plastic bags were some of the most commonly littered plastic items. She thought fast food, plastic bottles and other small, disposable plastic items contributed to the littering problem in Delaware's waterways.

Ms. Smith announced Senator Stephanie Hansen said the Legislature was in the process of working on a litter bill and asked if it was the students' littering bill. She questioned if the students' primary target was to raise littering fines. Ms. Salinski confirmed they wished to raise fines for littering as well as implement an awareness program. Ms. Kim said Senator Hocker stressed the importance of raising fines as an excellent deterrent for litterers.

Ms. Huntley asked the students if they were aware of how many people were fined for littering. She believed it did not matter how large the fine was if the law was not enforced. Ms. Kim did not have the specific number regarding enforcement and acknowledged it was a low number compared to what they thought it should be. Ms. Huntley questioned whether the students had data to show how Delaware's litter problem changed over time. Ms. Kim said litter increased near Delaware's waterways and problems (i.e. insufficient volunteers to pick up litter) contributed to the issue.

Ms. Salinski reported they met with New Castle County Council member Dee Durham at Legislative Hall on Wednesday, March 6, 2019 who encouraged them to talk to Representative Valerie Longhurst about Delaware's plastic problem.

Ms. Reddy said they planned to attend the Christina Watershed Cleanup on April 6, 2019. Ms. Salinski and Tantush participated in the Marine Science Club at NCHS and attended cleanups in the Newark area.

Ms. Matsumoto asked the students if they had any ideas regarding how the littering fines and associated laws could be enforced. Ms. Kim believed the education system was needed to promote awareness regarding what items were able to be recycled. Ms. Salinski suggested a littering report program as a way for the state to support enforcement of littering fines and associated penalties.

Mr. Kramer asked the students if they researched the difference between littering and illegal dumping. He questioned whether the state allowed individual municipalities to set their own littering fines. Ms. Reddy was unsure if municipalities were allowed to set their own littering fines. Mr. Irvine believed the CAC had the power to make recommendations to Council. He thought the CAC could recommend for Council to establish littering fines and promote an informational campaign. Mr. Irvine believed it was necessary for the City to have both a good rule for littering and strong enforcement policies. He asked the students to submit a brief article on littering awareness that the CAC could submit for the City's Communications Newsletter and Newark Post's Conservation Corner.

Mr. Irvine asked the students if they had data regarding littering in waterways within the City of Newark. Ms. Tantush said it would be difficult to conduct research limited to the City of Newark's waterways; however, she was willing to further investigate this matter. There was discussion at the table regarding the geographical area that was covered in the Christina Watershed Cleanup. Ms. Kim stated Ms. Posey said there was a low number of volunteers in the Christina Watershed Cleanup as it was difficult to get people in the community to participate.

Mr. McDowell thought Community Day would be an appropriate venue to promote awareness of

Newark's watershed. He invited the students to have their own booth at Community Day and inform the public about the impact of littering in Newark's waterways.

Ms. Smith recently reported littering on several highways to the state a few months ago. According to Ms. Smith, the state said prisoners participated in supervised litter cleanups on occasion. She asked Ms. Kim if they discussed the amount of money the state allocated for littering removal. Ms. Kim stated they determined Delaware did not provide a budget for state or the City of Newark's cleanups. She announced most cleanups were conducted by volunteers and the state's resources were low in general.

Mr. Irvine thanked the students for presenting their research.

4. STEERING COMMITTEE/SUSTAINABILITY PLAN UPDATE – SHEILA SMITH

Ms. Smith said she and Ms. Huntley were on the Steering Committee; additionally, they belonged to different subcommittees.

Ms. Huntley announced the Steering Committee developed the following subcommittees:

1. Energy;
2. Planning & Transportation;
3. Buildings, &
4. Natural Resource Conservation.

According to Ms. Huntley, the four subcommittees met to collect feedback and make recommendations. She announced the subcommittees provided AECOM with their feedback and recommendations. Ms. Huntley anticipated the Steering Committee would receive AECOM's updated draft of the Sustainability Plan by the end of the day. She said the Steering Committee was scheduled to meet Monday, March 18, 2019 to discuss the updated draft. Ms. Huntley believed The Plan would come back to the CAC after the Steering Committee signed off on it and would be presented to the Planning Commission prior to Council.

Mr. Irvine asked Mses. Smith and Huntley if the Steering Committee wanted the CAC to make a recommendation to Council to accept the plan. Ms. Huntley said the Steering Committee asked AECOM to put specific action items in the plan (i.e. changes to City Code) that were necessary to make progress towards goals. She thought it would be better if the CAC took a position on the plan and amendments if desired before providing a recommendation to Council.

Mr. Horner said he reviewed a prior draft of the plan believed it lacked specific details. Mr. Irvine thought the state provided money for the plan and believed funding was available through DNREC to implement pieces of the plan. Ms. Smith thought the state might want to review the plan prior to funding it. She believed the subcommittees were part of the plan's prioritization process.

5. FOLLOW-UP DISCUSSION REGARDING THE ELECTRIC VEHICLE CHARGING STATION REBATE PROGRAM & NEWARK ELECTRIC FLEET VEHICLE PRESENTATION – GEORGE IRVINE & ANDREW O'DONNELL

(Secretary's note: Mr. O'Donnell's PowerPoint Presentation is entered into the record as Exhibit A)

Mr. Irvine invited Andrew O'Donnell to present his research for the potential for Newark to utilize

Electric Vehicles (EVs) for their fleet.

Mr. O'Donnell said he lived in the City's Arbor Park neighborhood in District 3. He was a retired U.S. Army Helicopter Pilot who currently worked as an Aviation Trainer at Aberdeen Proving Ground. Mr. O'Donnell thought it appeared people faced two major problems: (1) Dirty vehicle emissions from aging vehicles require increasing amounts of maintenance and (2) A high cost of vehicle replacement. He said a new Tesla Model S costs between \$75,000 to \$135,000. Mr. O'Donnell told the CAC the Police Department in Fremont, California, recently configured a new Tesla Model S as one of their duty vehicles. He said the State of Delaware joined the U.S. Climate Alliance in 2017 with 19 other states. Mr. O'Donnell announced the Alliance's goal was to reduce emissions by 26-28% percent from 2005 levels and meet or exceed the targets of the Federal Clean Power Plan and the Paris Climate Accord. He stated the transportation sector is now the largest source of U.S. greenhouse gas emissions – at nearly 2 Billion metric tons of CO₂ per year – and 60% of these emissions come from cars. In 2017 alone, Mr. O'Donnell believed Delaware produced about 3.2 million tons of CO₂ emissions. Additionally, Mr. O'Donnell announced Delaware was a founding member of the Regional Greenhouse Gas Initiative.

Mr. O'Donnell thanked City staff for helping him obtain a copy of the City's Capital Improvement Program (CIP) for 2019-2023. He believed the CIP said it would cost the City over \$7 million dollars to replace the vehicle fleet over the next five years. Mr. O'Donnell thought Electric Fleet Vehicles (EVs) would reduce the total cost of maintenance and greenhouse gas emissions for the City's fleet. He announced the City of Coral Gables, Florida built a "Green Fleet" in 2016 with 20 EVs. Mr. O'Donnell claimed Coral Gables currently had 43 EVs with the goal to have 78 [EVs] by 2021. and have a goal of 78 by 2021. Additionally, Mr. O'Donnell said Coral Gables added six public charging stations, which reduced gasoline consumption by over 12,000 gallons and eliminated over 40 tons of greenhouse gas emissions. Mr. O'Donnell thought earlier EVs were limited by range which deterred many drivers. Mr. O'Donnell said a single charge could last from 200-300 miles on newly released EVs. Since EVs have regenerative braking, Mr. O'Donnell thought they have better efficiency and longer range at city speeds than highway speeds. For this reason, he believed EVs were ideal for the City's fleet.

According to Mr. O'Donnell, a common objection to EVs was related to the fact they needed charging stations. He described the different levels of charging stations as follows:

1. The Level 1 charging station. It is portable, typically comes with the EV, and can be plugged into any compatible standard wall outlet. It takes approximately eight hours to charge EVs, depending on the vehicle's capacity;
2. The Level 2 charging station is approximately the size of a toaster. It is wall or pedestal mounted, and takes half the time as the Level 1 charger because it uses twice the amount of power. Level 2 charging stations are most common for homes and city fleets, and are installed wherever the EVs are parked overnight, &
3. Level 3 charging station. These are about the size of a refrigerator, use high voltage DC power fed directly to the vehicle's battery and can fill it up in less than an hour. However, the higher cost usually means they only make sense at highway truck stops and gas stations.

Mr. O'Donnell thought there was a growing number of EVs with impressive specs. He believed some EVs were now less expensive than most petroleum vehicles throughout their life cycle. Mr. O'Donnell announced there was a Federal Tax Credit of up to \$7,500 for EVs; moreover, the State of Delaware offered a rebate program of up to \$3,500. Mr. O'Donnell thought the savings in the City's fuel budget

could be applied to the purchase of EVs. He spoke with Tony DiPrima from The Sustainable Energy Utility (SEU), who offered the City a 2-3% interest loan for EVs and charging station expenses. Mr. O'Donnell thought this was similar to what SEU offered for Newark's LED streetlights project. Since purchasing government vehicles requires a potentially complicated competitive bid process, Mr. O'Donnell thought Climate Mayors could potentially assist the City through the complicated government bid and application process for EVs. Mr. O'Donnell provided an example of how the City could work with Climate Mayors. (<http://climatemayors.org/>) See Exhibit A.

Mr. O'Donnell told the CAC about Sourcewell, an organization that assisted the EV Purchasing Collaborative. He spoke to Mr. Filasky who indicated the City already had an account with Sourcewell that was utilized for Newark's Vehicle and Equipment Replacement Program. Mr. O'Donnell thought it might be possible for the City to use Sourcewell through the EV Purchasing Collaborative like it did in the past. He believed electrified transportation systems were powered by a wide variety of domestic sources and reduced dependence on oil. Mr. O'Donnell thought it would cost the City less to own and operate EVs because electricity rates are low and stable. Additionally, he believed the stability of low electric rates insulated public fleets from volatile oil markets. Mr. O'Donnell listed potential cost savings for the City if 11 Nissan Leaf EVs were purchased with six ChargePoint charging stations. He described the benefits of Nuvve charging stations and compared them to Sourcewell's options.

Mr. O'Donnell projected the cost for the City to replace its vehicle fleet with the Tesla Model 3 EV. He stated details about the Tesla Model Y, a SUV, would be released on March 14, 2019. Mr. O'Donnell discussed the procurement price point for the Tesla Model Y and Model X. He presented the idea for Newark Police Department (NPD) to utilize EVs for their fleet. Mr. O'Donnell thought it would cost the NPD about \$900,000 to upgrade to EVs. This would consist of 23 Nissan Leafs, 11 Teslas, charging stations, rebates and police modifications.

Ms. Huntley questioned whether the Nissan Leaf came with police modifications or if they needed to be ordered separately. Mr. O'Donnell said research was needed to see what police modifications were available for Nissan Leafs.

Mr. O'Donnell said the NPD used Chevrolet Tahoes for their patrol vehicles and thought they had many issues with performance and reliability. He announced typical maintenance for EVs involved simply rotating the tires and topping off the windshield wiper fluid. Mr. O'Donnell believed the City would save close to \$14,000 for 34 EVs. He thought the hassle and downtime required for repairs to the NPD's current fleet would be reduced by switching to EVs. Mr. O'Donnell referenced recent carbon monoxide inhalation issues experienced by police departments throughout the U.S. He believed switching to EVs would improve the safety of NPD's first responders in addition to providing reliable service vehicles.

Mr. O'Donnell thought Newark might be able to replace pick-up trucks and other utility vehicles as other cost effective EV options became available. He encouraged the CAC to keep an eye out for EV trucks from companies like Rivian, Atlys, and Ford. Mr. O'Donnell thought the City could implement a Fleet Pool Dispatch System. Rather than each department having assigned vehicles that are mostly the same type (sedans), Mr. O'Donnell said Fleet Pool Dispatch Systems allowed cities to place most of the sedans in a pool. He announced vehicles would be dispatched to individual drivers through a reservation system. Mr. O'Donnell believed this would reduce the cost of the City's fleet by increasing the utilization rate; moreover, the required size of the fleet would be reduced without restricting operations. He mentioned FleetCarma software as an example for the City to use for a Fleet Pool Dispatch System. Mr. O'Donnell thought Other benefits of City's EV Fleets include participation in the Clean Cities Coalition, with possible

grants from the Regional Greenhouse Gas Institute and a 2-3% interest loan from the SEU. He said the City would be eligible to join the multi-state Zero Emission Vehicle Task Force (ZEV) if they switched the fleet to EVs.

Mr. O'Donnell believed Newark's fleet could gain local and national recognition for leading by example and switching the fleet to EVs. He welcomed questions from the CAC at this time.

Mr. Horner asked Mr. O'Donnell if he thought political ramifications would stop the City from switching to EVs. Ms. Huntley thought the money savings for EVs was not up-front and believed Mr. O'Donnell's calculations were lifecycle calculations. Mr. O'Donnell said some of his calculations were based on the City's vehicle replacement program and the fuel savings were based on the lifespan of the car. He believed the lifespan varied by vehicle and lasted an average of 15 years. Ms. Huntley thought Council might object to the upfront cost for EVs and believed they were hesitant to raise taxes. Mr. Irvine said Mr. O'Donnell's assumptions were not based on an amortization approach. Ms. Huntley thought the City used a vehicle replacement fund to pay outright for vehicles as opposed to taking a loan out.

Mr. O'Donnell announced Climatemayors.org had the EV initiative which utilized a dedicated dealer that handled all vehicle transactions. He believed the dealer received the federal credit and passed the credit on to municipalities as reduced lease credit.

Ms. Huntley questioned how the State of Delaware's EV rebate program worked. Mr. O'Donnell said he owned a Nissan Leaf and the rebate was included upfront. She questioned whether this rebate was available to municipalities and Mr. O'Donnell thought this was the case. Mr. Kramer believed a charging station rebate was available for municipalities. Mr. O'Donnell's proposed recommendation to replace the City's fleet with EVs followed the same rate as the City's current five-year vehicle replacement plan.

Ms. Huntley asked if the City ever considered buying EVs. Mr. O'Donnell announced he spoke to Mr. Filasky who seemed interested in potential to implement EVs in the City's fleet. Mr. O'Donnell asked Mr. Filasky if his staff would be interested in EVs for the City's fleet and he believed they would be. Ms. Huntley questioned whether other police departments in the U.S. used EVs for their fleets. Mr. O'Donnell announced there were many police departments in Europe that utilized EVs. Discussion at the table revealed the New York Police Department (NYPD) utilized EVs and hybrid vehicles as part of their fleet. Mr. O'Donnell said it would be helpful to have actual data from NPD about vehicle mileage and maintenance of police vehicles. Ms. Potts suggested Mr. O'Donnell should reach out to Senior Mechanic Dave Vispi for this information. Mr. McDowell thought Mr. O'Donnell needed to emphasize the harm of carbon emissions when speaking with City staff and believed it was an important factor to consider with the Sustainability Plan.

Mr. Irvine and the commissioners discussed a recommendation from the CAC to City Council for EVs.

The Conservation Advisory Commission recommends that the City of Newark procure electric vehicles (EV) rather than fossil fuel sedans for the City fleet. There are five (5) reasons for this:

1. The City will save an estimated \$120,000 on the purchase of 11 sedans to be purchased over the next five years in the Capital Improvement Program. This is equivalent to \$10,000 in savings per vehicle. Fuel cost savings would be in addition to this amount. This is

approximately \$3,000 per year. These savings are from rebates and low interest loans available from State and Federal programs.

2. To reduce Greenhouse gases and to keep our air clean and lungs clear.
3. Lower maintenance needs for the City and costs of EVs versus Fossil Fuel Vehicles.
4. Safety for City personnel, reducing exposure to Carbon Monoxide.
5. The City's fleet could gain local and national recognition and serve as an example to citizens.

(Secretary's note: The above recommendation will be formalized and forwarded to Council)

Other cities have done this: Coral Gables, Florida; Hyattsville, Maryland, and Lovelace, Colorado among others.

The City can install charging stations with the support of a DNREC rebate program.

This recommendation is based on research by Andrew O'Donnell, Arbor Park resident.

6. REVIEW AND APPROVE THE ANNUAL REPORT

Mr. Irvine announced he had not written the CAC's annual report. He asked Ms. Potts to move the review and approval of the CAC's annual report to the agenda for the meeting on April 8, 2019.

7. OLD/NEW BUSINESS

- Update on Research from Plastic Bag Subcommittee

Ms. Smith announced she sent Ms. Hazelwood and Sheedy a toolkit regarding plastic bags and said she would share it with the CAC. She stated the toolkit addressed the problem with fees versus bans for plastic bags. Ms. Smith said she would be able to talk about the Plastic Bag bill after it passed. She emphasized the State was acting on the matter and believed the CAC would be happy with the outcome. Ms. Smith believed the legislation prohibited municipalities from writing their own plastic bag ban or bill that includes fees. She thought data showed behavior did not change unless fees were implemented.

- Discussion Regarding Potential Grant Application for Reforestation Day

Mr. McDowell stated the CAC did not go through with the grant application for Reforestation Day due to time constraints. He learned a lot and announced he would rewrite the entire grant for next year. Mr. McDowell believed the CAC was way ahead of the curve to from last year. He clarified the grant came from Delaware's Urban and Community Forestry Service and would be applied towards obtaining large caliper trees. Mr. Irvine asked when the grant was due for 2020. Mr. McDowell said the grant would come at the same time next year for planting in the summer of 2020.

8. PLANNING & DEVELOPMENT REPORTS:

Mr. Horner said the Planning Commission deadlocked on the Green Mansion Hotel Project and believed the project was scheduled to come before Council at the meeting on March 25, 2019. He encouraged people to attend the Council meeting on March 25, 2019 if they wished to object to the project. Ms. Smith said she

planned to attend the meeting to speak on this matter. There was discussion at the table regarding whether conservation or sustainability issues were presented in the project. Ms. Smith thought the Green Mansion Hotel Project was not needed and believed there was no evidence that made a case for this development. She was concerned the project would compete with other hotels in Newark. There was discussion at the table regarding whether the University decided to close the Marriot Courtyard Hotel on New London Road.

Ms. Matsumoto frequently drove by the Springhill Suites Marriot Hotel by 273 and Main Street and thought the parking lot remained empty most of the time. She questioned if there was a way to determine how many empty beds were available in the hotel. Ms. Smith asked this question to the Planning Commission and she believed a comment was made that said the hotel was doing fine. She was concerned with the size of the Green Mansion project and thought the City would lose parking spaces. Mr. Hornor thought the City leased the current lot from Lang Development. Ms. Smith believed development similar to the Washington House was desired for Newark's Down Town area. She thought substantial data existed which highlighted this point. Mr. Horner agreed with Ms. Smith and thought it was easier for developers to make apartments since they were profitable in the City.

9. NEXT MEETING – APRIL 8, 2019

10. ADJOURNMENT

MOTION BY MR. HORNOR, SECONDED BY MR WESSELLS: TO ADJOURN THE MARCH 12, 2019 CAC MEETING.

MOTION PASSED. VOTE: 8 to 0.

AYE – HORNOR, HUNTLEY, IRVINE, KRAMER, MATSUMOTO, MCDOWELL, SMITH, WESSELLS.

NAY– 0.

ABSENT– PRASAD, SHEEDY, HAZELWOOD.

The meeting was adjourned at 8:35 p.m.

Whitney Coleman Potts, Paralegal
Administrative Professional

/wcp