CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES

September 10, 2019

MEETING CONVENED: 7:06 p.m. Council Chambers

MEMBERS PRESENT: Chair George Irvine (presiding), Beth Chajes, Kismet Hazelwood, Helga Huntley, Bob McDowell, Robyn O'Halloran, Shelia Smith, John Wessells

ABSENT: Mary Clare Matsumoto

STAFF: Danielle S. Mapp-Purcell, Administrative Professional I

Mr. Irvine called the meeting to order at 7:06 p.m.

1. APPROVAL OF MINUTES FROM MEETING HELD ON AUGUST 13, 2019

Ms. Huntley noted a correction for the bottom of page 2, second to last paragraph. The discussion with Mr. O'Donnell pertaining to the Paris Accord and the Copenhagen Accord, should say: The 2005 Paris Agreement target was set to be 26% to 28% lower" and for the second sentence "Ms. Huntley requested clarification of the reference date for the reductions".

Mr. Irvine said the word "organizations" was misspelled, and his last name is spelled "Irvine" not "Irving".

MOTION BY MR. IRVINE, SECONDED BY MS. HUNTLEY: TO ACCEPT THE MINUTES FROM THE AUGUST 13, 2019 MEETING AS AMENDED.

MOTION PASSED. VOTE: 8 to 0.

AYE – IRVINE, CHAJES, HAZELWOOD, HUNTLEY, MCDOWELL, O'HALLORAN, SMITH, WESSELLS
NAY– 0.
ABSENT– MATSUMOTO

2. PUBLIC COMMENT

Andrew O'Donnell, District 3, said he looked forward to the CAC meetings as he sees the impact in his community. He thanked the Commission for its efforts. Mr. O'Donnell addressed Ms. Huntley's remark about the date of the accord and that it was at the end of the slide he presented.

Mr. O'Donnell added that he was very interested in the discussion pertaining to the addition of solar panels to City Buildings. He believed it should be a higher priority as it would have a huge impact on carbon reduction and climate change. Mr. Irvine stated there would be a discussion with City Council on the December 2, 2019 Council meeting. Mr. Irvine directed Mr. O'Donnell to review the CAC's recommendation in the July minutes. The CAC recommended for Council to consider one of two financing options as well as referring to the report

from Dr. Byrne and Dr. Chajes. The report was done at no cost to the City.

Ms. Huntley stated the agreement was to pursue the installation of solar panels on City buildings potentially in addition to other suggestions. If there were other projects more cost effective to reduce the City's carbon footprint and the solar panels would be one effective way; she believed it was time for City Council to take the next step to find out what the cost would be. Mr. Irvine added the City staff has already reviewed this option.

3. STEERING COMMITTEE/SUSTAINABILITY PLAN UPDATE (INFORMATIONAL ONLY PRESENTION) – SHELIA SMITH, HELGA HUNTLEY & MIKE FORTNER

Mr. Fortner explained that this would be a general overview of the Sustainability Plan and explain the next steps as they are in a public outreach phase. Mr. Fortner directed the Commission to email him with any questions or comments so that he can forward them to the Steering Committee and consultants. There would also be another presentation in October with more information.

In 2017, the City received a grant from DNREC to do a Community Sustainability Plan. Originally it was to be a broad, long term and integrated community plan. A Steering Committee was established, made up of residents, who have expertise in sustainability; the University of Delaware, staff from several departments involved in sustainability and WILMAPCO. Also assisting was AECOM as a consultant, led by David Athey, a former Council member. He reported The Steering Committee exceeded their expectations as there have been hundreds of hours of work.

Mr. Fortner covered the basic frame work of the plan. It defined a sustainable community based on the UN definition: A community that meets the needs of the present without compromising the ability of future generations to meet their needs. The Committee promotes it to be socially fair and economically strong and environmentally healthy community to live, work and play in. It was meant to be a long-term guide into the future. The vision statement to emphasize the balance of the needs of the people, the planet, and a robust civic engagement. It was meant to be a dynamic plan. There was new information and new campaigns being generated all the time and the Committee wants this to be the start of the conversation. The Committee started out with a whole range of sustainability fields and through a lot of public engagement at Community Day and public workshops, they were able to narrow them down to four important items which they call "Themes". The Themes were meant to be focus areas of the plan.

Theme 1: Respond to Climate Change. When thinking about sustainability, most people think about using clean energy. Since Newark is a utility provider, the City can make a huge impact on the goal. The goal was to get Newark into a 100% renewable energy.

Theme 2: Plan and Develop for All. This theme pertains to Planning and Transportation. Most people understand the benefits of walking, biking and transit. What is understood less is the impact land use may have on those activities. Some ideas or concepts that are alarming to suburban areas are density and mixed use, but they are things that promote a walkable, bikeable and effective transit service community.

Theme 3: Build Better, Waste Less. One of the more dynamic fields was green buildings because more concepts and ideas have developed to make buildings more energy efficient.

Theme 4: Preserve Nature, Reduce Impacts. Preserving the natural environment and reducing waste. It covered the preservation of the City's natural resources, forests, water, wastewater quality and

management.

Mr. Irvine wanted to know under which theme would the economic development benefit of going green fall under. He stated there was an analysis recently issued by the UN about adaptation to climate change and stopping the progression. When choosing to adapt through public policy there are economic benefits for the municipality which would be a very strong case to have in one of the themes.

Mr. Fortner saw it as overarching into all the themes. He added that it was part of the original concept to show it as benefiting Newark economically and to make the City an economically vibrant. Many of the themes, even a well-planned walkable community, encourages business and people to move to the City.

Mr. Fortner said that additional language could be added because it was important, and they need to emphasize the related themes because it was in the Committee's vision.

Mr. Fortner stated that on Community Day, they will all be located close to each other with other environmentally focused mission groups. He stated that it would provide an opportunity for the groups to talk.

On September 17th, the Steering Committee will discuss the path forward. On October 8th, is a CAC meeting and the Steering Committee would like to have a have a public workshop from 4:00pm to 6:00pm with a variety of interactive activities for people to learn about the plan, view presentation materials, and exhibits for the plan. Following their meeting, the Steering Committee would like to present at the CAC meeting that evening a more in-depth presentation with the consulting team present. The Committee will be asking for the CAC's recommendation and feedback to provide to Council. The Steering Committee's target date to present to Council for adoption was November 11th. Mr. Fortner reiterated that this plan was not to be the end of the discussion.

Mr. Fortner explained that each action item has been assigned to a City department. The Steering Committee recognized the CAC will not be "doing" the work. The Steering Committee would like to see the CAC have an overseeing role to keep the focus on the action items. He offered for there to be an annual review where City staff reports to the CAC on how their action items are being implemented. Following this report, the CAC can provide City Council with an assessment.

Ms. Huntley asked about the first line item referring to an allocation of funds for contractors. Mr. Fortner believed it to mean the CAC could give recommendations on the type of contractors to do specific action items. There may be grants or funding to allocate and that was where the CAC could recommend how to use the funds. Ms. Smith asked if Mr. Fortner was referring to the CAC's budget, he stated yes.

Ms. Huntley felt that it would be more appropriate for the CAC to have a guidance role rather than allocating the funds for the contractors. She believed that should be more of a City Council role. Mr. Fortner said that it would either be a recommendation from the CAC or Council would allocate the funds to the CAC, depending on the circumstances.

Mr. Irvine added as a point of clarification the CAC does decide how to invest the funds in the Green Energy Fund. Mr. Fortner stated that this established the plan to put them in a better position to obtain grants. DNREC does the implementation of grants.

There was a question about an online dash board. It would be accessible online with real time data on

energy usage, renewable power generation, water consumption and other critical components of sustainable Newark. It included public engagement and there will be a more robust web page on the City's website for sustainability to highlight different programs. This would be led by the Communications Officer. There would be an ongoing effort to help residents understand what they can do to make themselves more sustainable and to help with the sustainable Newark goals. When reviewing the plan, there was a lot space dedicated to what has been done and the Committee's successes.

Mr. Irvine provided an edit to Ms. Huntley's title under the Sustainability Planning Steering Committee roster. It should be added that Ms. Huntley is a member of the Conservation Advisory Commission. Mr. Fortner stated that she also represents Bike Newark.

Mr. Irvine stated the CAC thought about a Green Energy dashboard and had made recommendations. They developed a scope of work for a University of Delaware student to perform. It was during the time when Mr. Coleman was interim City Manager. At that time, Mr. Coleman determined they did not have the bandwidth to manage a student intern. Mr. Irvine wanted to bring this up again because it has been roughly three years since it was last discussed.

The CAC had discussed public policy, a comparative analysis of Green Energy dashboards that would be similar to those Mr. Fortner described but they would just be on the energy piece. Mr. Irvine stated that the CAC could find those policies and send them to Mr. Fortner. Mr. Fortner stated that there was a strong interest to buy into the idea of having a dashboard. They have helped to refine some of the proposals. Mr. Fortner added that it would be good to have a Carbon Footprint Analysis to establish a baseline to see how the City improves. Mr. Irvine stated a baseline already existed and was performed roughly six years ago. Mr. Irvine stated the data could be in the CAC minutes and the City performed the task. The data was based on electric and the Finance Department as a piece related to the LED lights, it was not a full City analysis.

Ms. Chajes asked what the Steering Committee felt would be the biggest stretch for the City to achieve out of the plan. Mr. Fortner stated that green buildings are a hot topic because developers have expressed conflicting views. Some developers have stated certain options are expensive when others have expressed the opposite for the same options.

Mr. Fortner said as he understood it, some people see planning and its impact on sustainability; when developing towards a density, some people want single family homes and that was not necessarily a sustainable way to develop for many reasons; including environmentally and from a community point of view in terms of housing affordability and use of land. When developed in such a way, as an example strip shopping centers, it does not make it a place to bike. So, when developing in a way of density it may be taller more compact buildings with mixed use, it makes a more sustainable community and often times more economically vibrant. Those places tend to be more resilient as opposed to the strip centers that sometimes do not hold the attention of people especially when a newer strip center was constructed. Ms. Smith thought the example provided was a trend in planning based on laws that do not allow the dictation to a developer to not build a strip center just because one already exists.

Mr. Irvine questioned Goal 1.3(A) "Establish an Energy Transition Commission to work with the Conservation Advisory Commission to advise the City on energy-related sustainability matters". Mr. Fortner believed it to mean diversifying the income streams and making a transition. Ms. Huntley added that the conversation around the action item originated in the recognition that there are not a lot of people on the CAC who are experts in energy, electricity and utility design. The idea was to find people

who have such expertise in those areas to provide input to the City to help design a more sustainable electric utility or transition to rely on more renewable sources.

Mr. Irvine felt that redundancies could be created in the City commissions. At a recent Boards and Commissions review there was concern that some were not very active. He suggested a possible change for the CAC to incorporate the idea as the CAC is created by the Charter. So, if there was to be a subset of the CAC focused on energy, it would be another way for the City to proceed. Mr. Irvine liked the idea to transition from either a revenue perspective or a technology perspective and have more expertise on the commission.

Mr. Irvine added that the diversity of perspectives from the current CAC allows for different perspectives. He believed that if a commission were to be created made up of only technology specialists related to energy and those solutions put forth would be technologically sound but not fit the political and social context or community and generational awareness. Mr. Irvine stated that the was not against the idea.

Mr. Irvine stated that currently there was a State level benefit for Delaware citizens of an estimated amount of $3,000 to $4,000 to purchase an electric vehicle. He asked what if the City were to provide a benefit of discounting the cost of electricity of the household for six months or a year. Mr. Irvine thought the money the City would be giving away in revenue would be more than made up by the purchase of electricity used to recharge the vehicle. The City would only be taking business away from gasoline providers, not from itself. Ms. Smith explained that similar to the previous topic, she was looking into switching to a heat pump. The City offers a benefit roughly in the amount of $100 to any resident who makes the switch to a heat pump. Ms. Huntley believed that this all could fall under the action item Goal 2.3 (F) “Develop economic policies to incentive EV ownership among residents”.

Andrew O’Donnell, District 3, stated that Delmarva has started a program to add a separate meter for EV (Electric Vehicle). This way Delmarva can separate the EV charging from the regular house energy usage while also providing a lower rate from the rest of the household rate. Also, most EV charging was done overnight so it would be done under the base load that was generally cleaner under natural gas or which ever green energy it would transition too. It also would not put an increase on the City’s electric load.

Mr. Irvine believed that Mr. Fortner’s presentation showed great progress. He would like to find funds to help implement the plans. Mr. Irvine added that it was one of the points to go after the planning grant to set a plan to select certain topics to have money applied to for implementation. Mr. Irvine stated that once this was adopted he would like to help obtain funding from DNREC and other company foundations such as BLOOM.

4. PLANNING & DEVELOPMENT REPORTS

There were no comments.

5. 2019 REFORESTATION DAY DISCUSSION AND UPDATES – BOB MCDOWELL & HELGA HUNTLEY

Mr. McDowell provided packets for the Commission to show the non-native invasive plants to Delaware. Mr. McDowell worked on the list with Tom Zaleski, Parks Superintendent. Mr. Zaleski obtained bids for native plants to use on Reforestation Day. There will be a mix of pollinator flowers, larger trees, and shrubs at a cost of $1,459.80 which is within the amount voted on at the last CAC meeting in the amount of $1,500. Mr. McDowell advised Mr. Zaleski that first, Mr. McDowell needed to follow up with the CAC

for a second approval before ordering the plants.

Mr. McDowell advised there was a conversation with a nursery to discuss watering the plants occasionally after planting. The nursery stated that it would be at a cost of $150 per watering with a total of five occurrences.

Mr. McDowell stated that with reuse of an estimated 200 sleeves recovered from the last planting, could help a number of "baby" trees be protected from grazing deer.

Ms. Huntley asked for summarization of everything covered by the estimated $1,500. Ms. Smith named off some of the trees as:

- Sugar Maple
- Ironwood
- Black Gum

Ms. Smith asked why those trees were chosen. Mr. McDowell stated because they are pollinators and would thrive in the area and some are deer resistant. Mr. McDowell stated some are going to be caged for protection.

Mr. McDowell stated that some of the trees from the previous Reforestation Day were planted either too shallow or too deep. This year there will be three "plant quasi-experts" on hand from the Commission who have been volunteered by Mr. McDowell to separate into different areas to help guide people.

Ms. Huntley asked if they were to expect 18 young trees, 18 bushes and flowers. Mr. McDowell stated that there would be 15 of each. Ms. Smith explained, Tiarella is called Foamflower related to Coral bells and Phlox stolonifera is a low growing spreading phlox. Ms. Huntley asked if the first example of plants were flowers and Ms. Smith responded yes. Ms. Huntley asked if the second set of plants were larger young trees and on the third set of plants were bushes. Mr. McDowell stated they are shrubs. He added the idea was to diversify the plantings to plant native species.

Mr. McDowell said he still needs to reach out to local businesses to see if they would be willing to provide supplies for plant protection. Ms. Smith stated that one large local business does offer a program for schools who participate in planting and they might have something to help.

Ms. O'Halloran asked clarification of the total cost. Mr. McDowell stated it was $1,759.80. Of that, the Parks and Recreation Department offered $300 to help purchase the plants.

Ms. Huntley was concerned about asking volunteers to plant large young trees and wanted to make sure it was reasonable. Ms. Smith stated that she was able to plant one of similar size by herself and Mr. McDowell added that his group has done the same several times. Mr. McDowell added the City water truck will be on hand as well so that volunteers can water the trees immediately. After that, Mr. Zaleski will monitor the trees and request the gardening company to go out to water the trees as needed up to five visits.

MOTION BY MR. IRVINE, SECONDED BY MS. HUNTLEY: TO APPROVE THE PURCHASE OF THE PLANTS AS STIPULATED IN THE DOCUMENTS PROVIDED BY MR. MCDOWELL.

MOTION PASSED. VOTE: 8 to 0.

AYE – CHAJES, HAZELWOOD, HUNTLEY, IRVINE, MCDOWELL, O'HALLORAN, SMITH, WESSELLS
NAY– 0.
ABSENT – MATSUMOTO

Mr. McDowell stated that he would email Mr. Zaleski this evening.

6. TREE SCREENING ORDINANCE COMMITTEE – SHEILA SMITH

Ms. Smith stated the Committee has raised the dollar amount per inch diameter of mature trees. Presumably to disincentive developers to cut down more trees. They have increased the amount of woodland or forest to try and get landowners to preserve more when developing. Ms. Smith wanted it noted that she keeps reminding the Committee of this Commission's recommendation to recognize forest as "not a bunch of trees". A large stand of trees needs to be recognized as an ecosystem. Ms. Smith read the CAC's recommendation as: "…the revision that was brought to the CAC does not recognize the real value of trees. For example, the habitat they represent, the carbon sequestration, water quality, quantity, their esthetic value and the overall quality of life. The CAC recommends a comprehensive revision that takes into account the current research and the complex nature of ecological systems. For example, the benefits of measuring contiguous forest". It has been determined for the City to adopt the methodology used to calculate the value of the ecosystem of a forest.

Ms. Smith stated much of the discussions began when it was questioned if the City annexed large stands of trees and then allowed them to be cut down. This also came up with the Sustainability plan. Ms. Smith said an issue against the rewrite of the ordinance has been an argument that there are only an estimated five stands of trees which are not already part of the City but are potentially annexed. Ms. Smith asked for assistance on how far to go with forest or woodland preservation. She explained that forest has been defined in some places as "a place that has been a forest for more than 100 years".

Ms. Smith read something that she wrote, "that the CAC does stand by the recommendation that they look at stands of trees or woodlands as ecosystems and deserve protecting. There is a way to walk into a stand of trees an assess the value, the size of the trees, the kinds of plants, and the number of plants in the shrub layer, the sub-canopy."

Ms. Smith looked for support from the CAC to have forest protection added to the Sustainability Plan. City parks are protected and will be maintained as they are not threatened by development. However, immediately outside of the City, privately owned forests are not protected. Under the current City ordinance, once annexed, owners can cut down most of the forest consisting of five levels of vegetation, multiple species of herbivorous plants in various stages of growth, all microorganisms, insects, birds, amphibians, fish, and mammals that live there. The Sustainability Plan wanted to maintain that if a tree was cut down another tree should be planted in its place. This was not the same as forest preservation. The forest and its environmental amenities would be gone and 1:1 mitigation around the City will not restore it. This was one of the issues as to why the CAC asked Ms. Smith to become a part of the ordinance committee to speak out about. According to Planning Department personnel there are only a few tracts around the City that qualify as forest or mature forest. They as of now, do not have protection if annexed. Currently as forests, the quality of life for residents benefits from the services of those standing trees and ecosystem therein provide CO2 sequestration, biodiversity, cooler environment, cleaner water, stable soil, better air quality and more. Ms. Smith counts those services provided by them as vulnerable and if annexed warrant protection.

Ms. Huntley asked if there was protection for the trees if they were not annexed into the City. Ms. Smith stated yes, they have a little more protection. Ms. Huntley asked if the type of protect in New Castle County was the type of protection that Ms. Smith would like to have in City limits, or would she want the City to go further. Ms. Smith stated that the County was working on adopting the protocol that the State Botanist has suggested. Ms. Huntley asked if Ms. Smith wanted the City to use the recommendation from the State Botanist. Ms. Smith stated it was something that he would like to see the City adopt.

Ms. Smith asked the CAC if wanted to protect the forests around the City and how should they go about doing so. She thought that they could come up with create ways to preserve the trees. Mr. Irvine stated that the CAC stands by what they have said before in that the trees matter and should be properly valued. Mr. Irvine asked if there was a monetary figure generated from the methodology to determine the value of the tracts of woodland or forests. Ms. Smith explained that the way the Ordinance Committee has re-written the ordinance, these two items have not connected. The old ordinance is a 1:1 ratio.

Mr. Irvine stated that the Tree Screening Ordinance Committee was established because the old ordinance was a 1:1 ratio where for every tree cut down the same amount had to be replaced or trees were to be provided. The Committee wanted the City Planning Department to recommended that in lieu of trees, because so many trees were going to be cut down there would not be any space to plant the new ones, to accept money and the CAC thought that would set up a perverse incentive for the City to be in favor to cut down trees because it would be a source of revenue. Mr. Irvine asked if the State Botanist methodology result in a financial evaluation of woodlands or does it result in an assessment of the trees. Ms. Smith stated that she understood the question but that was where they were in this problem. In order for what the State Botanist is proposing and what the Committee is asking for is a paradigm shift.

Mr. Irvine asked if there was a draft ordinance or a plan to create a draft ordinance for the CAC to respond to. Ms. Smith has suggested to the Committee to add as a goal in the Sustainability Plan to preserve and protect forest. Ms. Smith stated what she had suggested was not used. Instead in the Sustainability Plan under Goal 4.3 states “Potential Inclusion of Action Item Related to Revisions to Newark’s Landscape Treatment Screening Ordinance”. Ms. Smith understood that to mean in other words, when the Committee went to the City to explain what was being discussed in Parks and what the goals are, there was push back on the verbiage “forest protection”.

Mr. Irvine and Ms. Smith concluded that Ms. Smith’s vision was more of a policy initiative. Mr. Irvine did not believe the vehicle Ms. Smith was drafting would be the way to affect the change at the macro level she wanted. Mr. Irvine stated that it would be wise to distinguish in the case of a parcel of land which has a woodland as defined would fall under an ordinance. Then in the case of a parcel of land which has not been deemed woodland would fall under another ordinance siting if a tree is cut down it must be replaced.

Ms. Smith stated that the Committee was working on the piece for “woodland” and they have nailed down the ordinary day to day wording. The next step was to determine how to protect the forest. What the Committee has come up with so far takes the same protections for trees as in the existing ordinance but, they have not developed the idea for what happens after. This is where the protocol for determining the value of that.

Ms. Huntley asked if it was possible to model the protection of forest on the existing protection of wetlands because wetlands are protected as ecosystems. Ms. Smith stated that was what the proposed protocol would provide in different tiers and values. Mr. Irvine added that the Committee would need to

come up with a principal address that if in agreement, land should be developed with forest or woodland or it should not be. If it should, then it needs to be in a very restricted way if certain points are attributed using the evaluation. Then the City should decide to either not annex or annex and preserve. Maybe a scale model using the evaluation method. There also needs to be steps for appeal.

Ms. Huntley thought that it was important to not make the rules so strict that people stay in the County. Ms. Smith stated that the goal from the point view of some of the Committee was to work in tandem with the County to have the same protocols for determining the level of protection in the County as in the City. The State Botanist's amendments have already been escalated to the higher levels in the County Council. Mr. Irvine suggested using that as a template for the amendment.

Mr. Irvine asked Ms. O'Halloran to introduce herself to the group.

7. CHANGE TO ANIMAL SHELTERING ORDINANCE – HELGA HUNTLEY

Ms. Huntley stated in Chapter 5 of the Municipal Code Section 5-1 provides definitions and Section 5-3 speaks to the prohibition of keeping vicious, exotic, wild, or farm animals and wild foul. She read the first statement, "...no person shall possess, own, harbor or care for whether a pet or any other purpose vicious, exotic, wild, or farm animals or wild foul as defined in this Chapter within the boundaries of the City unless specifically exempted by this Chapter". In the definitions it defines, "…a person shall mean any owner, individual, household, family, partnership or corporation possessing, owning, harboring, or caring for one or more animals. Any animal shall be deemed to be harbored if it is fed or sheltered for three consecutive days or more by a person".

Ms. Huntley believed that while trying to provide habitats in the City by having bird feeders and providing shelter for wild animals, the City was simultaneously stating to not do this for three consecutive days because then a resident could face a minimum fine of $250 for the first offense. She did not believe this code was being enforced as residents do have bird feeders and bat houses. Ms. Huntley would like for the City to officially allow its residents to provide food and shelter for wild animals such as birds, bats and bees. Ms. Smith asked if just food alone would be considered "harboring". Ms. Huntley stated yes.

Mr. Irvine felt that bird feeders were not intended to be a part of the Code. Mr. McDowell added that he could understand not having foxes, chickens or goats. Mr. McDowell also did not think that the Code intended bird feeders. Ms. O'Halloran stated that it should be more specific on what was intended rather than leaving it open to interpretation.

Mr. Irvine voiced concern that one change could have unintended consequences and people may try to find loopholes. Ms. Huntley added that she was not concerned as much about complaints pertaining to bird feeders but did have concern for people who may keep bees. She did understand there to be a limit as to what kind of animals should be included but also did not believe that there was a large amount of dangerous wildlife. Mr. Irvine asked the date of the Code. Ms. Huntley stated it appeared to be from 1998.

Ms. Chajes as she understood it as the request is to have wording to specifically permit certain activities or exempt them. Mr. Irvine asked what was listed under the exemption clause. Ms. Huntley read, "…wild animals, foul, and fish that may be purchased from a licensed commercial pet shop. Animals kept or harbored at a licensed zoo. With approval of the Chief of Police animals that are used for temporary display and farm animals if the property is at least 4 acers, properly fenced and subject to further

restrictions".

Mr. Irvine stated one path forward would be for Ms. Huntley to email her concerns to City Council or the City Solicitor. Mr. Irvine did not believe that feeding birds was meant to be a part of the Code. Mr. Irvine felt that the bee keeping was an interesting issue because "pollinators" are dying out plant wide. There should be a clause to state that "pollinators" are ok. Ms. Hazelwood added that Ms. Huntley would be able to obtain more information from the Delaware Beekeepers Association.

Ms. Huntley stated with the agreement of the Commission, her next step would be to contact the City Solicitor to ask his opinion as to whether exemptions need to be written into the law. Mr. Irvine added that it would be good know if this issue has been brought up previously by any resident and if other cities have a comparable code to use to rewrite the City of Newark's Code or add an exemption.

8. HELP HOMEOWNERS ADDRESS EMERALD ASH BORER IN TREES – HELGA HUNTLEY

Ms. Huntley read about the Emerald Ash Borer in the Newark Post recently but did not know the full extent of the threat. The article stated that the first evidence of Emerald Ash Borers was found within the City limits. She did know that the City has undertaken remediation actions on trees on City owned land. Ms. Huntley thought that it may be expensive to treat the trees and wondered if the City could help homeowners who want to prevent the spread of the insect. She believed it was the Parks and Recreation Department heading the remediation. Mr. Irvine requested for Mr. McDowell to ask Mr. Zaleski to speak at the October meeting to discuss the topic. Mr. Irvine requested Ms. Mapp-Purcell to add the item to the October agenda.

9. OLD/NEW BUSINESS

- **Discuss Installation of Solar Panels on Roofs of Select City of Newark Buildings**

Mr. Irvine stated that this item was added to the City Council agenda for December. He added that prior to the meeting they will discuss who will attend and provide a brief presentation about the merits of the recommendation.

Ms. Smith asked to have Anti-idling added to the next agenda. Ms. Smith added that the Newark Post was interested in collaborating with the CAC on a monthly conservation article.

- **2019 Community Day Final Preparations – John Wessells**

Mr. Irvine asked for the last minute plan to be arranged. Mr. Wessells stated that they still needed a tent and Mr. Irvine said that he could provide a canopy. The Commission discussed who would provide tables and supplies. Mr. Wessells stated that the event started at 11:00 am and ends at 4:00 pm. Volunteers could begin setting up at 10:00 am.

The Commission discussed which topics would be used in the poll questions and the ideas to be prioritized in order of importance.

Ms. Mapp-Purcell educated the Commission that the Annual Report was accepted by Council and that staff was going to ask Council to revisit the recommendation for the Green Energy Grant Program which will occur during the September 16th Council meeting. The original recommendation was attached as an

agenda item on the City's website.

Mr. Irvine stated it was a recommendation by the CAC done the previous year which was worked on by two former members. Ms. Mapp-Purcell was unaware of any concerns from staff but if any member had questions, they could reach out to the City Secretary.

Mr. Irvine added that there was a concern that the City was paying too much for solar installations because the cost of solar sales has dropped. DEMEC raised the concern and the CAC rewrote it, then Council had concerns about the first iteration, so the CAC wrote it again. Ms. Huntley stated that the presentation looked to be based on a comparison of the incentives between the City of Newark, Delmarva Power and the Delaware Electric Coop. Ms. Huntley believed that they were trying to make the incentive structure more uniform across different entities. She added that the conclusion referenced no need to over incentivize solar more than any other electric utility. Mr. Irvine stated that a counter argument could be that no one is using the incentive. Ms. Smith asked if it was ok to not have an answer for questions. Mr. Irvine stated yes, and that the response should be to ask for time to take the questions back to the CAC to do discuss or research.

Ms. Huntley asked if there was history showing the use of the incentives before and after the change. Mr. Irvine stated the minutes from meetings in the past where the CAC has had discussions about them are detailed. The minutes include the analysis done by two previous members in the shard folders. Mr. Irvine was going to provide everyone with access to the CAC's Dropbox.

10. NEXT MEETING – October 8, 2019

11. ADJOURNMENT

The meeting was adjourned at 9:27 p.m.

Danielle S. Mapp-Purcell
Administrative Professional I

/dmp