

CONSERVATION ADVISORY COMMISSION
MINUTES

July 11, 2023

MEETING CONVENED: 7:04 p.m. Council Chambers

MEMBERS PRESENT: Helga Huntley, John Mateyko, Mahi Palanisami, Savannah Sipes, Sheila Smith

STAFF: Jeffrey Martindale, Chief Procurement and Projects Manager
Jordan Herring, Administrative Professional I
Renee Bensley, Planning and Development Director

Ms. Smith called the meeting to order at 7:04 p.m.

She informed that Item #5 would be moved upon the agenda after public comment for the guest speaker to make his presentation.

1. APPROVAL OF MINUTES FROM MEETING HELD ON JUNE 13, 2023:

MOTION BY DR. HUNTLEY, SECONDED BY MS. SIPES: THAT THE CONSERVATION ADVISORY COMMISSION (CAC) APPROVE THE MINUTES FROM THE JUNE 13, 2023 MEETING.

MOTION PASSED. VOTE: 5 TO 0.

AYE: HUNTLEY, MATEYKO, PALANISAMI, SIPES, SMITH.
NAY: 0.

2. PUBLIC COMMENT:

Dr. Amy Roe, District 4, noted that she frequently visited her plot in Dickey Park's community garden and thanked the CAC for their role in its establishment. She did not know of the park's history, it having been there since she moved to Newark in the sixth grade, but it was visibly aged. While there were upgrades made to other more affluent parks in the City, Dickey Park had not. She wanted to bring these issues to the CAC's attention and offer them solutions.

Dr. Roe began by sharing that stormwater was a big problem in Dickey Park as most of the park was beneath the grate of the road, resulting in a near-complete washout of mulch at the community garden, and following the recent storms, the mulch had spread out everywhere surrounding. Due to the soggiess of the ground and soil, she was not sure if her plants would survive in the garden still.

Dr. Roe noted that the lack of bike racks in the park would lead to visitors locking their bikes to trees. There were two benches in the park – one was located inside the fence of the pool, and she did not know if this qualified as a public bench due to needing to use to pool to be able to access it, and another one was by the road. She pointed out that as there were none by the playground, and it was her opinion there was no place for the parents to sit to ensure their child's safety.

She noted that she believed Dickey Park lacked accessibility to the disabled or those who used wheelchairs. She noted that the only sidewalk in the park was the one that connected the road to the

community garden. She was concerned that access to the park from the apartment complex or areas in close proximity could pose a safety issue in when using the road or walking through the soggy field.

Dr. Roe believed the tree canopy was inadequate, many of the trees looked damaged, and some had mulch volcanoes which needed to be stopped. She noted that her tipping point to begin advocating for the park's improvement was an act of vandalism on Juneteenth of this year when Dickey Parks Little Free Library by the pool was set on fire. Dr. Roe informed there was also a Free Library near her residence and should a fire happen the fire could cause extreme damage to her block.

She recalled a theory in college regarding broken windows that stated if an area was not well kept, it led to more crime and she believed that this was happening to Dickey Park, as it was her opinion the park was not included in the many areas that were receiving upgrades. She informed that this park was very heavily used by black children and believed that the areas receiving these improvements were affluent or predominantly white.

Dr. Roe shared that she had many suggestions for upgrades: rain gardens were great in addressing stormwater issues, more habitat, tree cover, benches, bike racks, a sidewalk or walking path that circled the park in its entirety, improvement in tree care, and overall atmosphere. She hoped that the CAC could help with these issues.

Ms. Smith appreciated that Dr. Roe brought forth solutions and ideas for the park's improvement.

Dr. Roe mentioned that her suggestions had been accomplished in other parks such as the rain garden, pathways, etc., so she believed the City was capable of implementing these solutions.

Ms. Smith suggested bringing this item to a future agenda or bringing it to the Parks and Recreation Department.

Dr. Huntley answered Ms. Roe's question in that there was no particular set process of how they addressed certain items, but their ultimate task was to advise Council and they were able to pass along a recommendation to them regarding Dickey Park. She also noted that Council allocated a certain amount of money to them every year and could choose to ask the City to fund towards the Parks and Recreation Department for specific tasks such as these.

Ms. Smith pointed out this was how the Dickey Park community garden came to fruition.

Jeff Martindale, Chief Procurement and Projects Officer, stated that the CAC were one of two grant funding sources received for the Dickey Park community garden and the timeline on the grant was tighter than preferred. He noted that while the first plan was to implement the garden, they understood other improvements were needed and were in the pipeline. He noted that \$450K in American Rescue Plan Act (ARPA) funds were allocated to Dickey Park improvements – while he did not know the current status of designs, the Parks and Recreation Director had met with JMT Engineering and were in the preliminary steps of making those improvements. Many of the previously mentioned solutions were included in that capital project, such as the walking pathway, pavilion improvements, handicap accessibility, etc. He did not know if the benches were already being discussed, but that was something he believed would be implemented during the design phase.

When Dr. Huntley asked for the estimated timeframe, Mr. Martindale replied that this year was the design phase and next year would be implementation. He clarified community input was part of the process

when Ms. Smith asked if that would be taken.

Ann Burress, District 1, shared her excitement in hearing the presentation on Dark Sky and knew the importance of it regarding the environment. UD scientists had explained that songbirds needed to feed their young with moth caterpillars, but moths often became trapped when attracted to man-made lights, ultimately affecting the ecosystem. She encouraged Newark's community to make an effort to improve the ecosystem and hoped there would be consideration in promoting Dark Sky through education, as people performed better when knowing more about a subject.

Ms. Smith stated that if there was public interest, there were Dark Sky handouts from the presenter this evening and they particularly addressed the chemical cycle of moths and lights.

3. DARK SKY INITIATIVE – SHEILA SMITH

Ms. Smith explained that when this initiative was first started in Newark, she reached out to the University of Delaware and STAR Campus to try and generate interest and noted it was first considered in the context of bird migration. When improving habitat in critical woodland, she observed the size of the problem, and in researching general light pollution, she realized that it was a problem that affected the health of all wildlife and humans. The purpose tonight was to begin the conversation of light pollution on City property and the impact it had on the welfare of Newark's residents and wildlife, with lack of sleep and insect depopulation being examples. With the steady and quick increase of lighting around the City, she believed there would be consequences if change was not made soon.

Ms. Smith reported she was contacted by Dee Durham, Councilperson in the second district to share concerns regarding lighting in the City. Following their conversation, she directed her to the Pennsylvania Outdoor Lighting Council.

Barry Johnson, volunteer with the Pennsylvania Outdoor Lighting Council, explained that his organization consisted of outdoor lighting consultants that worked with municipalities, businesses, and individuals to rectify outdoor lighting concerns. Dark sky was a component of their work but did not encapsulate the whole their mission. He shared that through the defense meteorological satellite program, the outdoor lighting across the globe was visible from space. This was in part directly emitted upward as well as reflected from the ground, the latter of which would not disappear, especially when snow would be on the ground. He shared a stark difference between the LA Basin a century ago as opposed to today, showing light from high pressure sodium which was gradually disappearing and being replaced by LEDs and noted these were on different spectrums.

Mr. Johnson explained that a community needed positive outdoor lighting as it was an asset that enhanced safety, security, and visibility for nighttime activities. It would strengthen the seams and goals of the community, highlight its amenities, and communicate a positive visual image and order. However, he believed too much outdoor lighting was careless and excessive and could prove detrimental. Glare, light trespass, energy waste, adverse effects on human health & nocturnal animals and plants (through melatonin & sleep disruption and breeding/feeding issues), along with urban skyglow were all components of negative lighting. He wanted to clarify that he did not consider himself a Dark Sky advocate as it was too easily trivialized – there were many reasons that the entirety of this issue needed to be addressed and cared about.

He explained that artificial light disrupted avian migratory cues, decimated insect populations, interfered with established relationships between species, such as pollinators among others. This environmental pollutant impacted biodiversity, human health, and cultural heritage. He shared the example of a tree directly beneath an artificial light that had not yet received the cue to drop its leaves. He believed many lights such as this activated 24 hours due to lack of maintenance.

Mr. Johnson explained that glare caused annoyance, discomfort, or loss in visibility, such as approaching high beam headlights, which good lighting would prevent. Light trespass referred to light being directed in unwarranted or unwanted places – light shielding would be a positive way to prevent trespass, glare, and pollution through the aim and control of where the light would be placed. Floodlights needed to be shielded and aimed at a 45° angle, to prevent the light from affecting other properties. Motion sensors he believed were also a reasonable solution.

Good lighting optimized visibility through minimizing glare, light trespass, energy consumption (noting that LEDs were more energy efficient), and negative impacts on the environment. Using the correct amount of lighting was optimal, and noted over-lighting was incredibly common. Conditions needed to be created to set the conditions where the population's visual system could work efficiently. He noted lampshades existed to prevent light from getting into humans' eyes, but there was a lack of necessary shielding from outdoor lights. He noted that reflected light and contrast were what composed visibility.

Mr. Johnson showed two examples of service areas – the first with downward casting lights that were well-illuminated, softer and easier on the human eyes. However, the second, while having a larger to illuminate, did not shield their lights. He shared another pair of examples of residential lighting was a house with all-night floodlights which were naturally undesirable, as the hope is nobody would theoretically be around the house after midnight, and he believed they needed to be dimmed or shut off. The second had path lighting that led to the front door with motion sensors activated should someone walk along the path, which was a better solution.

Mr. Johnson began to list the five principles for responsible outdoor lighting as agreed between the International Dark Sky Association (IDA) and the Illuminating Engineering Society. The IDA had since changed their name to simply DarkSky. These principles were:

- All light should have a clear purpose.
- Light should be directed only to where needed.
- Light should be no brighter than necessary.
- Light should be used only when it is useful.
- Use warmer color lights where possible.

Mr. Johnson stated that considerable money and energy were being wasted on providing poor outdoor lighting, which caused glare and provided too much or too little light for outdoor visibility. He stated that improper lighting can diminish the quality of life in the community. He further added that many are unaware that much of the current outdoor lighting fail to follow recognized good lighting practices. These practices came from multiple organizations around the globe, such as in the United States and France.

Mr. Johnson shared that there are myths in outdoor lighting, such as more light means better visibility; which is only partly true. More glare meant less visibility and that light quality was just as important to visibility as light quantity. Another myth was that more light meant better security and

reduction in crime, yet poorly executed light could do the opposite by reducing visibility and providing more opportunity for crime and dangerous situations. The illusion of security can lure a bystander into a false sense of security.

Mr. Johnson informed that he believed municipal codes had not kept pace with the current lighting technology, needs, and principles, and while most had comprehensive building, electric, and energy codes, he thought many did not possess effective outdoor lighting ordinances. He believed that electrical contractors seemed to be unaware of these changes as well, and believed that could be evident by their work characterized by the acronym of his own creation, GLUT: glare, light trespass, uplight, & too much light.

Mr. Johnson believed that there were two components needed for improving lighting: educating the public, and the passage of effective ordinances.

Mr. Johnson shared the example of fixtures in neighboring Pennsylvania that were using an inexhaustible supply of natural gas; however, LEDs were installed in other fixtures of the same design, but more powerful light was produced and therefore glare along with it. Another example was of a circular light source, which provided light in all directions, and more than half would be emitted in the upward hemisphere.

Mr. Johnson shared a psychology in which glare was used for marketing, which suggested a business that shined the brightest would receive the most traffic. This would especially prove problematic in districts where residential and business buildings were very close to one another.

Safety and security were direct impacts of poor outdoor lighting practices through limited visibility due to glare and deep shadows. There was also social impact in aesthetic blight and visual clutter (such as Times Square), light trespass, and lack of visual comfort due to the straining of the eyes.

The economic impact was in that billions of dollars were wasted on excessive use of outdoor lighting – this was \$6.4B just for the US, with Delaware's share being \$19.3M; according to the calculations by the Department of Energy. This approximated to 176M kilowatt-hours, and 88K tons of coal (at 200 kWh per ton) to generate only the electricity. Unnecessary light led to unnecessary power generation, which overall was poor for the environment.

Mr. Johnson continued that human health was another component impacted by poor outdoor lighting – every organism had adapted to the earth's rotation of sunlight and darkness and possessed its own circadian rhythm, resetting when exposed to daytime sunlight. The hormone melatonin as well was produced between midnight and dawn, and in recent studies, showed to help protect human health from cancer. However, constant exposure to light both during day and night, especially cooler, fluorescent blue light, could suppress melatonin production and create a potential health risk. These natural systems were affected by the intensity, spectrum, duration, and timing of the lights. The International Space Station had taken steps to control this for their astronauts as they experienced sunrise every 90 minutes and needed to provide the darkness to produce melatonin.

Mr. Johnson shared that pollution from unnecessary power generation negatively impacted the environment, especially nocturnal animals, migratory birds, plant life, and pollinators.

He proceeded to share a group of court cases that consisted of light trespass lawsuits; while most did not come to court, they covered the issues of light shining in bedroom windows, arguing the need for

security, etc. The first was a dispute between neighbors in 1968 Pennsylvania, one of whom had a light that the other found objectionable. It was decided on a basis of nuisance, and its test was in that if the intensity of the light shining from the adjoining land was strong enough to disturb a person of reasonable sensibilities, it was a nuisance and must be corrected – however, the court did not recognize any right to protection for persons who were hypersensitive to outdoor lighting.

Another case was in 2006 Colorado – a car dealer’s outdoor storage lot possessed poor lighting that illuminated the front yards of the homes across the street, with no attempt to shield them, and stated that those lights were necessary for security. The court stated that the lights were an actionable nuisance, and the defendants were allowing that nuisance to exist. This effectively meant that the laws were sensitive to property owners' rights to use and enjoy their private property, without having to close blinds or curtains on their windows to accommodate a business interest. Asking residents to accommodate these interests was the same as asking them to put cotton in their ears for excessive noise or hold their noses for noxious fumes. This set a new precedent for nuisance light.

Mr. Johnson explained that the world was experiencing an LED revolution – the advantages were in their long life, energy efficiency, reduced maintenance, no mercury, inherently directional, instant-on, dimmable when engineered properly, tunable spectrum, and ability to be part of a digital infrastructure. However, the higher color temperature lights were prone to glare and needed to be shielded as each emitter was like a bare bulb. Although light output diminished over time, the electronic driver could fail, and still required cleaning and maintenance, especially for lightning strikes, traffic accidents, and storm damage.

Mr. Johnson shared that LED sources were chosen based on differing qualities, such as community acceptability, preference, aesthetic, color rendering, discrimination and fidelity, task performance, and object detection via contrast. When choosing these lights, municipalities would commonly ask for the cheapest lights, however some were required.

Mr. Johnson showed a diagram of the human visual perception of brightness – using the wavelength, violet-blue was between 400-450, and on the other end, red was between 650-700. In the middle, which was yellow-green at 500-550, was where human visual cells were most sensitive. The light needed to illuminate based on the sensitivity of the receptors in the human retina.

He proceeded to share a graph of two extremes of LEDs on the Spectral Power Distribution; blue 5000K LEDs had an intense spike in the beginning – these were the wavelengths to which the non-visual receptors were most sensitive, and therefore more disruptive to the human body’s endocrine system at night. While this amount would be positive and healthy in the morning, it would be the opposite at night.

He showed that the 2700K LEDs also had a significant spike, but it was less so; this was why DarkSky and the Illuminating Engineering Society recommended that the warmer color temperatures were always used whenever possible.

Mr. Johnson explained that the spectrum of light any organism received affected their circadian rhythm; every organ and tissue had its own circadian clock, but all were regulated by that of the brain, which was set by the light and dark cycle of day and night from living on a rotating earth.

Stressing the importance of not disrupting the circadian rhythm, he shared that his daughter was an overnight nurse, but had an opaque covering over her window so she could still get a period of darkness to sleep during the day while being exposed to the hospital’s fluorescent lighting at night.

Mr. Johnson informed that light therapy was effective for certain affective disorders and sleep problems and circadian disruptions, acting like a drug. These biological and behavioral effects of light were influenced by non-visual photo receptors in the eye known, such as melanopsin, which contained intrinsically photosensitive Retinal Ganglion Cells (ipRGCs) in the retina in addition to conventional rods and cones.

He shared that a potential resource was in the Illuminating Engineering Society (IES), consisting of electrical engineers and PhD scientists that specialized in lighting. The group's history dated back to 1905 and were the recognized technical authority on illumination that communicated on all aspects of good lighting practices. With over 100 publications, including design guides, technical memoranda, and recommended practices, they addressed energy management, lighting, and how to measure lighting.

Mr. Johnson informed that there was as well the Lighting Research Center, which was a research and education institution in New York.

He shared that DarkSky International was the principal advocate, with members in 70 countries, and had history dating back to 1980.

Mr. Johnson shared his own organization, as well, the Pennsylvania Outdoor Lightning Council, being one of four volunteer consultants. He explained that most people who contacted him were experiencing light trespass concerns, and they provided them with the vocabulary needed to take action through ordinance – however, many townships and municipalities did not address their issues, and therefore had to be escalated to court.

Another he shared was the DesignLights Consortium – an energy efficiency, lighting quality, energy conservation, and environmental stewardship organization.

Mr. Johnson recommended that outdoor lighting practices should be improved through education and strong ordinances. This would improve the community's quality of life, promote energy efficiency, and environmental stewardship. He stated that waste of outdoor lighting was a significant environmental issue, and improvement could be achieved through intelligent light controls such as motion sensors and astronomical timers, turning off lights when people were not present, and fully shielding light fixtures.

He concluded by stating that a community should not settle for bad lighting and that an ordinance would quantify community expectations – some had good ordinances, however many did not, and his organization was willing to assist with developing these ordinances.

Mr. Mateyko asked if Mr. Johnson knew of a municipality that had sufficient Code parameters for addressing light pollution.

Mr. Johnson stated that he believed Upper Dublin Township, PA, did so; while the City of Philadelphia's had one as well. He noted one weakness was in that it did not apply between single-family and two-family residences. He mentioned that he was contacted by a Philadelphia resident who lived across a twelve-foot breezeway from someone who put up a powerful LED floodlight and refused to cooperate. He reported the resident stated nothing could be done due to the Philadelphia Zoning Code exempting single-family and two-family homes. Between commercial and residential, however, it was positive.

Ms. Herring shared that there was a public comment submitted on this topic and proceeded to read it into the record.

Michael G. Waldon, 415 Nottingham Rd, expressed his support for the import work of the Dark Skies Initiative. He believed that excessive nighttime lighting was a great hazard to many species, particularly migratory species.

Dr. Huntley suggested taking time to consider this topic accordingly and then placing it on a future agenda for discussion.

4. CONSIDERATION/VOTE – SUPPLEMENTING REVENUE SHARING FUNDING FOR 2024 GRANT YEAR FOR ENVIRONMENTAL RELATED APPLICATIONS – RENEE BENSLEY

Renee Bensley, Planning and Development Director reminded that she attended last month's meeting and presented the idea of the CAC allocating additional money to the Revenue Sharing Program, specifically for environmentally related programs and grant applications. They discussed allowing a month to consider the program and if there would be an inclination to provide additional funding.

Ms. Bensley explained that there were many more applications than what could be funded through this program, which was a percentage of City funds that could be given as grants to non-profit organizations. Many of those groups were either environmentally related by mission or consisted of environmentally related projects within. Since the CAC had been approached by a few interested parties to receive funding from the committee, the Planning and Development Department staff thought it appropriate to propose funneling that into an existing grant program with an already-existing application process, recording process, etc. This would mean that the CAC would not need to set up a parallel program from scratch and funds from the CAC would be set aside and give additional support for the qualifying applications.

Ms. Bensley explained the reason this process had returned so quickly was due to the fact that they were opening applications for the next round of Community Development Block Grant (CDBG) and Revenue Sharing funding. The applications were due at the end of August and reviewed by the Community Development and Revenue Sharing Advisory Committee in September. The proposal last month was that if the CAC provided additional funding, related grant applications would be brought forward in October for them to provide input and approval before being recommended to Council in November.

Ms. Smith remembered the previous discussion of assisting the Newark Housing Authority with a project and stated that this was an example of a group that would apply for Revenue Sharing funds – however, in this case, the CAC would allocate money to go into that grant program, which the CDBG and Revenue Sharing group would hold. She asked if the CAC would be part of the review process or creating a review process, or if it was structured and in-line with their sustainability plan.

Ms. Bensley explained that there was already a process in place – however, they were proposing that if the CAC wanted to contribute additional funds, they would add a step to bring the applications for their approval before bringing to Council in November.

Dr. Huntley asked if the existing committee took part in sorting the applications and then submit a subset to the CAC for approval, or if they would compile the environmentally related applications and present them to the CAC.

Ms. Bensley answered that it would be a combination as the committee would sometimes partially fund some of those applications. However, this would be a partnership in which they would go through their initial process in September, then bring those that the CAC would possibly have interest in forward, and come to an agreement where they could offer an amount of money. Additionally, the CAC could put additional funds to fill their grant or provide more of what was requested.

Dr. Huntley asked if it would be more beneficial that the CAC predetermine some amount of money that they would be willing to put into the program, and then asked if they were envisioning that the committee would approach the CAC and ask if they were willing to fund an additional amount for those projects.

Ms. Bensley replied that there were certainly enough projects to spend their entire budget on, such as the Home Improvement Program, which included energy-efficient items. She noted that between the new fiscal year opening at the beginning of the month and now, they were already out of money to give, which led to a backlog of projects. She stated that it would be to the CAC's discretion on how much money they wanted to contribute, such as starting small to see how it worked the first year, then potentially expand in the future. This conversation's goal was to give an accurate look at what was available when they began to receive grant applications and interested nonprofits contacted them about funding.

Ms. Smith wanted clarification if they would be setting aside money at the beginning of the year depending on the group's estimate of what would come.

Ms. Bensley stated that currently, they were asking for a commitment of a CAC-determined portion of their 2024 funds, as the revenue sharing grant that they were taking applications for was from January 1 to December 31 of 2024.

Ms. Palanisami supported this initiative as they knew the money would be used efficiently and there was an organized process and staff. She did not know that anyone could even approach for money until hearing from someone else and encouraged allocating at least \$60K; she made the claim that if people were already asking and doing positive work, the CAC needed to fund it as they were behind the timeline.

Ms. Sipes supported it as well but believed \$60K to be a tad too much to start – she was initially thinking of \$10K, but worried that was too little.

Ms. Smith commented that it was hard to decide without seeing the programs considered and the money needed for them.

Dr. Huntley asked how large the typical grants given were.

Ms. Bensley stated that they would run anywhere from \$1K to \$100K depending on the amount of funding, applicants, and if a repeated applicant used the money in its entirety previously.

Dr. Huntley specified that she wanted to know the typical amount of the Revenue Sharing grants for 2023. Ms. Bensley stated this was between \$15K-\$20K; the larger grants would come out of the CDBG funding as there were more of them.

Dr. Huntley asked what projects the bigger grants would go to. Ms. Bensley stated that these were things such as the Home Improvement Program, the Senior Home Repair Program, the Newark Day

Nursery for subsidized daycare for low-income families, the ADA Accessibility Project for the City of Newark, etc.

Ms. Sipes asked if she could provide a list of environmental projects funded previously.

Ms. Bensley listed that Powering Our Future was an applicant last year, however they were not able to fully fund them. The Home Improvement program previously included energy efficient upgrades for low-income residents that were replacing oil heat with electric, fixing roofs and insulation, etc.

Dr. Huntley recalled that there was still money left in the CAC's 2023 funding and that Ms. Bensley mentioned they were already out of funding for the Home Improvement Program that started July 1. She asked if it would be possible to allocate 2023 money towards such energy improvement projects through that program.

Ms. Bensley did not see how this would not be possible, sharing that they were planning to approach Council the following meeting regarding this issue. She shared that many of the CDBG funds allocated were 0% interest loans that were received as program income when they were paid back; these were put as a lien on the home, and those funds would be received as well if the property was sold. She explained that the next Council meeting included a request for a \$100K allocation from the program income to the Home Improvement Program for the purpose of offsetting the demand. They need to discuss allocating the additional funds in September; however, she did not see why this could not be done additionally.

Ms. Bensley listed that recent environmentally related items were the Senior Home Repair Program and weatherization through the Newark Senior Center, Newark Energy Watch, Powering Our Future, Lori's Hands, Youth Beautification Corps through the Parks and Recreation program, remediation of trees in Dickey Park, and Good Neighbors Home Repair Program.

Ms. Smith stated that the weatherization of the Senior Center fit the CAC's mission the strongest out of those that Ms. Bensley listed. She asked if they could contribute \$1K grants if there were multiple that required that amount of an allocation, or if it was more efficient to choose one program that addressed small items altogether.

Ms. Bensley responded that in the cases such as the Senior Center Home Repair Program and Home Improvement program, increasing construction and resulting job costs were the main challenges. She believed these allocations would be too small for the majority of their applicants.

Ms. Smith asked if this would be an allocation that could be directed to solely the Senior Center, or if they were composed of multiple small grants.

Ms. Bensley answered that they tended to address smaller items that needed less money while the Home Improvement Program had larger, pricier items. The CDBG & Revenue Sharing Program's staff were partnering with the Healthy Home Initiative with New Castle County, and they received a grant to assist with health & safety issues in home repairs, which some of Newark's projects were included in – they would be allowing these projects to go through that process first and then fund the remainder with CDBG and Revenue Sharing funds.

Ms. Smith believed that it sounded like a positive solution for streamlining CAC funding of environmental projects for weatherization, energy efficiency, etc. She asked if Ms. Bensley had a specific

request amount that she believed would be the most suitable for the CAC's mission, and if there was a discernable amount of money requested that could be applied annually or currently.

Ms. Bensley suggested an initial commitment of \$20K-\$30K for the first year, and then in the following year, the process and cost could be evaluated. She understood they had their own initiatives and believed this year would be a positive trial run and trial amount to form a partnership and share money with the community that fit the committees goals and desires.

Ms. Smith stated that the CAC developed a tool to evaluate how closely requests were aligned to their mission and was concerned that they would stray from that definition and analysis when these programs were selected.

Dr. Huntley asked for clarification if the CAC would have a choice in which applications to fund.

Ms. Bensley stated that if they committed these funds, they could add a step in the approval process where the items would be brought forward to the CAC for approval where they could decide which applications were funded; that decision would then be included with the Community Development and Revenue Sharing Advisory Committee's recommendations on the remaining funds to present to Council in November.

Ms. Smith commented that the CAC took time to make decisions and wished that to be considered.

Ms. Bensley stated that there would be thorough preparations of applications, summaries, requests, recommended allocations from the Community Development and Revenue Sharing Advisory Committee and then the ultimate balance requested from the CAC. She hoped they would come prepared to make decisions with the information presented.

Ms. Smith was willing to begin a trial run of this process.

Dr. Huntley greatly supported this idea as she believed the CAC needed a fair and equitable process for allocating money towards community groups but suggested a smaller amount of money. She felt that \$15K-\$20K would be more sufficient for a trial run as they wanted to make sure there were funds for initiatives that they drove themselves.

Dr. Huntley asked if Mr. Martindale could share the amount of remaining funds in 2023 as well as in 2022.

Mr. Martindale explained that the next agenda item as well as the \$12.5K that they hoped to give to Energize Delaware would give them about \$40K in remaining 2023 funds. He shared that the MUNIS program was currently giving him an incorrect number, so he would have to continue to investigate.

Dr. Huntley once more suggested allocating \$20K and wanted a specific discussion before making a motion.

Ms. Sipes and Ms. Smith concurred.

Mr. Mateyko did not agree with committing at this point, as he wanted to know more information and options for alternative uses in the following months.

MOTION BY DR. HUNTLEY, SECONDED BY MS. SIPES: THAT THE CONSERVATION ADVISORY COMMISSION (CAC) ALLOCATE \$20,000 DOLLARS OF ITS 2024 BUDGET, ASSUMING THAT CITY COUNCIL WILL ALLOCATE TO THE CAC \$100K FOR 2024, TO GO TOWARDS A GRANT PROGRAM TO BE JOINTLY ADMINISTERED WITH THE REVENUE SHARING AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Ms. Smith clarified that this would be a process of applications being presented to the CAC, they would then choose which they would fund and which they would not and set aside an amount of money for that purpose. She wanted to know if any remaining funds not allocated to these applications would be returned to the CAC after being set aside, to which Ms. Bensley confirmed.

MOTION PASSED. VOTE: 4 TO 1.

AYE: HUNTLEY, PALANISAMI, SIPES, SMITH.

NAY: MATEYKO.

ABSTAIN: 0.

Ms. Sipes asked if the grants for review would be presented in October 2023 or October 2024.

Dr. Huntley replied with the former as the money would be spent in 2024.

5. POWERING OUR FUTURE, INC., ELECTRIC LEAF BLOWER FUNDING REQUEST – JEFF MARTINDALE

Mr. Martindale summarized that Michael Smith, Powering Our Future, made a grant application and received \$1K, and the hope now was that the CAC could provide additional funding. He reminded that Mr. Smith attended the May CAC meeting to request \$10K for 500 electric leaf blowers as part of a Newark residential giveaway program. In their discussion, they considered the CAC's wish to be more cautious of costs for pilot programs and agreed \$5K for 250 leaf blowers was sufficient. They created a Memorandum of Understanding (MOU) which stated the specifics of how the funds would be used and the reporting requirements for receipt after the giveaway event.

Ms. Smith pointed out that she read both the MOU and the meeting minutes, recalling discussion of the program being an exchange where a resident would come with a gas-powered leaf blower and receive an electric leaf blower; she asked if this was feasible.

Mr. Martindale reiterated that the current recommendation was for \$5K for 250 and would require verification that those receiving the leaf blowers were Newark residents.

Mr. Smith approached to state that he came with flexibility to work with whatever the commission decided – on one end, there was the option to not even accept gas-powered leaf blowers, and the other, there was a strict one-for-one trade-in requirement. One was potentially impractical and the other was a matter of taking old devices when giving new ones. He understood that the general consensus was for meeting in the middle, where there was the option to turn in a gas-powered leaf blower and they would happily take it and give them to the commission. Any money received from Delaware Tool Exchange could then be used to further fund the project. It would not be a strict trade-in requirement but also not the originally proposed option of not accepting them at all.

Dr. Huntley reminded of her concern that the CAC did not favor leaf blowing in general and did not encourage residents acquiring leaf blowers just because they could – their goal was to get the gas-powered leaf blowers off the street, which only giving away these leaf blowers did not achieve. She preferred residents to trade-in gas-powered leaf blowers for electric alternatives and not to re-sell the leaf blower.

Mr. Smith stated that he would need to amend the MOU, and while he was open to this option, he held concern that it was programmatically difficult. He worried that an event where residents would bring their gas-powered leaf blowers would be more difficult in logistic planning, as many would not do it. He reiterated that while he agreed with their goal and was open to amendments, he saw it as the long-term way where it was about the transition from gas-powered to electric; if the gas-powered leaf blower was sold to the consignment shop, they would still eventually be taken out of society due to age.

When Mr. Smith stated that it was akin to gas-powered and electric cars, and that the former were not taken apart when electric cars were purchased, Dr. Huntley informed that this was done for school buses.

Mr. Mateyko did not support the giveaway as he believed it was better to have no leaf blowers in general; however, it was hard to change behaviors, so he was in favor of the exchange as long as the gas-powered leaf blowers were destroyed and taken out of society.

Mr. Smith stated that a portion of money would have to go to disposal services in that case.

Ms. Sipes asked what his estimation of success was in a mandated exchange program, and Mr. Smith answered he still saw success, but not at the proposed scale; there would more work required, as well.

Ms. Sipes asked if there was a need for this amount of leaf blowers in the City, and Mr. Smith responded that the need was larger than amount requested. He estimated there were 5K to 15K total residential leaf blowers in the City of Newark.

Ms. Smith asked if there was a mention of an exchange in the minutes, then asked who ultimately would be receiving these leaf blowers.

Mr. Smith replied that this was for Newark residents, and Dr. Huntley added it was required that they needed to be Newark electric customers. While he preferred that leaves would biodegrade, but noted that many people would use leaf blowers regardless, and after giving them away at the Newark Senior Center, he noted many seniors were using them for other purposes besides leaf blowing, such as porch cleaning or blowing snow off of their cars, balconies, or sidewalks.

Ms. Sipes asked how this program would be advertised. Mr. Smith responded that it would be a combination of ads on Facebook, Nextdoor, word of mouth, etc.

Ms. Sipes asked if that could be catered to encourage and raise excitement in the public to get rid of their gas-powered leaf blowers. Ms. Smith included an idea stating that using a gas-powered leaf blower for a specific amount of time was the same as a certain amount of Co2 emissions that a car gave out.

Mr. Smith mentioned that he once encouraged an apartment complex to implement charging stations, and they would still not do so even though the State would cover 90% of the cost. He was

concerned about getting 250 people to participate in this program, while there were plenty of people who would, they may make up only a small portion.

Dr. Huntley reiterated that she did not support electric leaf blowers being added into society, seeing them as a waste of electricity for tasks that could easily be accomplished without it. She did not want to advocate for giving out electric leaf blowers for the purpose of that addition.

Mr. Smith agreed; however, he knew that they were of a select group of people, noting that many preferred to drive to work instead of using their more environmentally friendly transportation options like bikes. While they had similar preferences on how to do things, he knew many others would not do the same, such as raking their leaves or using a broom.

Mr. Mateyko did not agree with encouraging electric leaf blowers; however, he was willing to support a middle ground if it removed fossil fuel leaf blowers off the streets, and asked if that was agreeable to Mr. Smith.

Mr. Smith repeated that he was open to anything the CAC decided.

Ms. Smith asked how the previous program was funded, to which Mr. Smith responded that was out of their own pockets. They applied for a revenue sharing grant in 2023, so they were using those funds to conduct a revenue sharing electric leaf blower project at Dickey Park with the City.

He clarified that using their own funds, Powering Our Future gave out 450 electric leaf blowers in New Castle County between August and November of 2022. They also applied for \$5,656 from the Revenue Sharing Program, but received \$1K, which would be 50 leaf blowers. They were giving those out, but they would be contributing their own funds in addition, so there would be an estimated 50-100 leaf blowers given out at Dickey Park.

Mr. Smith stated that this program discussed tonight would be in addition to all programs mentioned prior – 250 leaf blowers would bring the total to 800, and 50 would bring the total to 600.

Ms. Smith stated that while this addressed air pollution, they did not care for noise pollution, and believed that yard waste should not be referred to as “waste,” as it was an important natural resource. It only provided a solution to the former and not to the latter.

Mr. Smith responded that residents had the option to clip their trees and compost them, and Ms. Smith suggested they could blow leaves under their shrubs, leaves did not have to be blown into the streets.

Dr. Huntley wished to make a motion to support the program under the condition that it was a replacement event in which the gas-powered leaf blowers needed to be exchanged for electric leaf blowers. She recalled that Mr. Smith stated the disposal of gas-powered leaf blowers would add cost.

Ms. Smith responded this was through the landfill.

Dr. Huntley asked how much money would be needed for the entire program of 50 exchanges, disposal included.

Mr. Smith stated that it would be \$1K for electric leaf blowers, and \$1K for disposal. He did not want to throw away gas and oil devices into the garbage.

Dr. Huntley asked if the \$1K covered the leaf blower giveaway, and the disposal would be the same amount. Mr. Smith responded the leaf blowers cost \$20 each. If it were expanded to 200, it would not cost much more than \$1K. The percentage changed depending on scale; there was a floor due to the small scale.

Dr. Huntley asked once more if they allocated \$2K, Powering Our Future could execute the program for 50 leaf blowers. Mr. Smith responded he did not know the memorandum process, Dr. Huntley responded that would be Mr. Martindale's work, but it was the CAC's decision ultimately to allocate the money.

Mr. Martindale noted that the trade-in requirement was not exactly equitable, as someone may not currently have a leaf blower. While they were not encouraging leaf blowers in general, he would rather encourage a mindset that if someone wished to have one that it be the electric alternative.

Mr. Martindale stated that while leaves may have been blown off of their lawns, the City did collect them, and a portion went back to City parks for an environmentally friendly purpose.

Ms. Palanisami suggested giving out brooms or rakes.

Mr. Martindale stated that if they wanted to implement a larger program, a portion of that money could be allocated towards additional bonus incentives, and noted they have used gift cards in the past.

Ms. Smith stated it would be a program for those who both did and did not possess gas-powered leaf blowers.

Mr. Mateyko believed this program as a transition and hoped it would be an obsolete concept in a year. Even if the sum were small, it would gather the same amount of publicity to advise stepping away from emission-producing devices; the best logic was to take away the old leaf blowers as opposed to encouraging new ones.

Dr. Huntley stated that the goal was to remove gas leaf blowers from society and not to help residents acquire electric leaf blowers, and to her it did not make sense to give an incentive to someone who did not contribute to the problem.

Mr. Martindale asked if Mr. Smith had any further plans for other lawn equipment in the upcoming years, noting Mr. Mateyko's mention of publicity.

Mr. Smith stated that there was a current outstanding grant proposal with Energize Delaware; however, it had been put on hold until the start of the new fiscal year. They were expecting a response from them in the next few weeks about conducting a larger program to incentivize landscaping companies to switch to electric lawn care tools, and there was still a \$50 rebate program to switch to electric leaf blower or lawn mower.

Ms. Herring proceeded to read a public comment into the record.

Michael G. Waldon, 415 Nottingham Road, believed that the Powering Our Future, Inc. Electric Leaf Blower Funding Request would be money very well spent and that the project would have a positive effect on air quality and noise in the community. He hoped that it would help to change some attitudes about these tools by introducing residents to how much better electric landscaping tools work in most situations.

MOTION BY DR. HUNTLEY, SECONDED BY MR. MATEYKO: THAT THE CONSERVATION ADVISORY COMMISSION (CAC) ALLOCATE \$2,000 OF ITS 2023 FUNDING TOWARDS AN ELECTRIC LEAF BLOWER EXCHANGE PROGRAM AS DISCUSSED WITH MICHAEL SMITH FROM POWERING OUR FUTURE SUBJECT TO THE CONDITIONS DISCUSSED TODAY.

Ms. Smith noted that it referred to the prior conversation of an exchange program with \$1K needed for the leaf blowers and \$1K needed for disposal.

Dr. Huntley stated that it would maximize the number of leaf blowers to give away with the funding that the CAC would be allocating.

Mr. Mateyko commented that the \$2K could be allocated within but turned in fossil fuel leaf blowers needed to be destroyed.

Mr. Martindale asked if this fit with the already received grant funding for the giveaway at Dickey Park, as it held different criteria than what was being proposed this evening.

Mr. Smith stated that it would not; while it would not clash, it would be difficult to advertise the differences between the two programs, as one would be giving away a larger amount of free electric leaf blowers, and another where there would be a small number requiring exchange.

Mr. Martindale asked that if an incentive program introduced would work in tandem with a free giveaway, and Mr. Smith responded that it would be so. When Mr. Martindale asked when the event at Dickey Park would be held, Mr. Smith responded that it would be at some point in the fall.

Ms. Smith commented that this could be observed as providing a service by taking and disposing a fossil fuel leaf blower, and hoped those programs could combine in the future to remove more of them from the streets.

MOTION PASSED. VOTE: 5 TO 0.

AYE: HUNTLEY, MATEYKO, PALANISAMI, SIPES, SMITH.

NAY: 0.

ABSTAIN: 0.

Mr. Martindale proposed voting for an incentive program to accompany this.

Dr. Huntley did not understand such an idea; Mr. Martindale explained that it would be if someone were to turn in a gas-powered leaf blower to receive an electric alternative, there was already an existing program for a free giveaway through the City, and the exchange requirement did not mesh with it and would be difficult to advertise.

Dr. Huntley stated that she was not in favor of a free giveaway, but as it was already in existence, she did not believe it difficult to advertise both, as long as they were not simultaneous. She suggested that the exchange program could be advertised first, and the free giveaway program could be advertised afterwards, or vice versa.

Ms. Smith explained that the incentive program would be essentially encouraging a resident to make the exchange, such as a gift card.

Dr. Huntley now understood it was a matter of modifying the free giveaway program to encourage residents to bring in their gas blowers for exchange.

Mr. Smith stated that there would be 150 electric leaf blowers in total with both programs. As the original request was \$5K and there were \$2K allocated, he suggested giving \$20 gift cards to anyone who turned in gas-powered leaf blowers. This would complete the one-for-one trade and give people \$20 for doing so, and they could be advertised the same.

Ms. Smith explained that at the same event, there would be two initiatives: to get an electric blower, but if they wanted to receive a gift certificate, they could bring their gas-powered leaf blower to be disposed of in the exchange. Mr. Smith stated that 150 people would be incentivized, and 150 leaf blowers would be given out; the turned in leaf blowers would be taken out of circulation.

Ms. Smith mused that they could write a CAC article to advertise and educate the motivation for implementing this program.

Mr. Martindale asked what additional amount of funding would be needed for this. Mr. Smith responded that it would be the original \$5K requested in total, as it would be \$2K for the original program and then \$3K for the other. However, it could be scaled down, perhaps to 20 gas-powered leaf blowers to be incentivized would be \$400.

Dr. Huntley recalled that an electric leaf blower cost \$20 and asked if the CAC agreed to purchasing residents' gas-powered leaf blowers for \$20.

Mr. Smith explained that at Lowe's, an electric leaf blower on its own cost \$97, but if bought in bulk would be much cheaper.

Dr. Huntley did not feel this to be even as both options were the same exchange, except one proposed giving a \$20 gift card or something similar. If the previously funded program was to be modified, it would not be consistent with the CAC's mission.

Mr. Smith stated he could as well retract the proposal if needed.

Mr. Mateyko mentioned that it was a matter of the same thing being sold at differing prices.

They agreed to remain with the single vote to approve the initial program.

Mr. Mateyko suggested putting out a sign to state the dangers of using a gas-powered leaf blower to boost publicity.

6. MONTHLY CONSERVATION ARTICLE WITH THE NEWARK POST

- July – Conservation Corner: Electric Bikes – Helga Huntley
- August – English Ivy – Sheila Smith

Ms. Smith informed that Dr. Huntley had written her article, and she was aware of what she would be writing in her own.

7. OLD/NEW BUSINESS

Ms. Palanisami asked if Mr. Martindale had followed up Marene Jordan regarding the \$12K for the Newark Housing Authority (NHA.) Mr. Martindale responded that he was still waiting to hear feedback from both Energize Delaware and NHA.

8. NEXT MEETING – AUGUST 8, 2023

Mr. Mateyko wished to have a section on next meeting's agenda to address moving ahead on nature-based actions and expressed that there were many items in the agenda that needed to be prioritized in order to better suit the CAC's missions. Dr. Huntley commented that this meeting's agenda was full, and they addressed many important topics.

Ms. Smith stated that there was a difference between what the CAC envisioned and what needed to be done.

MOTION BY MS. SMITH, SECONDED BY MR. MATEYKO: TO ADJOURN THIS MEETING.

The meeting was adjourned at 9:24 p.m.

Jordan Herring
Administrative Professional I

/jh