

CONSERVATION ADVISORY COMMISSION
MINUTES

August 8, 2023

MEETING CONVENED: 7:03 p.m. Council Chambers

MEMBERS PRESENT: Helga Huntley, John Mateyko, Andrew O'Donnell, Mahi Palanisami, Mikayla Rypkema, Sheila Smith

STAFF: Jayme Gravell, Chief Communications Officer
Jordan Herring, Administrative Professional I
Tara Schiano, City Secretary

Ms. Smith called the meeting to order at 7:03 p.m.

1. APPROVAL OF MINUTES FROM MEETING HELD ON JULY 11, 2023:

MOTION BY MR. MATEYKO, SECONDED BY MS. PALANISAMI: THAT THE CONSERVATION ADVISORY COMMISSION (CAC) APPROVE THE MINUTES FROM THE JULY 11, 2023 MEETING.

MOTION PASSED. VOTE: 4 TO 0.

AYE: HUNTLEY, MATEYKO, PALANISAMI, SMITH.

NAY: 0.

ABSTAIN: RYPKEMA, O'DONNELL.

2. PUBLIC COMMENT:

Dr. Amy Roe, District 4, reminded the CAC she spoke at their last meeting about proposed solutions to problems she believed were in Dickey Park, and she now wanted to provide an update.

Dr. Roe stated she was pleased her plot in the community garden was producing a surplus of tomatoes. However, she claimed she witnessed the newly installed ADA sidewalk funnel runoff from the road into the garden after a rainstorm. She reached out to the City, and they removed much of the dirt, but she did not know if the problem was fully resolved because she noticed erosion of the mulch afterwards. She was concerned it was unhealthy if a garden were to be irrigated with street water.

Dr. Huntley recalled on July 26th Joe Spadafino, Parks and Recreation Director, communicated via email the department planned to re-grade the area in the following week. Dr. Roe confirmed City staff re-graded after her request.

Dr. Huntley asked if Dr. Roe felt her concerns were addressed sufficiently, or if she wanted more to be done. Dr. Roe remarked she wished to see more done to fully resolve the issue.

Dr. Roe explained Phillips Park has a long rain garden, approximately 10-12 ft. wide and 50 ft. long, which she observed working efficiently after a bout of rain, but worried the community garden was functioning in the same form for Dickey Park. She suggested rain gardens be implemented at Dickey Park as

a possible solution for this problem.

Ms. Smith stated the rain garden in Phillips Park was implemented due to the ground constantly soaking from the rain. She did not believe there was currently anything to stop the water flow in Dickey Park due to the lawn, trees, and raised asphalt. She asked if the beds in the community garden were raised.

Dr. Roe responded she believed the gardens were approximately 6 in. high and served as a border. The gardens were filled with mushroom soil and Dr. Roe stated when she was digging deep with a shovel, one would hit clay quickly. She believed water was moving under the surface layer as well.

Ms. Smith hoped the contamination of the gardens was not significant due to the raised beds.

Dr. Roe remarked she considered testing her garden bed for lead. When Mr. Mateyko asked if she could provide soil that had no lead, she voiced her worry any lead would be from polluted runoff contaminating the mushroom soil.

Mr. Mateyko believed a tree to provide shade on the garden and benches around it would be beneficial.

Ms. Smith informed there were plans in the pipeline for Dickey Park, which the CAC would have an opportunity to provide input during the process. Dr. Roe recalled the amount of money listed was \$500K by 2025.

Mr. Mateyko suggested implementing a group of oases throughout the park as the weather became hotter for both functional stormwater control and aesthetics.

Ms. Smith stated the CAC along with the public had input on what would be implemented into that park, and while the plan was not compiled yet, she believed tDr. Roe brought forth many worthwhile suggestions on July 11th that would be taken into consideration.

Dr. Roe commented there were many plantings in Phillips Park, and Newark did many things right for nature in terms of best practices.

3. FUNDING REQUEST FOR ELECTRIC VEHICLE PROCUREMENT FOR THE PARKING DIVISION – JAYME GRAVELL – CHIEF COMMUNICATIONS OFFICER

Jayme Gravel, Chief Communications Officer, was speaking on behalf of Mr. Martindale this evening.

Ms. Gravel explained the City was entering budget season and their Parking Division needed a replacement vehicle. They were allocating \$62K towards an electric vehicle replacement but needed assistance from the CAC with their current budget. The request was for the CAC to allocate \$38K toward this new electric vehicle (EV), which would result in a 60% electric fleet. If they were to do so, this would leave around \$8K in their remaining budget, and they would still be able to fulfill their goals for the rest of the year.

Ms. Smith asked if this was replacing another EV, to which Ms. Gravell responded it was not; it would simply be replacing an older vehicle.

Dr. Huntley asked what kind of vehicle this would be. When Ms. Gravell stated it was a van, she asked what purpose it served for the Parking Division. Ms. Gravell explained it was to carry cargo and equipment.

Dr. Huntley asked if the electric vehicle was already available. Ms. Gravell responded it was, 2024 being its timeframe for purchase.

Dr. Huntley asked what the price difference would be if the City were to replace the vehicle with something equivalent to what they currently had.

Ms. Gravell stated she did not have the answer on-hand but would follow up.

Dr. Huntley recalled the memo stated there was around \$24K in the depreciation value and wondered if that would suffice to replace the vehicle if it were an Internal Combustion Engine (ICE) vehicle.

Ms. Gravell responded it would not, the City would have to seek funds from another source for the vehicle's replacement.

Ms. Smith stated the CAC had already allocated \$54K of its budget, and if allocating \$38K towards this request, \$8K would remain; she recalled the belief \$8K would cover any remaining obligations for the CAC to consider.

Ms. Palanisami asked if the depreciation value was cash the City already held.

Ms. Gravell explained this was the sinking fund and was a budget for when equipment eventually deteriorated; while the City had a budget in place, it did not cover the entire cost for this replacement. Either course of action would require a budget amendment. The question was whether they could replace the vehicle with an EV or something similar, and then whether the CAC could and would support funding a portion of the vehicle.

Ms. Palanisami asked what would be done with the old vehicle.

Ms. Gravell assumed it would go on Municibid, an online municipal service akin to eBay. All the money earned would go back into the fund.

Ms. Smith remarked the vehicle was rather expensive.

Mr. O'Donnell stated he had discussions with Mr. Martindale regarding this memo; the City had \$24,457 in their sinking fund, and if the CAC contributed \$37,453, those amounts together would cover the \$62K required for the purchase.

Mr. O'Donnell noted he had asked Mr. Martindale the City's reasoning for picking this dealer specifically. Mr. Martindale's response was there was a list from the State of authorized dealers.

Ms. Gravell responded this was correct, the City has to follow State purchasing requirements; the business Mr. O'Donnell recommended did not yet have a contract with the State.

Mr. O'Donnell stated there were vehicles pre-selected by the State that simplified the procurement process; while the vehicle was expensive, the City had limited options to choose from that fit the requirement.

Ms. Gravell noted this process was more affordable for the City, as well.

Mr. O'Donnell mentioned he had suggested to Mr. Martindale another vehicle currently available for preorder by the company Canoo, which was less expensive and had a more modern aesthetic compared to the proposed Ford vehicle.

He further explained while it was not eligible for purchase this year, Mr. Martindale shared the State's contact information. Mr. O'Donnell would pursue making the Canoo vehicle an option for the next time a similar situation was discussed with the CAC. However, he was in favor of purchasing the Ford vehicle due to the time constraints for expending and allocating their remaining budget.

Dr. Huntley asked if it was necessary for the City to replace the vehicle in 2024 or would they be able to wait until 2025 where they could potentially purchase a better option for a lower price.

Ms. Gravell clarified the option to purchase a Canoo vehicle was not guaranteed, as the State would have to approve it first.

Dr. Huntley asked if they could still purchase the Ford in 2025.

Ms. Gravell stated while this would be more than likely an option, she assumed there was a reason for this purchase being scheduled for 2024; in 2025, there would be a new list of cars to be replaced, and the \$24K would be spent on something else.

Dr. Huntley did not understand why they would be allocating money from their 2023 budget towards a 2024 purchase.

Ms. Gravell stated Mr. Martindale had recommended this, however, she did not have the answer to Dr. Huntley's question. She would follow up with the Finance Department to provide clarity.

Mr. O'Donnell understood there was a narrow window of opportunity, with multiple factors coming into play for this purchase. The City would need to place the order within the next month or two to procure this vehicle.

Ms. Gravell remarked inventory had always been an issue for the City across the board.

Dr. Huntley asked if the EV purchased for the Newark Police Department (NPD) was functional yet.

Ms. Gravell responded there was an issue with having the Ford Lightning retrofitted, and while it was a command staff vehicle, it was not a patrol vehicle yet.

Dr. Huntley noted in Mr. Martindale's memo, he stated Powering Our Future declined their offer of \$2K approved at the last meeting and asked if Ms. Gravell had any additional information on that.

Ms. Gravell understood it was denied due to leaves not being composted if they were being blown instead.

Ms. Smith clarified was a point Mr. Mateyko provided at the last meeting: the CAC did not want to encourage leaf blowing in general.

Dr. Huntley stated they approved \$2K for Powering Our Future to run an exchange program, and in the memo presented, it stated Powering Our Future made the decision to decline.

Ms. Gravell responded her understanding was only in leaves were better left on the lawn to compost.

Dr. Huntley mentioned she would follow up with Mr. Martindale.

Ms. Smith pointed out the discussion was in the July 11th minutes and remembered the CAC voted in favor to see what a trial run could do for this program.

Mr. Mateyko held the same concern as Dr. Huntley, believing the vehicle was overpriced due to the recent shortage. He thought delaying the purchase would save money as this shortage would end next year. He asked if there were any electric cars used for police duty 24/7, and then suggested purchasing a vehicle that would be dedicated to use on patrol for educational purposes.

Ms. Gravell pointed out this request was for a Parking van and could not speak to the NPD's plans for their fleet.

Mr. Mateyko clarified it was his perspective this van did not need to be as expensive as it was.

Ms. Smith asked if the CAC wanted to vote on this item now. She remarked this was a new proposal to them, and they still had many funds in their remaining budget.

Mr. O'Donnell noted there was a recurring issue in recent years the CAC would save their money and make plans, but then would wait too long to spend it. The window of opportunity to use it would close, and the City would take their funds back. Due to Mr. Martindale's answers to his questions, all contributing factors, and the narrow timespan they had to make a decision, he was in favor of the recommendation. If the CAC ran out of money but still had ideas, those could be planned into next year's budget.

Dr. Huntley asked if he could explain the narrow window of opportunity.

Mr. O'Donnell responded according to the memo, it was related to the State putting together an order and the time it took procure the vehicles. There was concern about both limited inventory and the waitlist.

Ms. Gravell added another factor was the associated retrofit and addition to the City's budget cycle.

Ms. Rypkema concurred with Mr. O'Donnell.

Ms. Palanisami asked if the emails he was referring to were sent to all CAC members.

Mr. O'Donnell responded as to not violate FOIA, those conversations were one-on-one between him and Mr. Martindale.

Ms. Palanisami asked if those should be required to be sent to the entire commission.

Ms. Smith stated Mr. O'Donnell could ask questions, but the commission could not discuss the topic as a group.

Mr. O'Donnell explained they too were able to ask individual questions, look at the provided answers, and then bring that conversation to the group at the meeting. However, the CAC could not have a group discussion over email. He clarified he had brought up all the questions he asked and the answers he received during this meeting for everyone to consider.

Ms. Smith asked if the CAC wanted to review their rubric to evaluate how they spend their money in the meantime.

Mr. O'Donnell believed the quickest course of action would be to consider in their heads if it met the requirements and aligned with the CAC's mission and goals, and if it did so more effectively than other ideas.

Dr. Huntley commented there were not many alternative suggestions on how to spend their remaining budget; one was to contribute leftover money towards the home improvement program to support low-income Newark residents and specify their funds needed to go towards weatherization, etc.

Ms. Gravell clarified this was in reference to the Community Development Block Grant (CDBG) program.

Ms. Smith did not believe that was what Renee Bensley, Planning & Development Director, discussed with them at their last meeting.

Dr. Huntley explained Ms. Bensley suggested the CAC allocate funds toward the grant program for applications. The program cycle that started in July had received so many applications that it had already run out of funding. Dr. Huntley had suggested they contribute some of the CAC budget toward that program since one of the CAC's priorities was to help low-income residents in Newark be more aware of environmental conservation. Her purpose for mentioning this proposal now was to present it as an alternative way to spend their remaining budget.

Ms. Smith suggested going down the dais to ask each member their informal opinion on this proposal.

Ms. Palanisami was in favor because she did not see another solution to this problem and a vehicle was needed for the Parking Division.

Mr. Mateyko was not in favor, he wanted to wait another month.

Ms. Smith did not know if waiting was an option and asked if Ms. Gravell was aware if that was an option.

Ms. Gravell responded it is a time-sensitive request because the State had also entered the beginning of its own budget year and they were beginning to buy new vehicles. It was in the City's best interest to lump their purchase with the State's because the cost could be lower due to the quantity ordered.

Ms. Smith was in favor given the strong arguments she had heard this evening; she knew all commission members supported transitioning the City's fleet to electric vehicles. However, she wished the amount of money requested was smaller, but they only had four more months remaining in the fiscal year.

Dr. Huntley was inclined to be in favor. She wondered if they could support this purchase in 2024 for a cheaper price, she found the information presented by Mr. O'Donnell convincing.

Mr. O'Donnell was in favor for all reasons he listed prior and mentioned he asked Mr. Martindale if they were experiencing a savings in the budget for fuel amid the transition to EVs. Mr. Martindale's response was it had been staying level as the price of fuel had not been increasing, which was offsetting their EVs. If they were not transitioning, they would be spending more fuel. Mr. O'Donnell believed this was a reason to continue the transition as aggressively as possible and hoped next year there were cheaper alternatives.

Ms. Rypkema was in favor; while she believed the CAC should consider the alternative option proposed by Dr. Huntley, she worried it would take more time and would require more discussion between more people. As they approached the end of the year and had the funds to support a current request, she believed they should approve the allocation.

MOTION BY DR. HUNTLEY, SECONDED BY MS. SMITH: THAT THE CONSERVATION ADVISORY COMMISSION (CAC) WILL ALLOCATE \$38,000 OF THE REMAINING 2023 BUDGET TOWARDS THE PURCHASE OF THE EV VAN REQUESTED FOR THE CITY'S PARKING DIVISION.

MOTION PASSED. VOTE: 5 TO 1.

AYE: HUNTLEY, PALANISAMI, O'DONNELL, RYPKEMA, SMITH.

NAY: MATEYKO.

Ms. Palanisami asked Ms. Gravell what the Parking Division carried in these vans.

Ms. Gravell responded one thing would be boots to immobilize vehicles, which took up the most space.

Ms. Schiano mentioned frequently the Parking Division would put up barricades for events to assist the Public Works division.

Mr. O'Donnell asked if this vehicle was shared between other departments when not in use.

Ms. Gravell did not believe so, but all departments shared when needed, so it was possible.

Ms. Smith rhetorically asked how much greenhouse gas emissions would be reduced by electrifying the fleet, noting it was calculable.

4. MOVING AHEAD ON SUSTAINABILITY & NATURE-BASED ACTIONS – JOHN MATEYKO (30 MINUTES)

Mr. Mateyko shared a quote from the IPCC Mitigation Report stating there were three things that needed to be done: reducing carbon, electrification, and enhancement of carbon uptake and stocks. He emphasized this was two thirds of their upcoming agenda: a 26% cutback by 2025.

Mr. Mateyko presented a publication from the City of Somerville, Massachusetts; it was an urban forest management plan, meaning if a tree was of a certain caliber, it needed to be saved. He believed this to be a framework and asked how the City could adopt a similar plan on a larger scale. He shared when released in 2021, it was reviewed in the journal of the American Association of Landscape Architects and spoken of in depth.

Mr. Mateyko stated all these issues were interrelated, and if separated, did not work properly. There would be biodiversity and natural stormwater management, but it would not change the walkability. He believed there needed to be a change in the building Code of the definition of a sidewalk. He also proposed 80% of a property's frontage should be required to have a tree index shading of 80%, which could be adjusted as they researched other municipalities who did the same.

Mr. Mateyko continued by proposing the usage of five select streets of different character for a demonstration plan. He stated streets very rarely used as roads retained too much solar heat, noting in Phoenix, the asphalt was 150-160 °F and would give a second or third degree burn if not careful. He believed this needed to be considered, which prompted this proposal for a pilot program to determine what worked and what did not.

He shared this demonstration plan would require 50% on each side of the street (sometimes changing depending on what the street called for) be un-paved and implemented with plantings like that of a rain garden. This would aim to solve the problem of hot asphalt and replace it with deep shade, which would constantly drop the temperature, both during the day and night. He stated the correlation between deaths and extreme heat were not through high daytime temperatures, but due to the temperature always staying somewhat high through the night as well. If the human body was uncomfortable due to heat, it would prevent melatonin from producing and acting as a rejuvenator to the brain. He believed shade was needed for public health, safety, and welfare.

Mr. Mateyko reiterated these plans were aimed at protecting the public's wellbeing. While this was an issue years ago when society did not know about climate change, he believed it was now the job and responsibility of the CAC to take action.

Mr. Mateyko believed replacing hot asphalt with rain gardens would shift naturalized hydrology; he pointed out there were four people at this meeting with professional knowledge in environmental engineering which should prove beneficial in achieving this goal. He proposed since there were no plans to move existing pipe infrastructure, the first few inches of overflow would infiltrate into the proposed

rain gardens.

He would like to investigate where this had been implemented, not strictly on an engineering basis, but on a naturalizing basis as well. He believed this could turn previously paved areas back to a natural state and would be easier and safer if property owners did the same.

Mr. Mateyko continued by proposing the idea of a creating a “climate wise” landscaping ordinance to promote public health, safety, and welfare. He explained the general idea behind the ordinance is to cover topics frequently discussed by the CAC. American Forest’s latest recommendation was for a 60% tree canopy except for garages and structure footprints.

Mr. Mateyko suggested ground cover have 60% in natural landscaping. He proceeded to list different methods on how this could be done. The first was to use leaves to support the health, safety, welfare, evapotranspiration, shade, and infiltration storage of water and carbon.

The second was to leave the water where it falls, meaning all precipitation on a site would be infiltrated into that site. He believed this should be among the most urgent of the public health and safety issues.

The third was to leave the quiet to combat noise pollution; he worried the ecosystem was collapsing through toxic noise and light pollution. Leaving the quiet and leaving the dark would preserve nocturnal natural functions.

Mr. Mateyko stated an upcoming report from the National Assessment of Nature would help to understand climate and nature were two separate dimensions of protecting public health, safety, and welfare. He reiterated to keep the dark to combat light pollution and keep the health to prevent toxic waste.

Mr. Mateyko once more proposed the idea of a climate wise sidewalk ordinance: changing the definition of a sidewalk to be a set amount of feet and requiring 80% of its footprint to be shaded by an index of 80% leaf area. This would also help increase property values.

Mr. Mateyko suggested reversing the narrative to reinforce having trees instead of prohibiting them, stating the latter was the case in his neighborhood. He thought this to be hindering public health, safety, and welfare in the changing climate. He cited all of Old New Castle was covered with trees. If this were to be done in Newark, in between those trees would be hedging, but height would need to be dropped to address visibility concerns.

Mr. Mateyko additionally proposed to require a tree of medium size on the interior side of the sidewalk. The City could approve certain species of trees to use for this purpose, changing from year to year based on knowledge of disease, insects, etc. This would allow assurance these trees would be compatible with the other trees planted along the sidewalk.

He further proposed the same for commercial zones, except there would be a requirement for retractable or fixed awnings projecting at least 6 ft. over the sidewalk wherever there was a glazed window. He stated this would provide shade, as the glazing would prevent anything from growing nearby. In places without glazing that have masonry instead, he suggested ensuring the masonry has sufficient jointing and to plant climbing vegetation. Studies from multiple independent organizations show the same

result when implementing such: it intercepted the heat before the building could absorb it and it would not radiate the heat to any people passing outside.

Mr. Mateyko stated he knew this idea was complex and would take assertive discussion at every CAC meeting to move forward, but claimed these ideas were implemented in other areas and have been tested for decades. When initially tested in 2005, it was not related to climate, but instead new urbanism; he, however, believed it was more so related to smart growth and stormwater management.

Mr. Mateyko stated this was turned into a branch of civil engineering, and the chair of that branch was the head civil engineer for New Castle County, Michael Char. Mr. Char held a national conference at the Philadelphia Convention Center for low-impact development that had 7K civil engineers in attendance.

Mr. Mateyko reiterated these ideas were all previously field tested and he believed they were sure to work; putting them forth in Newark would simply be a matter of copying what was already done in other municipalities.

Ms. Smith commented she thought about these ideas frequently and previously read a tree ordinance for the City of Rehoboth. She recalled while there were rules regarding trees in the City Code, to her knowledge they only correlated to City property. There were requirements for how many trees needed to be in a development, but she believed the trees were still too far apart from one another. She stated healthier trees needed to be touching in both roots and grounds.

She recalled she had a conversation with the urban forester regarding the criticality of tree canopy and the fact Newark had been losing it. She claimed the numbers were decreasing from 35% to 30% coverage.

Ms. Smith believed Rehoboth had a full-time arborist who wrote the tree ordinance using an existing ordinance. There were ordinances that covered private properties, where if a big tree was taken down, there needed to be a certain number of trees to replace it based on the fallen tree's diameter. She recalled the CAC worked through a long process to create a tree ordinance for properties wanting to annex, but it was not for existing properties in-town. She thought the Rehoboth tree ordinance was strict and insisted on aggressive tree management.

She acknowledged bigger cities who may have already adopted tree ordinances functioned different than Newark due to the latter being smaller in comparison with not as much money. However, this is an idea that has existed for a long time and is now trickling into the CAC's purview. There were other cities now pushing towards these ideas, now having the resources and manpower needed to take initiative. Ms. Smith believed the tree canopy was a good start since the CAC were already taking part in programs such as the Tree Giveaway.

Ms. Smith stated she would support a new tree ordinance; the CAC needed to address the tree canopy, believing public education to be a major contributing factor. She believed there was an opportunity with both the Dickey Park renovations and Paper Mill Park to create demonstrations of the proposed ideas for green infrastructure. She cited UD also built a solar house that could be a demonstration for many to witness.

Ms. Smith stressed it was the CAC's job to convince the City to make these suggested changes, it was not for them to do specifically.

Ms. Rypkema agreed they needed to support the sustainability plan and these changes would push them forward. However, they need to consider Newark's differences in land, size, and infrastructure compared to other cities, and make sure all proposals would be tailored specifically to Newark through discussion. She agreed tree canopy was important but suggested considering the need for sunlight for things such as gardens in the context of the proposed 60% coverage.

She believed this should be implemented, but wondered if it would require change to existing properties or if they would be grandfathered, meaning the canopies and trees did not need to be changed. While moving forward, they needed to consider how to convince private property owners to make these changes as most land in Newark was currently developed and the commission did not know what the effects on these developments would be.

Mr. O'Donnell agreed with Mr. Mateyko's ideas. He suggested visiting Arbour Park to see an example of what these changes could resemble, stating it was 10°F cooler than other areas around due to the abundance of shade and the tree canopy.

Mr. O'Donnell continued to share a YouTube channel named "Not Just Bikes" that addresses American suburban sprawl, bike culture, pushing away from vehicles and mass transit, interweaving trees, path, etc. He believed this was another example of the changes Mr. Mateyko's proposal could resemble.

Mr. O'Donnell suggested submitting a proposal to City Council. He reminded they have \$8K left in the current budget they could allocate towards this project and then could begin lining up ideas for the next year.

Dr. Huntley supported these ideas, but cited the conversation they had in May with Mayor Markham regarding fossil fuel infrastructure. Based on that conversation, she believed these ideas were unrealistic and would not garner Council or public support. She suggested beginning with smaller ideas to change the mindset of the public.

Dr. Huntley did not think businesses would allow vegetation to grow on their walls. However, she suggested presenting the idea of planting trees on residents' properties would be a better place to start. They would be more likely to take something that was free.

Dr. Huntley hoped the commission would push toward the goals listed but believed it to be hard to achieve change through legislation in Newark. She felt there was resistance not only to change but being told to make changes.

Dr. Huntley supported regulations but worried this would be hard to get approved. She suggested starting with a tree ordinance that would warn of consequences in the future if certain actions were taken.

Ms. Palanisami proposed learning how to change and write ordinances, including one that would correlate to trees and the existing lawn maintenance ordinance.

Dr. Huntley asked for clarification on Ms. Palanisami's proposal.

Ms. Palanisami shared she had a wildlife habitat certified yard and received a violation notice that her grass was too tall; she called the City and explained her reasoning for her grass's height, receiving the

response the violation correlated to the Code, and she could take her appeal to court if needed.

She shared this experience because if the Code were changed, it would prove beneficial. She was aware there were multiple instances recently of reviewing the Code for Council in regarding zoning. She proposed collaborating to see if they could try and change the language for matters such as these.

Ms. Smith explained the arborist in Rehoboth made significant changes but started from the existing ordinance.

Mr. O'Donnell suggested making an amendment to the lawn maintenance ordinance that relaxed its enforcement in May ("No Mow May"). It would be easier to garner support if the education was shared that it benefited pollinators and provide education and understanding they are important to the ecosystem.

Mr. Mateyko appreciated all feedback; he advised to base all information off science and to not resort to positive comments about a grim situation. He supported Dr. Huntley's words the public wanted to be able to understand and adopt; he believed if the City would allow its residents to plant trees, he knew there would some level of support.

Mr. Mateyko stated there needed to be more public feedback given to the CAC, and July and August would show the most results based on changes in weather that would help to support their desire to pursue these types of code changes. He asked if there was a consensus to continue this pursuit and work to propose a tree ordinance at the commission's September meeting.

Ms. Smith summarized the agreed course of action was to select one idea that had a realistic goal and had the potential to be put into motion. She suggested considering demonstrating cooling areas in parks, such as through the upcoming renovations at Dickey Park. She believed if these served as a destination for the public, it would have positive public reception toward adopting those changes.

Ms. Smith commented they were continuing to educate the public on these topics through their Conservation Corner articles in the Newark Post.

Dr. Huntley mentioned there was a conversation where Mr. Spadafino stated they could not plant trees in Paper Mill Park due to the floodplain. She reminded a variety of habitats were needed not just forest, so trees may not be the optimal solution for every location.

Ms. Smith gave the example of a soccer field, planting trees nearby would provide shade for viewers.

Ms. Smith suggested reviewing the goals of the CAC, knowing tree canopy was included in them. She stated they needed to discuss these matters with Planning and Development, such as a proposed tree ordinance. She mentioned Rehoboth's tree ordinance required properties have a certain number of trees per acre.

Mr. Mateyko likened to a tree canopy percentage requirement. Ms. Smith reminded 60% was the IPCC's recommendation.

Mr. O'Donnell was concerned whether Planning and Development would be able to work with

them directly due to needing instruction from Council.

Dr. Huntley clarified they could request staff to create something such as a tree ordinance, but they would ultimately need direction from Council. However, if they wanted to have a discussion on opinion and implementation, she believed Ms. Bensley would be more than willing to provide insight.

Ms. Smith added during this theoretical discussion, staff could report there were already potential plans in the pipeline.

Ms. Rypkema suggested inviting the Planning and Development Department to speak with them at their September meeting. She believed presenting research and evidence, such as the Rehoboth ordinance, during a meeting would prove beneficial by provides ideas for their tree ordinance.

Ms. Smith stated she sat in on a one-year process of writing a piece on the existing tree ordinance. She did not believe the CAC could write an ordinance, but they could instead propose suggestions for one.

Mr. Mateyko stated during the last week, he believed 80% of the world had the hottest day on record. He found it frightening this affected almost the entire globe and worried every year would be warmer than the previous.

Mr. Mateyko acknowledged they needed to tackle multiple road blocks such as time constraints and differing ideas on how to implement these changes.

Ms. Rypkema clarified in her statement earlier, she was suggesting to research what would be a good starting point in these processes.

Ms. Smith believed they would have better luck starting with suggesting to plant trees rather than addressing lawn maintenance.

Mr. Mateyko stated he believed it would be wise to communicate these ideas publicly with the residents of Newark and begin spreading these ideas through simple methods such as cards.

Ms. Smith reminded Ms. Rypkema that Mr. Mateyko presented research for them at this meeting.

Ms. Rypkema further clarified her statements were to research where the best place to start was for Newark and the CAC specifically.

Mr. Mateyko recalled a previous time where he presented similar information from his own research during a meeting with the Mayor and now was presenting more today.

Dr. Huntley concurred with Ms. Rypkema all members of the CAC understood the science and did not need further evidence. They needed to know what the CAC could do about it specifically for Newark, instead of what worked for other municipalities. She noted looking at what other municipalities did could serve as a point of reference to start and then using that information, they could investigate how to adapt it for Newark.

Ms. Smith believed all concepts here were scalable in both directions, agreeing this was a good place to start.

Ms. Smith suggested the idea of creating a tree commission. When Dr. Huntley asked for clarification, she explained this would be an organization dedicated to focusing on the importance, value, maintenance, care, increase, and protection of a healthy tree canopy.

Dr. Huntley reminded they previously strove to start a Newark Energy Transition Committee, but were told that no more commissions, boards, or committees would be formed due to lack of voluntary members.

Dr. Huntley wondered if it was possible to hire a staff member in the City whose job was dedicated to tree care. Ms. Smith pointed out this was an arborist.

Ms. Smith explained she asked the State forester which municipalities were maintaining their trees the most positive in Delaware. The response was Newark was, but not as well as Rehoboth.

Ms. Smith stated she was able to discern from the arborist in Rehoboth her full-time job was dedicated to the trees. The City of Newark's arborist had to oversee 700 acres of City parks but could not examine each and every one. She suggested this individual could be a resource to help write an ordinance.

Mr. O'Donnell pointed out the CAC served as a tree commission in that manner, given their frequent discussion.

When Mr. Mateyko asked if they could use the City's arborist as a resource, Ms. Smith suggested reading his books.

Dr. Huntley suggested placing the discussion of forming a tree ordinance as an item on September's agenda.

Ms. Palanisami wished to work on an ordinance regarding grass cutting as well. If they agreed on it, it would show they were a united front.

Ms. Smith pointed out the current lawn maintenance ordinance was revised two years ago with heavy emphasis on mowing.

Dr. Huntley proposed a discussion of Newark's grass mowing requirements could go on September's agenda as well. This would be to determine whether it would address suggested changes to the current ordinance or if it would simply remain a discussion.

5. COMMUNITY DAY DISCUSSION

Ms. Smith reminded the rest of the CAC members Community Day 2023 is on September 17th. She recalled last year they had a tent, tablecloth, and car, but were rather far away from the festival.

Dr. Huntley asked if Ms. Gravell would be able to follow-up to see if the CAC was already signed up for Community Day, to which Ms. Gravell mentioned she would.

Ms. Smith stated she would talk to the Parks and Recreation Deputy Director, Paula Ennis, as well.

Mr. O'Donnell asked if the CAC would permit him to ask Mr. Martindale to provide an EV to use for the event. Dr. Huntley confirmed so.

Ms. Smith stated there were handouts given at last year's event, noting she at that time was focused on darkening the sky for migration. She had since expanded her interest in DarkSky, so she would potentially bring the same handout to share.

Ms. Smith recalled there were other handouts distributed at last year's festival as well and asked if the other members could remember the specifics. She recalled the CAC were interacting adamantly with the attendees.

She then asked if the other members had any ideas for discussion with the public.

Dr. Huntley suggested a theme related to trees given this meeting's discussion of tree canopy and a tree ordinance. Ms. Smith mentioned the idea of a raffle. Dr. Huntley also suggested a shade demo.

Ms. Palanisami proposed the idea of using thermometers for this demo.

Ms. Smith proposed setting up an area to demonstrate the difference between temperatures on parking lots and under the shade on the green.

Ms. Rypkema suggested providing the public with a survey to gather feedback and suggestions on what the CAC should address.

Ms. Smith offered the idea of asking what the public would change to facilitate cooler temperatures through different options.

Dr. Huntley asked if the theme of the survey would be what the public would be willing to do to mitigate impacts on climate change, to which Ms. Rypkema and Ms. Smith agreed.

Ms. Smith stated the commission has one more meeting before Community Day which they could use to discuss this topic. She believed in the past, the CAC had clearance to discuss Community Day plans outside of the meeting, as long as they did not discuss anything that required a vote.

Dr. Huntley suggested the preferred method would be a sub-group of 2-3 members of the commission – not a critical mass or a quorum.

Ms. Smith replied she would be doing so, commending the CAC for its positive demonstrations and interactions at Community Day in the past.

Ms. Smith suggested the tree raffle, discussions of tree importance, articles attached to QR codes for the public to scan and read, etc. She stated there were many articles they had written for the Newark Post addressing topics such as shade, lawns, and cooling.

Dr. Huntley mentioned she would send Ms. Rypkema articles relating to these topics that could be attached to the QR codes.

Ms. Smith suggested they discuss Community Day again at their September meeting.

Dr. Huntley pointed out that meeting was the Tuesday directly before Community Day. While it would still be beneficial to have a discussion at that meeting, needed to procure a tree quickly in order to raffle it to the public.

Ms. Smith stated they needed items such as boards, easels, writing materials, stickers, etc. to prepare.

Ms. Rypkema agreed to put together a survey for the public.

Mr. Mateyko asked if they would be distributing electric leaf blowers. Ms. Smith stated they are no longer collaborating with Powering Our Future.

Ms. Palanisami asked if they could distribute glow-in-the dark rakes, and Ms. Smith proposed the idea of a raking demonstration to emphasize the point of "Leave The Leaves".

Ms. Smith agreed to procure the tree for the raffle.

6. MONTHLY CONSERVATION ARTICLE WITH THE NEWARK POST

- August – English Ivy – Sheila Smith

Dr. Huntley asked how many months they had articles for at this time.

Ms. Smith explained Mr. Mateyko's article would be used for August, so her own would be pushed to September due to The Newark Post having two articles at once. Josh Shannon of The Newark Post asked Mr. Mateyko to make some changes, so Dr. Huntley's article was published first.

Dr. Huntley asked which topic Ms. Smith's September article would be on.

Ms. Smith responded she would be writing about English Ivy and asked if any other members wished to write an article.

Ms. Rypkema volunteered to write an article for October.

Ms. Smith stated she mentioned tree care in every environmental article she wrote. She wanted to talk about the importance of tree canopy, and the loss of Newark's tree canopy. She believed one contributing factor to the latter was bacterial leaf scorch and English ivy was a cesspit for infectious bacterial leaf scorch.

Mr. Mateyko stated he could write an article for November or December on the same topic as before.

7. UPDATE ON DARK SKY/OUTDOOR LIGHTNING – SHEILA SMITH

Ms. Smith stated she wished to dedicate a specific area of the City to invest money in down shielding.

Mr. Mateyko proposed adding a shielded light demonstration to their Community Day table.

Dr. Huntley did not know how effective that demonstration would be if it were a bright day outside.

Ms. Smith clarified she was going back and forth in discussion with Barry Johnson, who presented at the last meeting, but she had not heard back from him yet after he asked her to send him the lighting ordinance.

Ms. Smith pointed out light trespass and down shielding were addressed in the ordinance. She did not know the degree to which it was enforced, however. Will Hurd had told her the public needed to know what was recommended, if it was available, and where they could acquire it. She supported a demonstration of this idea through either a physical lamp or pictures.

Mr. Mateyko suggested getting some shielded lamps to put on display.

Ms. Smith stated she would only need one and would see what she could find.

Mr. Mateyko recounted his earlier emphasis on public health, safety, and welfare. He believed it was not a matter of trespass, and nature needed to stay alive. He believed everyone had an obligation to do their part in protecting and nurturing nature.

Dr. Huntley asked if Ms. Smith had already shared her update on DarkSky.

Ms. Smith explained when she asked this agenda item to be added, she thought she would have heard from Mr. Johnson, and he would have taken a look at Newark's ordinance and made recommendations. However, she received his response ten minutes prior to the current discussion. The update would take place during the next meeting.

8. OLD/NEW BUSINESS

Ms. Smith shared there was no old or new business to address.

9. NEXT MEETING – SEPTEMBER 12, 2023

MOTION BY MR. O'DONNELL, SECONDED BY MR. MATEYKO: TO ADJOURN THIS MEETING.

The meeting was adjourned at 9:03 p.m.

Jordan Herring
Administrative Professional I

/jh