

## MEETING NOTES

### COMMUNITY INVOLVEMENT ADVISORY COUNCIL

February 24, 2014

Delaware State Service Center, Smyrna

**Members Present:** LaVaida Owens White, Bill Pelham, Pam Meitner, Jay Julis, and Robert Frederick.

**Members Absent:** Joseph Farrell, Marvin Thomas and Harold Truxon.

#### I. Meeting Called to Order

Mr. Pelham called the meeting to order at 9:40 a.m.

#### II. Meeting Protocol Review

The protocol was mentioned as in evidence on the backside of members' nameplates.

#### III. Review/Approval of Meeting Note

*MOTION was made by Ms. Meitner to approve the December 19, 2013 meeting notes and a second was made by Mr. Julis. All in favor and the motion carried.*

#### IV. CEPF Projects Update

##### A. Delaware Greenways Budget Amendment Request

**Mr. Brunswick** said that Mr. Borleski is here today from Delaware Greenways to ask for approval of a budget amendment which would re-purpose \$25,500 of the original \$45,000 budget. He said the partnerships developed in the first phase of the project have produced most of the promised project outcomes with in-kind contributions to the project, but the technical assistance they have provided has also identified problems with the flow of water on the property which would make the farm unsustainable if it is not changed. Mr. Brunswick said the Delaware Greenways is asking to shift funding towards the development of plans which would make better use of water resources.

**Steve Borleski** said the Historic Urban Penn Farm project is aimed at site sustainability, community participation and partnerships He said they have partnered with the Dept. of Agriculture; DNREC's Water Resources Division, University of Delaware's Center for Historical Design, Delaware State University, William Penn High School and the Challenge Program. Mr. Borleski said their original grant was for \$45,000 of which they have spent \$11,000. He said that \$14,000 will be repurposed to implement a farm plan and \$11,000 will be repurposed for bathrooms and planting of trees.

**Ms. Meitner** asked Mr. Borleski to expand on how the \$11,000 was spent.

**Mr. Borleski** said the \$11,000 was used for a network of collaborations and partnerships with the Development of the Friends of Penn Farm Advisory Board, and for their part-time paid employee. Mr. Borleski referred to his handout. He said this is a detailed plan of where the \$14,000 will be spent and a list of what programs the \$11,000 will fund. He pointed out in the revised budget the following:

- A comprehensive land plan that expands on the planning for stormwater conservation
- Toilet/sink systems, public water connection to the site, and a sewer hookup. The Trustees of the New Castle Common have agreed to cover the full cost of materials and labor and the installation of toilet facilities on completion of an integrated land and facilities plan.
- Water management in the central tract of land

**Mr. Borleski** said the money will be used to buy objects and specific items. He said the plan has a section on water flow, community use, and an access plan. He said there are three historic barns with one that needs upgrading, a house, and a corn crib. Mr. Borleski said the plan will be focusing on making the barn useable by the public and their immediate need is for bathrooms and to upgrade the electric. He said they are working on defining a 2 year vision as to what needs to be done, and they plan to hold three community meetings to develop a 10 year plan. He said that \$14,000 will be used to develop a Farm Land Plan and Implementation.

**Mr. Borleski** also said they did not spend the \$14,000 as planned for goats and fencing. He said they realized they cannot put animals on a farm without constant care and supervision. Mr. Borleski also explained that the \$2,000 for infrastructure improvements will be spent as part of the \$9,000 for projects. He explained that the third column is what was absent from original grant. He said the \$5,000 will be used to provide a forest with a 5-10 year plan of planting trees, cleaning out hedgerows and upgrading forestry lands. He said as far as the storm water, DNREC and DelDOT are now looking at how the water flows on the entire farm and where they need to plant trees, plants, and cover cropping. Mr. Borleski also said the UDSA has given them \$2,000 for the plantings.

**Ms. Meitner** said her concern is that if we spent monies on planning and staff and the project does not happen, the Council has only paid for the Consultant's time.

**Mr. Julis** said his concern is if the other funds do not come in.

**Mr. Borleski** said that one of the key parts of their plan is the partnership with the high school where food goes back into their program or to neighborhood churches. He also said the Food Bank is looking at how they can use the Farm to produce fresh products and they want to put up plastic green houses to extend the growing season for 2 months.

**Ms. Meitner** asked if the Council reviews this project and supports it, is it likely that you will come back in the future and want more money? She said if this happens the Council would want to see the physical improvements that have been done.

**Mr. Borleski** said if they comeback it will be to ask for physical objects.

**MOTION was made by Mr. Frederick to approve Delaware Greenways reallocation of their Grant funds and a second was made by Ms. Meitner. The motion passed with 4 votes in favor and Mr. Julis abstained.**

**B. Main Street/Delaware City**

**Mr. Brunswick** passed out an article from the News Journal about a Soot Monitoring Device that was removed at the PBF refinery on January 16, 2014. He said he received an alarming call on that evening from Chief Faedtke informing him that a monitor from the Bucket Brigade Project had been mounted on a telephone pole located on the refinery's property. He said a security guard for PBF had witnessed the Bucket Brigade Coordinator mounting the monitor, and the Refinery was considering pressing trespassing charges against her. Mr. Brunswick added that the refinery is a national security area and as such any incidents that occur on their property are subject to investigations by the Joint Terrorism Task Force. He said that he was even more concerned about the possibility of federal charges and made an urgent call to Secretary O'Mara to see if he could intervene. Mr. Brunswick said the Council is very fortunate that PBF has chosen not to prosecute. He said he has a meeting scheduled on Thursday, February 27 with the grantee, Main Street/ Delaware City and with Ali Mirzakhilili, the project sponsor, to talk about the oversight of the project and the plan forward.

**Mark Chura**, Main Street/Delaware City Project Manager, said the placement of the monitor on the Refinery property was not done intentionally. He said the intern who is in charge of processing the samples, did not have the proper information. Mr. Chura also said they want to discuss the locations to place the monitors to get the best samples without getting on the Refinery's property.

**V. 2014 CEPF**

**A. Administrative Costs/Eligible and Ineligible Costs**

**Mr. Brunswick** said the Council wanted an acceptable definition of Administrative Costs/Eligible and Ineligible Costs. He said that he had reviewed federal and state documents and there is no broadly accepted definition. He said there was a 2012 federal conference on administrative costs with a finding that federal and state agencies would have to confer on their definition of administrative costs, and definitions can vary among different funding sources within the same federal or state agency. He said that Government agencies often define what they will accept or not as administrative or indirect costs within the grant application.

**Mr. Brunswick** said that he used a standard list of expenses that are commonly considered administrative costs which includes: liability insurance, rent, utilities, office supplies, personnel costs for salaried, hourly or contractual staff and fringe benefits. He added expenses incurred by the fiscal sponsor in administering the grant, costs that are paid for by other funding sources, debts incurred prior to the project start date, legal costs related to participation in an action before a municipal, state or federal court, and multiple applications from a single organization.

## **B. Timeline**

**Mr. Brunswick** said if the applications must be complete by March, the grant deadline would be April 4, the subcommittee would meet in Dover on April 15 and the meeting for the grantees would be April 29 or May 13.

## **VI. CIAC Strategic Plan**

**Mr. Brunswick** said the Council's strategic plan is 10 years old and should be reviewed and updated. He said he reviewed the mission statement and the Original 33 Recommendations of the CIAC. Mr. Brunswick said that a part of the CIAC Mission that the members seemed to have lost sight of is making public policy recommendations to the Department and the Governor's Office. He said the part of the Council's mission that members are most familiar with is the responsibility for public involvement and increasing community participation. Mr. Brunswick said that one of the recommendations made by the Department was the creation of a standard department wide policy for public hearings. He also said that Council should also be looking at substantial policy issues like permitting and environmental justice.

**Mr. Pelham** said the survey that Mr. Brunswick emailed to him was way too long but he agrees that it is good to look at the original recommendations of the Council.

**Mr. Brunswick** passed out a draft of the application and a penalty spreadsheet but did not print out the online application. He said that with the on line application there will be a penalty deposit spreadsheet where the applicants can put in their address and all the penalty monies they qualify for will come up along with the drainage areas.

**Mr. Pelham** said we should have enough monies for 6 penalty grants this year.

## **VII. Open Forum**

**Dotty LaKates** said that she is from Possum Point in Millsboro which is across from the old Vlasic Plant now owned by Pinnacle. She said the Governor is putting a food processing plant on a contaminated site and she believes an environmental justice study was never done on the land and that testing or remediation were also not done. She said that the Indian River is one of the most beautiful resources in Delaware and the state should be preserving the wetlands and maybe put in an aquarium. Ms. LaKates said she wants the Legislature to enact a bill that requires the land to be tested.

**Mr. Pelham** asked Ms. LaKates if she wanted the Council to go to bat for her in stopping the processing plant.

**Ms. LaKates** said she wanted DRNEC to stop moving forward with the plant.

**Mr. Pelham** said he understands the Secretary of DNREC has taken a position of supporting the project on the condition of remediation and inspections and he suggested that Ms. LaKates next step would be to meet with the Secretary.

**Mr. Brunswick** said that one of the early recommendations made by the CIAC was that a map should be created that would show all the communities that have multiple pollution sites in their areas before a permit is issued.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

*Gail Henderson*

Gail Henderson  
Administrative Specialist II, DNREC

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall of presentations.*