



CITY OF MOUNT VERNON

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Tree Advisory Board (TAB) MEETING MINUTES October 21, 2021, 4pm

A meeting of the Tree Advisory Board was held on Thursday, October 21, 2021 scheduled for 4pm and did meet virtually via Zoom.

Attendance

Voting members:

Eveline Feldmann, Chair
Marlene H. Wertheim, Vice Chair
Henry May
Marlon Molina

Others:

Janice Duarte
Jennifer Mastrogeorgio
Jane Bedford
Elias S. Gootzeit

Guests: None

Voting members absent: Vincent DeVito

A video record of the virtual meeting is being made by the Administrative Clerk to the Commissioner of DPW, Ms. Jennifer Mastrogeorgio that will be posted online as soon as possible; written notes are being made by the Legislative Assistant to the City Council, Elias S. Gootzeit that will be reviewed by the TAB Chairperson Eveline Feldmann and distributed to members for comments and approval.

Call to Order

Roll call was conducted by the TAB Chair at 4:07pm of the TAB members and others. Since there was a quorum, the meeting was convened.

Agenda

Approval of minutes of October 7, 2021: The date in the headline had an error and will be corrected and letterhead (supplied by J.Duarte) will be added into the document. Feldmann moved to approve the minutes, Mr. Molina seconded. A vote was taken and the Minutes were approved unanimously.

Discuss technology updates and workflow tasks

- TAB accessibility (meeting notice, streaming posting and recordings/ email accounts)

Feldmann congratulates the City on getting the new website to be functional, listing the Mount Vernon Tree Advisory Board appropriately in several locations including the list of City Boards, the City Calendar and Notices. Feldmann expresses sincerest gratitude for making the TAB accessible to the community. She expresses interest in Mastrogeorgio's input for posting logistics. There would be links to video recordings of the meetings available on the website, however, Mastrogeorgio expressed to be able to gain access to produce live access she would consult with City Hall Communications people. Molina, since he has access will give us an update in the next meeting in regards the

video streams on facebook and CMVNY.com live. Duarte noted that the new website is currently able to post video recordings of the meetings that Mastrogiorgio has stored in her system.

Feldmann seeks an update on the availability of email accounts on the City's system for the members of the TAB who are not City employees. She offers to establish a new and separate email for herself that would handle only Tree Board Business. Duarte notes that the Management Services Department would not be able to provide CMVNY emails to the non-employee TAB members and that they would need to use an external email address. Because accessibility to City system stored files can present a problem for external users, Duarte recommends for City employees to share these files as attachments instead.

Gootzeit notes to be unclear about record keeping with external emails. Feldmann clarifies this was one of the reasons she wants to set up her TAB email address.

Duarte directs question to Bedford and law department if this is the proper solution which she herself wants to confirm also; regarding record management, active file processing and storing. We have the Website Platform for public consumption and the Internal Platform with work products.

She tasks Marlon to let us know how the information gets shared with TAB and how the other Departments integrate with that. Feldmann supports the proactive approach. May likes to see us finding the new methods by which file sharing between the appropriate departments and Boards would be enabled and established in a sensible way. Gootzeit mentions in person meetings and print ed paper sharing as the normal course. May raises question for transparency. Molina points out that website itself will be "forward facing" and therefore accessible to the TAB and community at large. Documents prepared by staff would be FOILable by the public. Molina clarifies Gootzeits question for internal and external documents. Application documents referred to Boards are internal documents with would be viewable for the TAB while over the course of business. Feldmann summarizes the TAB should be receiving from Boards referrals to make recommendations similar as do Fire and Safety get triggered for input during the process of an application.

- **TAB minutes template and procedure document**

Chair refers this item to the Vice Chair. Ms. Wertheim provides. an on screen presentation of the proposed protocol which she brought forward from Roberts Rules of Order as a minutes template, along with guidelines and procedure, all of which was provided to the Board beforehand by email.

Molina thinks format looks good. Gootzeit prefers to keep making only notes that would later get converted to actual minutes. Molina suggests adding "new business". Gootzeit asks that a video access link would be beneficial to have soon after the meeting. Mastrogiorgio is making sure it will be posted the Friday mornings after the meeting. Wertheim suggested that agenda should be used as a guideline when writing the minutes. Duarte suggests that the document should add a sign and date approved line at the bottom of the document. May makes a motion to approve the document with said changes. Feldmann seconds. The Chair took a roll call: All voted Aye.

Arbor Day Foundation submissions

Feldmann asks if all members have received a TAB requested copy of the September 30, 2021, submitted Environmental Justice Grant application, a redacted document that Molina facilitated to the members of the Board. Wertheim questions if this document the TAB has received wasn't an insult. Quote: "We're not dealing with the exchange of nuclear secrets. We're about citizens initiating something for the good of the community. We're participating in the current world concerns about climate change and environmental inequality. We are a board of 5 people, each with equal standing. We're bound by a goal of fulfilling the objectives of a TO that took 7 years to bring to fruition, as well as of providing transparency, collaboration, and integrity. This redacted version of the submitted grant only shows to me that those who have taken it over don't understand this. My hope has always been that the board will not be a mirror of the dysfunction of Mt.Vernon, but an example of how by working together we can do better. The grant made commitments we know little about. Yet the TAB has been listed as a collaborator. Our participation and that of other expert resources were barely utilized during the grant preparation and what is featured instead is an unfamiliar entity that is designed to administer and have financial control over the funds, ignoring the fact that the TO provides for a Tree Fund to receive and help monitor the dispersal of City tree grant monies. Should we be successful, will we be able to fulfill the commitments made and handle this large sum of \$100,000 with transparency? Our city does not need another blot on its reputation which our Mayor is trying so hard to change so that we can have access to the many potential helpful resources out there. My question is, what is so secretive and what are you hiding?"

May ventured out to say that when he saw it, it reminded him of what goes on in Washington DC, "when someone of the CIA is sending out a report that they are forced to send out to, or something from FBI that they didn't really want

to disclose the ins and outs, that business of property rights and protecting secrets that could be devastated to people who are supposed to be part of the process, that bothers me a bit.” He continues saying as a new TAB starting and coming up with wonderful ways to communicate with each other as earlier discussed “We’re working our way through communications being established and information being properly presented to an Advisory Board for advice and consent. We need to have information that we can see and think about. Food for thought needs to be fed. Thought is not being fed. When you receive something struck out like that.”

Feldmann inquired why post grant deadline information still has to be hidden. “We’re all in this together. I don’t see the competitive aspect of it. It looked inappropriate.” She asks Molina if redactions were at request of Corporation Counsel and if not, if Counsel did approve.

Duarte seeks to clarify if any communication on behalf of the TAB, she does recall community organization CitizenTree (CT) made a statement they couldn’t participate.

Wertheim reiterates that weather or not there was a letter from an organization, fact is that TAB was committed, to things we don’t know. That is something that she and others question.

Feldmann confirms there was no TAB statement of disinterest. She continues due to the nature of this grant with such a collaborative grant open to participation of citizens’ groups and with CT as the major catalyst to that whole tree awareness, the group was eager to collaborate but had to request for their name to be removed because in the writing of the concept of the grant they were not consulted. As for the TAB without elected officers at the the time there was no vote/decisions or statement produced. Feldmann indicated TAB Members never stepped back from being available for consultation or joining a meeting.

Wertheim reiterates the issue of being listed as collaborator and not being consulted. “It has not been shared with us the commitments we make.”

May says each one of us have affiliations that link us and guide us in the work we are doing. As board members now we have to kind of look at each other as without these affiliations and do the right thing. In the long run it will be something all of the other affiliated organizations will have to be happy of what we have done, inside and outside City Hall. Going forward CT will also have to become more of an outside group and stay outside as a group.

Duarte likes to see members of the board to look at city representative members of this board as TAB advocates so they can be effective. To support them in every way and give them full backing. Wertheim suggested that there must be reciprocity. and continued “We are providing and supporting the City but the City has to extend the trust.”

Duarte suggested that May has not acted on behalf of the Audubon Society when he has advocated as a member of the TAB. The difference occurred when the Chair and Vice Chair acted in behalf of Citizen Tree and their communication to outside people and entities refusing to participate in the grant made their relationship to the TAB fuzzy.. In favor we are having the discussion of roles and boundaries now.

Feldmann reminded all that CT started ten years ago with purpose to create a new tree ordinance and promoting trees as an asset for this City was its mission. “In course of a decade we have gathered constituency in our community support. To date CT has fulfilled its mission and we acquired education, have done extensive research and built valuable connections for the City of Mt. Vernon with environmental groups and experts. So CT is basically “morphing” here, into this Board. CT connects community and administration, also for this grant. All positive stuff.” She reminds that CT is not a registered organization but a vehicle to the community and not in a competitive order to it. She highlights further that they are here now in this tree advisory role since the TAB has fully formalized very recently.

Wertheim clarifies that during the preparation of the grant the impression was, as they (Marlon and Gootzeit) were looking for support of neighborhood and grassroots organizations, that CT was considered to be listed as one, hence the receipt of the communication. CT didn’t feel it could participate in what was written but this is not our main focus now, the TAB is.

Molina noted that he made the first draft and then shared draft at 60% complete with the TAB members expecting their tree expertise to then inform the grant but that didn’t materialize. Knowing community engagement very well he informs us that he called a meeting with Grants Writing, Law Dept, Darren Morton to find best ways to collaborate. Once the City employees made the decision to ask members of the TAB for the science and didn’t receive it, but received the CT communication it was perceived as a leak happened to an outside group. He would have preferred to see the letter come from TAB instead and reiterated the City had no non-discloser agreements with the Board. He assures that if grant is received, the grant text content will be shared. But right now he sees it as privileged information. Research that went into the grant including program design, implementation steps is not all redacted. Molina took any

involvement in education process and TAB input as discussed at the first meeting when the TAB came and inquired if there is general interest to participate. He felt the need, not only to come back with a “yes we are interested” but to also have the Agencies’ commitment and understanding of the scope of work. He shares his view that how the grant is written and defined is by those who would be responsible to do the work and that commitment part had to be defined prior coming back to the Board. In terms of the resources to manage, nothing has been articulated in stone and the idea of collaboration would be the principle. He brought the idea of collaboration to the City and went to seek which Agency would be interested to apply for this grant. Explains because there is no non-disclosure agreement with this board the grant was redacted.

Feldmann reminds us on what short turnaround time this grant had to be written and submitted, with a deadline in 12 days or so and that our TAB meetings unfortunately book-ended this process. She notes there were timing issues and CT was the only tree entity to be able to respond as a whole, while the TAB was not a formalized functioning body, had yet to elect its officers to be able to take a vote. She indicates the position of the TAB could not be expressed until that process was completed. She notes that despite, individual citizen members of the Board are always available to being invited to City Hall to e.g. join a brainstorm or participate in the questions for tree grant structure or sit in on grant concepting discussions. Citizen members of the TAB (when presented with finished first draft) didn’t believe it would work out the way the idea was structured with youth bureau as go-to and some members came to the consensus that this tree grant opportunity happened too early, that the City wasn’t prepared enough. She notes that in some conversations she had with Molina, this came to light. She confirms that input she has given him was reflected in the portions of the grant that she did get to review. But she hopes, in the event Mt. Vernon receives the grant, to be able to get prepared to fulfill the City’s promise. Her problem is that the redaction makes it appear that there are promises that were made in the grant about which the TAB has not been informed.

Wertheim inquires about the expert input, links and resources CT had provided early on.

Molina confirms suggested resources were indeed used in the proposal.

Wertheim expresses a need for the TAB to know where to go and her hope that the resources we bring and the expertise we can make available to step in, would be valued and appreciated. That we were no fund of all knowledge but what we do have to add the knowledge about tree canopy and make resource referrals in regards to trees. The fact that all five members need to be informed is appreciated.

Molina indicates that the Grants Teams discussed how to do things better next time and that it would come down to how you define who is doing the work. Per his consultation with Chief of Staff, Law Department and Grant Writing, Molina explains that the “agency that does the work” becomes the “Lead Applicant responsible to the funder”. This was the first time that an Advisory Board had initiated the pursuit for funding for the City. He reports the Grants Team talked about trust and established when an outside group is submitting text to the grant they have the right to see it because it is a collaboration. When CT is retracting participation, they forfeited these rights to see it to the individuals. Feldmann reminds that the purpose of a 100’000Dollar grant from an ArborDay Foundation is for municipalities like ours to gain footing in addressing environmental injustices and is helping a community like ours to build environmental agency and a mechanism to achieve said mission. When seeking “Who is doing the work” in a tree grant with capacity building opportunities Feldmann notes the TAB would be experts to include. She responds that they were, in essence, trying to develop capacity building at City Hall, but that City Hall wasn’t ready.

Molina expresses that the City had tried to step into that space. “There is a lot of physical work defined by the Departments but the “Mission” and “Vision” was for the TAB to add.” Molina indicates that execution of the non-disclosure agreement was essential if the TAB wanted to be included more intimately in the process.

Wertheim wonders if that could have been remedied very easily by issuing these and have board members sign them?

Molina refers that there was no process in place and that it was never expressed that the Board wanted to sit with the City. He clarifies his expectation to start collaboration after the submission of the concept he hashes out with a committing agency.” If the agencies didn’t know what they were going to do and they’d come to the table with questions, I wouldn’t have done my due diligence to bring a City partner to this grant. The same way the TAB was looking for collaboration I was looking to bring an agency that is willing to collaborate on an environmental project that they may be had or did not have any experience with. They needed to figure out how could we implement this, so it fits into the mission first. Once that happened, we were able to effectively join and apply.” He repeats that redactions later on occurred because CT email seemed to have come from externals.

Wertheim asks if there is a lack of ability to share why bother to put it out to us at all? Wertheim repeats that it was very insulting to have a redacted copy of the grant submitted to the non-employee members of the TAB. Marlon responds

with what he said earlier and highlighted the dynamics the CT letter had onto the process. Wertheim reminds that CT had a role in bringing this grant to the attention of this Board which wasn't formalized at the time. Molina notes that members were sworn in. Feldmann closes the argument out by prescribing a more deliberate collective behavior in brainstorming and for any discussions regarding trees and tree projects, the TAB members welcome an inclusion in discussions at City Hall. Molina mentions the grant came to Gootzeit too, not only to CT and that the City does have its own relationship with PACE, Mr. Profous and the City would always be open in working with organizations. Feldmann indicates reason for CT to supply City with a formal letter was to answer the request made by Molina and Gootzeit for community stakeholder groups' commitment letters. She repeats the letter was requested. Molina finds it unsettling that the letter was seen by George Profous and that it was CT recommending to sit this grant out, and not the TAB.

Feldmann indicates we are talking of the same tree people who brought this opportunity forth.

Wertheim acknowledges how COVID has worked against us. She would like to think that in the future things should be approached in similar way as we did in final stages of our tree ordinance before it passed is to have our bodies in the same room.

May indicates that he is a Board member of Sound Shore and NYS Audubon Society. "What I bring to Mount Vernon is beneficial. I try to bring that to the City but filtered through." He indicates with something brand new comes worry and new good things only happened with trust. May desires to know WHO did the redaction and actually sat there and crossed sections of it out.

Molina indicates that more important than "Who" was "WHAT" was redacted.

May insists on the importance of "who" because this was "somebody" or "somebodies".

Molina notes redactions were made on the premise of intellectual property and there was no guarantee for safeguard, without a non-disclosure act, not lastly for the event of not receiving funds and reapplying. He indicates to have to leave the meeting.

Feldmann summarizes CT always wanted to help and provide. She indicates trust as the essential factor. She points to a decade long track record of citizens in a transparent exchange over the tree ordinance. CT was working collaboratively and safely with the City developing this law. She mentions her hopes for this grant was a product of people working together rather than walling each other off and producing confusion and distrust. The Chair suggests starting fresh as this grant ought to benefit all.

She suggests to **tabling the next agenda item for the next meeting.**

Wertheim agrees and states that the discussions brought on a learning experience.

Duarte responds to May in regard of his good self-awareness over his role.

May reminds this Board should be seen as valuable resource.

Wertheim reminds of a positive upcoming event, the plaque installation at Hartley Park on next Monday.

Duarte adds that the experience and the knowledge Wertheim and Feldmann have brought on in the last ten years, through the CT efforts, which is as product of their goal and mission, they are the best members to start the TAB off with. She states as seasoned residents they bring a great deal of knowledge. She mentions herself not being part of the grants application processes and is hoping to see learning in these processes.

Molina left the meeting.

Adjournment

Feldmann gave motion to adjourn. Wertheim seconded. The Members adjourned at 5:37PM



Eveline Feldmann, Chair

11/04/2021

Date of Approval