

MEETING MINUTES

Shade Tree Committee
City Hall – 280 Grove Street, Jersey City NJ 07302
Councilmember Mira Prinz-Arey, Chair

Meeting: Jersey City Shade Tree Committee Meeting

Date / Location: 19 April 2021 – 6:30 p.m.
Videoconference remote meeting via Microsoft Teams

Attendees: **Voting Committee Members**
Mira Prinz-Arey, Chair
Denise Bailey
David Hurtle
Matthew Trump
Theodore G. Tasoulas, Vice-Chair (arrived late)
Marc Wesson

Non-Voting Committee Members/City Representatives
Cameron Black, Sr. Planner, Jersey City Division of Planning
John McKinney, Jersey City Department of Law
Edward O'Malley, Jersey City Forester
Adam Cohen, designee for Chair Prinz-Arey
Kate Lawrence

Prepared By: Kate Lawrence

PUBLIC NOTIFICATION

Meeting notice was sent to the City Clerk's Office, the Jersey Journal, the Hudson Reporter, and el Especialito on April 15, 2021. The agenda was also posted on the website for the Office of Sustainability, <https://jcmakeitgreen.org>.

ROLL CALL

The Committee meeting commenced at 6:50 PM. Five of six voting committee members were present at the beginning of the meeting.

APPROVAL OF PREVIOUS MINUTES

Minutes from the March 15 Shade Tree Committee Meeting were approved 4-1. Denise objected and said that the meeting minutes consistently did not include her statements and recommended edits.

NEW BUSINESS

Tree City USA status – updates and next steps

- The City meets all criteria except for the Arbor Day proclamation/resolution. Resolution going before Council at next meeting on April 28. Mayor's Office has also received draft for proclamation to make Arbor Day a holiday.

OLD BUSINESS

Forestry Standards

- John McKinney, Legal Department led continued review and editing of Jersey City's Forestry Standards.
- Group decided to do a final pass through of documents and comments in document.
- Maintenance Plan Section discussion
 - Discussion about what to do with the maintenance section that had been proposed and then removed from the draft during STC discussions.
 - Question raised of whether Forestry Standards is where maintenance language should go.
 - 2-year maintenance plan currently included in tree plantings in right-of-way.
 - There was a disagreement over whether the language in the maintenance plan section was really relevant to City trees or if it only applied to private trees.
 - How do we handle special purpose entities?
 - Legal advisor Mr. McKinney stated that if a tree is in a public right of way then it is a public tree and it should abide by the Forestry Standards.
 - Trees in public right of way are the responsibility of Forestry.
 - If Members have amendments they would like the rest of the Committee to consider then they should put them in the document in advance of the next meeting.
 - It was requested that a maintenance plan be created and followed.
 - Discussion about Society Hill tree removal and whether they were City trees with City responsible for maintenance.
 - It was suggested that some language be added that says trees in public-private areas will have maintenance agreements.
 - Mr. McKinney stated that there was no need to include language for hypothetical situations. If a situation comes up where something is not necessarily considered a city tree then you can put it in the approval of the zoning that developers must follow the Forestry Standards.
 - Question raised - What if we added language saying that rules for trees in public-private space are determined by planning/zoning as part of approval process?
 - This is unnecessary.
 - Suggestion was made to make changes to zoning code to require that developers follow forestry standards and this should solve the problem.
 - This provision may already exist.
- Enforcement
 - How do we enforce tree standards if we don't have a Forester?
 - It was suggested that if we don't have a forester/licensed tree expert then the City should be required to contract for one.
- Tree Pit Size

- Discussion about tree pit size. Leave language as “preferred” rather than required because it give Forester wiggle room to deal with on-site space constraints.
- Spacing requirements
 - NJDOT says trees can’t be planted 25 feet from a stop sign. But what if they add a stop sign to a street that already has a tree? This could be a significant public safety problem.
 - Older trees can be trimmed to make sure stop signs are visible. Bigger problem is with smaller trees.
 - It was suggested that the City add bump outs with stop signs at intersections where people want a stop sign and there is an existing tree.
 - Ultimately it falls upon City’s Engineering division to make these decisions.
 - Committee can take these suggestions to Engineering as well.
- Utilities
 - Do we have an agreement with PSE&G regarding requiring them to remove trees when their tree pruning causes tree instability?
 - PSE&G has statutory authority to trim trees from state. They don’t need approval from city to trim trees.
 - Recently the Forester was called in by a neighborhood to coordinate tree trimming by power lines. Forester says that he was brought into the situation because PSE&G knows that in specific neighborhoods the residents will not tolerate them chopping the trees. In other neighborhoods they do what they want and no one notices.
 - It was suggested that the Shade Tree Committee write a letter to the state legislature explaining the problem and requesting legislation that requires PSE&G to get a permit to prune trees and to give everyone advance notice.
 - It was alternatively suggested that the Committee bring in the PSE&G arborist to establish relationship.
 - Disagreement regarding whether to use political pressure to enact legislation or to cultivate relationships. It was recommended to use both approaches.
 - Idea to put this on as future agenda item.
 - Question raised: can we direct people away from contacting PSE&G for utility/tree issues.
 - Answer: not really. PSE&G is really in charge of this and more qualified than city crews for this type of work.
 - Trees around other utility lines (such as for Comcast, Verizon, etc.) are not maintained by utilities. City ends up being on the hook for this maintenance.
 - However, this type of wire is not a danger/safety hazard like electric wires.
- Tree pit filling standards.
 - Problem with empty pits with no trees or stumps. Gray area regarding who is responsible for tripping hazard.
 - Many of the tree pits need to be abandoned because they are inappropriately sized or located.
 - Question raised: Can we have something where you have to apply for a permit to fill in a pit and the City Forester has to approve?
 - Answer: yes.

- Problem is that filling can be done so quickly. But if they do it without a permit then they would have to open it back up again.
 - This issue can be brought up with Division of Engineering and Buildings & Streets.
- Approved Tree Species
 - If Committee members want to make edits to the approved tree list they can do so directly in the excel document.
 - This list does not include all trees that can be planted, but is a general list for contractors.
 - Developers sometimes end up planting trees that weren't approved because their supplier may give them something else. This is not allowed but it sometimes happens.
 - Isn't there a way to make them follow approved species?
 - We don't have the system in place to follow up on all these issues.
 - Should we have a list of banned trees or keep with an approved list that developers must choose from?
 - Approved list is less problematic than banned list.
 - Maybe add suggestion to permit application that Forester can choose for Developers that don't know what to plant.

PUBLIC COMMENT

- Debra Italiano – Thanked group for their service in working on the updates to the Forestry Standards and Ordinance but noted that she had concerns about not including a maintenance section in the Forestry Standards. She was also concerned that the Annual Forestry Accomplishment Report did not include information about the removal of the trees at Society Hill or the work of SJC.
- Reni Stoll – Gave a shout out to the Forester for his work and noted that the department needed to grow in order to properly take care of the City's trees. She also noted that she wanted to enable more public participation at Shade Tree Committee meetings.

OPEN DISCUSSION

- It was noted that the Forestry department is undergoing reorganization.
- Idea proposed to better utilize social media. Chair Prinz-Arey noted that STC members can reach out to the public using their social media.
- One of the Committee Members requested having an interim meeting to finalize documents before the next official Shade Tree Committee Meeting.

ADJOURNMENT

Meeting adjourned at 8:54 p.m.

Next Meeting

The next meeting of the Jersey City Shade Tree Committee is scheduled for Monday, May 17, at 6:30 p.m. This meeting will be held remotely as a videoconference. Virtual access information will be distributed before the meeting.