

**CITY OF LAMBERTVILLE  
SHADE TREE COMMISSION**

**MINUTES OF THE JULY 25, 2022 MEETING**

**Agenda Item 1. Call to Order:**

The meeting was called to order at 7:40 PM by the Chair, Arthur Legere, in accordance with the Open Public Meetings Act. A copy of the Agenda and the minutes were posted on the website and the bulletin board of the City of Lambertville.

**Agenda Item 2. Roll Call:**

Arthur Legere, Chair, called the roll as follows:

*Present:* Chair Arthur Legere, Helen Pettit, Susan Wydick, Richard Mowry and Dan Seiter

*Absent:* Recording Secretary Tom Ogren, and Lisa Lichols

Chair Legere recognized the absence of the Recording Secretary and requested that Corresponding Secretary, Helen Pettit, assume the responsibility for taking the Minutes.

**Agenda Item 3. Approval of June 27, 2022 Meeting Minutes:**

Prior to the July 25, 2022 Meeting, the Draft Minutes for the June 27, 2022, Meeting were emailed to Commission Members by Recording Secretary Tom Ogren, and Commission Members identified necessary editorial changes to correct errors and omissions. Chair Legere requested a motion to approve the minutes as corrected.

*Motion to Approve the Minutes*

*Moved by:* Dr. Legere

*Seconded by:* Ms. Pettit

*Vote:* Approve: Legere, Pettit, Wydick, Mowry

Oppose: None

Abstain: Seiter

**Agenda Item 4. New Member Welcome:**

The Chair introduced Dan Seiter as a new member. Mr. Seiter advised that City Clerk Cynthia Ege had administered the Oath of Office to him at City Hall, and he was pleased to serve as a member of the Commission.

**Agenda Item 5. Public Attendee Issues/Requests:**

There were no members of the Public in attendance

**Agenda Item 6. New Business:**

- A. Tree Action Request SDL 22-00023: 73 Delaware Ave. - Heather Catherine

The request was to trim branches of an Oak and a Zelkova on the N. Union St. frontage of 73 Delaware Av. which are encroaching upon the property owner's house and upon an adjacent structure. Inspection by Commission Members prior to the meeting determined that the tree identified in the photos in the Tree Action Request was a Red Maple not an Oak. Members reached consensus that the encroaching branches of both trees should be trimmed away from the structures.

*Motion to Approve trimming of encroaching Zelkova and Red Maple branches away from structures in a manner that does not harm the trees.*

*Moved by:* Dr. Legere

*Seconded by:* Mr. Seiter

*Vote:* Approve: Legere, Seiter, Pettit, Wydick

Oppose: None

Abstain: Mowry

## **Agenda Item 6. New Business: (Continued)**

### **B. 7 Delevan St. Site Plan Review**

In a 7/12/22 email to the Commission, 7 Delevan property owner, Michael Ardman, President of the Reynolds Group, requested further clarification regarding tree selection for the 7 Delevan St. site plan that is undergoing review by the City Planning Board. The Commission performed an initial review of the site plan trees at its March, 2021, meeting and in a letter to Mr. Ardman dated 3/29/21 the Commission recommended that 3 Sugar Thyme Crabapples be planted along the Clinton St. frontage and determined that a Sugar Thyme Crabapple was not appropriate for the planting strip between the driveways. The Commission made no recommendation regarding appropriate trees for the driveway planting strip. Members therefore discussed appropriate trees for the driveway planting strip. Consensus was reached that, in order of preference, Columnar Red Maple, Columnar White Oak, and European Hornbeam were all suitable species for that location. Chair Legere requested that Ms. Pettit prepare a letter to Mr. Ardman to that effect.

## **Agenda Item 7. New Business:**

### **A. 71 North Union St. - Unapproved tree removal**

The large specimen Shade Tree next to the Post Office in the rear of 71 N. Union was removed without Commission approval. After discussion it was agreed that it was necessary to send a Notice of Violation to the property owner and require the property owner to provide an explanation for the unauthorized tree removal and make his defense known prior to the Commission making a determination regarding an appropriate penalty.

*Motion to issue a Notice of Violation to the Property Owner of 71 N. Union for unauthorized tree removal*

*Moved by:* Dr. Legere

*Seconded by:* Mr. Mowry

*Vote:* Approve: Legere, Seiter, Pettit, Wydick, Mowry

Oppose: None

### **B. 27 Buttonwood St. - Tree box consultation with property owner**

Mr. Mowry advised he had not yet met with Julie Howard, the property owner of 27 Buttonwood, and requested that Ms. Pettit provide Ms Howard's contact information to him.

### **C. 49 N Main St - Consultation with property owner regarding removal of a healthy Maple due to roots in the storm drains**

Mr. Mowry advised that he had not yet met with Amy Everett, the property owner. Ms. Pettit advised that the issue was moot. Ms. Everett had not submitted another Tree Action Request with additional information, and based upon Ms Pettit's seat on the Lambertville Municipal Utilities Authority, Ms. Pettit had knowledge that the City's Fire Department and the LMUA and successfully cleared the tree roots from the drains, so the matter was no longer an issue.

## **Agenda Item 8. Shade Tree Commission Administrative Discussion:**

Dr. Legere requested that all Commission activities be passed through him.

### **Agenda Item 9. Designation of Vice Chair:**

Dr. Legere noted that the Commission is currently without a Vice Chair to act in the absence of the Chair. After discussion among the members, consensus was reached that Dan Seiter would assume the Vice Chair position.

*Motion to install Dan Seiter as Vice Chair of the Shade Tree Commission*

*Moved by:* Dr. Legere

*Seconded by:* Mr. Mowry

*Vote:* Approve: Legere, Seiter, Pettit, Wydick, Mowry

Oppose: None

### **Agenda Item 10. Discussion of Treasurer Position:**

Dr. Legere noted that the Commission is currently without a Treasurer, and it is important to have a member who can make monthly reports on the status of the Commission's accounts and assist with the preparation the Commission's Annual Budget request. It was noted that Ms. Nichols is a business woman and likely had the necessary skill set for the position. After discussion among the members, consensus was reached that the matter would be tabled until Ms. Nichols was present

### **Agenda Item 11. Subcommittee Reports:**

#### **A. Ordinance and Procedures Subcommittee**

Ordinance Amendments - Dr. Legere and Ms Pettit reported that they met on amendments to the Shade Tree Ordinance. It was a productive meeting and it was decided that the work would be completed before the end of the year. Each month the subcommittee will review 2 pages of the Ordinance and determine necessary and appropriate amendments. Proposed amendments will be presented to the Commission for approval.

Procedural Guidance - Ms. Pettit advised that she had received the comments from City Clerk Cindy Ege and from Deputy Treasurer Susan Bacorn and had added them to the Procedural Guidance, but she ran out of time and was not able to have the document ready to distribute to the Commission Members for a vote. She will have it ready for the August meeting.

SDL System Issues - Ms Pettit advised that she had met with Deputy Clerk Lindsay Hansche and the account representative for the SDL System. The SDL representative helped revise the program to correct most of the issues during the meeting. Deputy Clerk Hansche said she would complete the corrections that are necessary to conform the Tree Action Request form on the City's website to the format the Commission developed for the paper form.

#### **B. Riparian Tree Grant**

Ms Wydick reported that all the trees were successfully planted for Phase 1 of the Riparian Tree Grant. Deputy Treasurer Susan Bacorn has provided the invoice for reimbursement on Phase 1 to Ms Pettit, and Ms Pettit gave a copy of the invoice to Ms Wydick. Ms Wydick advised that she is concerned that the drought has put survival of these newly planted trees in jeopardy. She is looking for volunteers to pitch in and help water these newly planted trees. Under the terms of the grant, Phase 2 of the Riparian Tree Grant must be completed and a final report must be submitted by September 1<sup>st</sup>. This is not realistic, because the Request for Proposals for Phase 2 trees has not yet been issued and the extremely hot summer is not conducive to survival of newly planted trees. Mr. Legere requested that Ms Wydick request an extension on project completion, and he requested that Ms Wydick and Ms Pettit work together to expedite issuance of the Request for Proposals for Riparian Tree Grant Trees - Phase 2. He requested a motion to authorize issuance of the Phase 2 RFP on or before August 8, 2022, with a return date for Bids on August 17th without further Commission review so the Commission can make an award at the August meeting.

### **Agenda Item 11. Subcommittee Reports:**

#### **B. Riparian Tree Grant (Continued):**

*Motion to authorize Ms Wydick and Ms Pettit to prepare and issue the Request for Proposals for Supply and Delivery of Trees for Riparian Tree Grant - Phase 2 on or before August 8, 2022, for Receipt of Bids by August 17, 2022 without further review by the Commission.*

*Moved by: Dr. Legere*

*Seconded by: Mr. Seiter*

*Vote: Approve: Legere, Seiter, Pettit, Wydick, Mowry*

*Oppose: None*

### **Agenda Item 12. Subcommittee Structure/Importance/Leadership:**

Dr. Legere asked that each Subcommittee select a leader who can manage subcommittee responsibilities and schedule meetings as necessary to resolve issues and report to the Commission on matters within their jurisdiction. He urged members to meet on a regular basis and present reports to the Commission

### **Agenda Item 13. Subcommittees:**

Dr. Legere made restated the following Subcommittees:

- A. Recommended Tree List - Ms. Wydick, Mr. Mowry, and Mr. Ogren
- B. Ordinance Review - Mr. Legere, Ms Pettit, Mr. Seiter
- C. Tree Inventory - Dr. Legere, Ms. Wydick, Mr. Mowry
- D. Procedural Guidance - Ms. Pettit, Mr. Seider
- E. Tree Care (New) - Ms. Wydick, Mr. Mowry

### **Agenda Item 14. Announcements:**

Dr. Legere announced that the joint grant application with the City's Parks and Recreation Commission was submitted on July 7, 2022. Lauren Kovacs is the grant manager for Parks and Recreation. The proposal includes funding for a Tree Inventory which, if approved, will finally enable the Commission to engage a tree professional to prepare a Tree Inventory. A Tree Inventory is prerequisite to pursuing other grant monies.

### **Agenda Item 15. Commission Member Comments:**

Several members expressed concern that a Shade Tree on Bridge St. had been badly damaged by trimming without Commission approval. Since not all members had been unaware of the damage to the Shade Tree, it was determined that discussion of the matter should be deferred to the August meeting. Members were requested to visit the site and inform themselves on the issue.

### **Agenda Item 16. Adjournment:**

There being no further business, the Chair requested a Motion to Adjourn.

*Motion to Adjourn the Meeting at 8:45PM*

*Moved by: Dr. Legere*

*Seconded by: Mr. Seiter*

*Vote: Approve: Legere, Seiter, Pettit, Wydick, Mowry*

*Oppose: None*

