



## CITY OF MOUNT VERNON

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Tree Advisory Board (TAB)  
MEETING MINUTES  
March 3, 2022, 4pm

A **REGULAR MEETING** of the Tree Advisory Board was held on Thursday, March 3, 2022, 4:05pm via Zoom.

### **Attendance**

**Voting members:** Eveline Feldmann, Chair • Marlene H. Wertheim, Vice Chair • Henry May • Vincent DeVito • Marlon Molina **Others:** Jennifer Mastrogiorgio, Elias Gootzeit • Shayne Brooks **Guest:** Anthony Alba, Ass't. Corporation Counsel.

### **AGENDA**

#### **Approval of Minutes**

The February 17, 2022, Meeting Minutes were approved without any changes. A motion to accept was made by Marlene and seconded by Marlon.

#### **TAB staffing, workflow & technology**

Good wishes were extended to Tanesia Walters now the new City Clerk and we welcomed Mr. Gootzeit as her stand in.

#### **Guest**

We welcomed Anthony Alba as the newly appointed legal representative to the TAB. We thanked him for offering his availability to meet our legal needs and to give us his legal guidance in relation to our mission - to contribute to the advancement of the health and economic wellbeing of city by protecting and expanding our city's tree canopy. He, in turn, said he would be available by phone or email and that he looks forward to becoming more familiar with and to supporting our Tree Ordinance.

#### **Arbor Day 2022 Planning**

**Planting Location** – Considering the significant need for trees in some areas, we agreed that our planting could be done for an entire block, preferably on the south side of the city, since last year Arbor Day focused on the north in Hartley Park. It would be easier to coordinate an event in a more residential area. Noting that community engagement is a priority, having a site with an active neighborhood association would facilitate community participation in the planning process. Our Tree Surgeon, Vinny, provided a long list of streets that have few or no trees. The TAB will work with him and Commissioner Bush in paring down to a short list of finalists that the board can select from by a vote. As to what will be planted will depend on the site, what is available and which vendor will work with us. Since there is much to be done and Arbor Day is fast approaching, we will add additional planning meetings March 24<sup>th</sup> and 31<sup>st</sup>. Informal exchanges can also be made via email.

#### **Reports**

**TAB Chair:** An inquiry was sent to Comptroller Morton regarding the status of the Tree Escrow Fund. He responded that the Finance Dept. stands ready to set up the account upon receipt of funds from the settlement fine of March 2021. We were assured that the needed financial support will be available for our Arbor Day event.

–The Chair had a first meeting with Aaron J. Schmidt, ISA – Deputy Commissioner/Community Development & Conservation and Sven Hoeger, ISA, Town Forestry Officer, both from the Town of Greenburgh. They have a tree ordinance comparable to ours that was adopted one year ahead of ours. We'll get into the substance of our discussion later in the meeting.

**Arborist: 153 Douglas Place** – Vinny spoke with the workers on the property. He learned that one tree taken down was dead at the crown and had a long stress fracture along its back. The remaining public tree appears to have a similar issue. The owner is planning a house renovation and new landscaping which will probably include ornamental trees. Vinny believes, as do contractors he has conferred with, that it should be the responsibility of the homeowner to obtain a permit, while the contractor is obligated to be properly licensed and insured. Again, the importance of available educational literature was emphasized so that the homeowner will make an informed decision feeling a part of the community. **DPW tree work update** – The section-by-section storm prevention trimming is off temporarily because DPW must attend to dead trees. For now, their trunks are left standing, awaiting the proper equipment to remove them

and the stumps. He will provide explanations for the removals, along with photos, for the TAB. Included will be pictures illustrating the disastrous pruning done by Con Edison, with whom he has been battling for 25 years. Con Ed claims they are following State protocol and that if Mount Vernon objects, we can do the pruning ourselves. The Chair suggested that Vinny reach out to the Town of Greenburgh Forester to see if they have similar experience and can advise. The Chair will arrange the contact.

**645 N MacQuesten Pkwy:** We're still not in possession of a legible copy of the site plan and will have to put off any discussion for another time.

**Implementation of the Tree Ordinance and TAB integration**

**Tree Permit – Listing:** An update of the website permit listing approved by the Commissioner of DPW was presented to the TAB and reads as follows:

“Tree Removal – An application for a tree removal permit is to be made by the owner or any other qualified person, firm or corporation authorized to perform the work on behalf of the owner. The request for tree removal is to be made to the Department of Public Works and will afford the City advance notice of at least twenty (20) business days to conduct an inspection. See §252 of Municipal Code for full description.”

Henry moved to send the paragraph on to DPW as good to go. Marlene seconded it.

**Tree Permit – Guidelines:** It was clear from the outset, when the Tree Ordinance was being written, that once its implementation began issues would arise. We are now looking at inconsistencies re what is a significant tree – 8” or 10”? Should it be the removal of one or two trees that requires a permit? How should we think about the private homeowner’s response to guidelines? These are among the matters discussed with the Greenburgh arborists. They encourage us to simplify our ordinance so that understanding is guaranteed for everyone. They feel that we could move up to 10” which gives a circumference of 31.4” and that to change from two trees to every tree would make the permit process easier. The resistance to guidelines they’ve encountered is more from the uncertified landscape services than the homeowners. They added that it’s best to keep the permit fee low. For them it is \$25 with up to two permits per year. We charge \$75. We reminded ourselves that a permit isn’t a punishment but an engagement. Our next step is to incorporate these changes into our ordinance and then review it.

**Tree Concerns Reporting Tool – Review of new Reporting Categories:** • dangerous dead tree/tree stump • tree branch/uprooting obstruction • removal without permit significant tree or on public property not removed by DPW • mass tree removal • serious damage to tree/excessive pruning • tree request/Empty tree well • pest infestation/invasive vines. Vinny had to excuse himself earlier and so could not comment. Henry moved, Eveline seconded, to pass the list to the legal advisor, noting the possibility of additions or changes in the future.

**Land-use referrals**

**1 Millington St.** – Since Vinny wasn’t present, questions from the Chair will have to be put tabled to another meeting. We did receive the site plans for our review but later and not fully integrated in the referral process for recommendation as expressed in the Tree Ordinance.

**New Business**

**Grant opportunity** – The Urban and Community Forestry 2022 Challenge Cost Share Grant Program focusing on creating a national innovative messaging campaign for the Urban Community Forestry Program that raises awareness of the critical and urgent need to plan, grow and manage urban forests was presented and determined to not be suitable for our city at this time.

**Announcements**

DEC NYS Tree City/Line/Campus Video Recognition event, March 17, 10 - 11:30 a.m. Mount Vernon was asked to present our achievement story as an inspiration to other municipalities. We’ll meet again on Thursday, March 17, 4 p.m. Motion to adjourn was made by Marlene, seconded by Henry, at 5:24 p.m.

<https://www.facebook.com/mountvernonny/videos/tree-advisory-board-meeting/4856857251058355/>



Eveline Feldmann, Chair

March 17, 2022

Date of Approval