

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 October 2020 – 6:30 p.m.
Videoconference remote meeting via Zoom

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

Non-Voting Committee Members/City Representatives
Cameron Black, Senior Planner, Jersey City Division of Planning
Kate Lawrence (Secretary), Director, Jersey City Office of Sustainability
John McKinney, Jersey City Department of Law
Edward O'Malley, Jersey City Forester
Adam Cohen, alternate/designee

Prepared By: Kate Lawrence

Date Prepared: November 9, 2020

Date Approved: November 16, 2020

ROLL CALL

The Committee meeting commenced at 6:35 PM. Six of six voting committee members were present.

PUBLIC NOTIFICATION

Meeting notice was sent to the City Clerk's Office, the Jersey Journal, the Hudson Reporter, and el Especialito on October 16, 2020.

APPROVAL OF PREVIOUS MINUTES

- Chair Prinz-Arey stated that the Shade Tree Committee would wait to vote on the September meeting minutes until next month so that the other Committee members would have sufficient time to review Committee Member Denise Bailey's comments. Chair Prinz-Arey also stated that she would like to have the Committee vote on accepting outstanding minutes as previously sent out.
- Ms. Bailey expressed frustration about lack of clarity in minutes and lack of adequate time to review.

- Chair Prinz-Arey made a motion to approve the meeting minutes for February and August without additional changes.
- The meeting minutes for February and August were approved by the Committee with all in favor except Ms. Bailey.

NEW BUSINESS

Update - Spotted Lanternfly and Emerald Ash Borer

- City Forester Ed O'Malley stated that the Emerald Ash Borer is here in Jersey City and would be for some time. Previous plans for dealing with the Emerald Ash Borer got upended when the Department of Public Works director left earlier this year.
- Forester O'Malley stated that he is continuing to keep an eye on the Spotted Lanternfly situation and it remains to be seen what the true impact of it will be in Jersey City and New Jersey. He stated that the public can help with the spotted lanternfly by scraping off eggs masses if they see them.
 - Committee Member Matt Trump noted that through December there will also still be adult spotted lanternflies that the public can help eradicate.
- Adam Cohen asked if there were certain trees we should be looking for regarding infestations in addition to tree of heaven (*Ailanthus altissima*)? Any thoughts on public outreach?
 - Forester O'Malley noted that black walnut was also a target of spotted lanternflies, but there are not many black walnuts in Jersey City. He pointed out that there is public information about the pests on city kiosks and the website. The State has flyers in English and Spanish.
- Committee Member Matt Trump noted that he is using spotted lanternfly traps in his work and that next year it might be a good idea to get members of the public to make their own traps.

Chapter 321

- John McKinney of the Jersey City Legal Department reviewed the draft changes to Chapter 321 updates that he had compiled based on Committee feedback, legal review, and public recommendations.
- Ms. Bailey wanted it to be noted in the record that she found the fact that the Committee was discussing the changes at the October meeting to be unprofessional because she felt that there had not been enough time to review. Ms. Bailey also expressed concern that the specific rules and regulations for trees were being moved to the Forestry Standards, which she felt were not as authoritative.
 - Mr. McKinney noted that this concern had been talked about at the last meeting. He reiterated that changes to the Forestry Standards must be voted on by City Council.
- Secretary Kate Lawrence and Forester O'Malley discussed how the Forestry Standards are supposed to be easier to access and understand than the ordinance and they were intended to make compliance more straightforward for developers and members of the public.

- Mr. Wesson noted he had a problem with changes to the ordinance going before Council before changes to Forestry Standards.
 - Mr. McKinney stated that he had added language towards the end of the ordinance to account for this time discrepancy.
- There was a discussion of the timing of the proposed changes, with some Committee members concerned that the changes were being pushed forward too quickly. Chair Prinz-Arey noted that changes to the ordinance were originally supposed to go before Council in October.
- Vice-Chair Theodore G. Tasoulas asked about the difference between the ordinance and the Forestry Standards when it comes to tree removal?
 - Mr. McKinney stated the ordinance is City code and therefore hard to change. The Standards are regulation. Chapter 321 (the ordinance) gives the Forestry Standards the authority to regulate tree removal. The Forestry Standards are the standards for planting and removing trees. Putting these regulations in the Standards rather than the Ordinance allows the regulations to stay current.
- Committee Member Cameron Black noted that Chapter 321 is part of the Land Development Ordinance. In practice, developers refer to this and have to follow this.
- Mr. Wesson noted that the section regarding climbing trees with spikes contradicted other sections in ordinance. Mr. McKinney said he would review and revise.
- The Committee discussed requiring notification of permitted tree removals and whether or not there should be a threshold number of trees to be removed that would trigger notification requirements.
 - Secretary Lawrence brought up issue of whether forester needs to be licensed by definition
 - Mr. Wesson agreed there should be some sort of certification requirement.
 - There was discussion regarding whether or not it made sense to do notice after a permit has been issued.
 - Mr. McKinney stated that this could be dealt with in Forestry Standards by stating something like “if the number of trees to be removed is greater than one then notice must proceed according to the forestry standards.”
 - The Committee members voted to amend the language to require notice per the Forestry Standards. All in favor.
- Mr. McKinney noted that 321-9 enabling legislation does not permit stating a minimum fine. Can change from one blanket sum to a range that includes maximum fine. Additional language regarding court system with larger fines required.
 - The Committee discussed what this would like in practice. Forester O’Malley noted that he works regularly with the Quality of life task force
- Mr. McKinney noted that he had amended Section 10 of the ordinance to Amended to refer to current standards.
- Committee Member David Hurtle noted that language should be changed to roots and trunk, not roots and stump.
- Chair Prinz-Arey stated that the revised ordinance would be introduced at the second reading in November or the meeting in December. Then second reading and vote for adoption will happen at the December meeting or the first meeting in January. Ordinance

would go into effect in January. She requested that Committee Members send comments in November.

- Forester O'Malley stated that he would also send his comments but that he was generally on board with pretty much everything said so far.
- There was a discussion about sharing a draft version of the Forestry Standards be shared via Google Docs.
- Chair Prinz-Arey noted that the Forestry Standards should go before Council in January. She noted that in order to move 321 forward the Committee will need to vote at the November 16 meeting. She stated she would send around Mr. McKinney's amended version before the next meeting.
- Chair Prinz-Arey asked Mr. McKinney to summarize all changes and feedback for the next meeting.

PUBLIC COMMENT

- Member of the Public Debra Italiano stated that she would like to see the standards and ordinance developed hand in hand. She also asked if all the changes she had proposed were going to be incorporated into the Forestry Standards.
- Mr. McKinney noted that many of the proposed changes could be incorporated into the Forestry Standards if that is what the Shade Tree Committee wanted to do.
- Member of the public and President of the Jersey City Parks Coalition, Laura Skolar stated that her organization would like to have some continuity with the approval of the forestry standards and the tree ordinance and wants reassurance that there will be enforcement.
- There was discussion among the Committee members regarding the merit of including references to the Urban and Community Forestry Management Plan and where those references should go. Mr. McKinney noted that the Committee could incorporate this language into the Forestry Standards if so desired.
- Member of the public Caroline Katz-Mount noted her concern about the ability of people to remove trees in order to improve sidewalks. She stated that public notice is important.
- Chair Prinz-Arey stated that if members of the public who spoke at the meeting would like their comments recorded then they should send her an email and they would be included in the minutes.
- Ms. Bailey asked about the schedule for circulating agendas and meeting minutes and expressed displeasure with the current timeline.
- Chair Prinz-Arey noted that some months would not follow the ideal timeline.
- It was decided that upcoming meeting dates would be discussed at the next meeting.
- Ms. Bailey requested that titles and affiliations be added next to the name of each Committee Member on the Shade Tree Committee webpage.
 - Mr. McKinney stated that this was not a good idea because it comes across as a city endorsement but stated that resumes can be added if desired.
- Vice-Chair Tasoulas confirmed with Chair Prinz-Arey that the next meeting on November 16 would largely focus on Forestry Standards.

ADJOURNMENT

The meeting was adjourned at 8:56 p.m.

Next Meeting

The next meeting of the Jersey City Shade Tree Committee is scheduled for Monday, November 16, at 6:30 p.m. This meeting will be held remotely as a videoconference. Virtual access information will be distributed before the meeting.