

Palmer Township, Northampton County

Shade Tree Commission Meeting Minutes

April 24, 2023, 6:30PM Municipal Building Lower Level

1. Roll Call

- a. Present: Jamie Collins, Paul Strasko, Shannon Wisniewski, Patrick Romano, Paige Strasko, Scott Kistler, Lee Hilbert, Mike Austin, and Dan Lichtenwalner.
- b. Absent: Michael Brett
- c. The meeting was called to order at 6:32PM.

2. Approval of meeting minutes from February 27, 2023, and March 27, 2023

- a. Mr. Strasko made a motion to approve both sets of meeting minutes. Wisniewski seconded the motion. Both minutes from February and March passed with unanimous voice vote.

3. Old Business

- a. **Tree removal permits/ordinances**
- b. **Upcoming grant trees**
- c. **Bamboo**

- i. Collins asked if all members had reviewed the bamboo document. Collins asked what Kistler and Hilbert thought about the drying process, and how they could accept bamboo roots and clippings. Kistler and Collins discussed logistics of accepting bamboo clippings or roots, asking residents to alert the Township, possibly making an appointment for drop-off, having oversight and security, storage and size of receptacles needed, employee education on identifying bamboo roots, and current signage at yard waste facilities.
- ii. Kistler suggested having reference photos at the Hartley Ave yard waste center for employees dealing with bamboo roots. Collins suggested having employees bring bamboo roots from the growth on Township property and keeping them on hand for identification. Collins stated they could do an educational piece for employees and residents on what bamboo roots look like, dried roots, comes, and dried comes. Collins stated the STC could do a social media piece to get the word out, but Kistler asked first to educate yard waste attendees on bamboo.
- iii. Ms. Strasko asked Collins for bamboo identifying pictures that could be shared with Kistler for employees, Kistler stated Ms. Strasko could find them online. Collins agreed and stated that she researched and reached out to bamboo nurseries for the drying process. Kistler and Collins then discussed amounts of roots that would be dropped off, enforcement, what structure of the plant Hartley yard waste would accept, making appointments, and how to prevent other attendees from taking any bamboo clippings. Wisniewski asked if residents would be less likely to follow an appointment schedule and the group discussed.

- d. Update Township tree planting standard construction documents.**
 - i. Mr. Strasko shared plans from when Carrabba's was built and asked if the tree details on the plan belonged to the Township or not. Collins explained that the engineers for Carrabba's used their own details for the plan, and through the Township review process details were adjusted to be in line with the current ordinance and requirements. Mr. Strasko stated he appreciated the detail that nothing could be planted closer than two feet to the curb.
- e. Sidewalk remediation**
- f. Social Media Letter drafts**
- 4. New Business**
 - a. Stones Crossing Removal Request**
 - i. Mike Austin, from Stones Crossing Rd, attended the meeting to discuss a recent letter from the STC requesting that he remove the trees in front of his home due to safety concerns. Austin shared that prior to the letter he received quotes from removal contractors for numerous trees on his property, including one of the trees from the STC letter. Austin stated the other tree had a large cut, but it had never shown signs of weakening, and he suspected the STC was called out due to a complaint. Austin described how he contacted First Energy, and their arborist came and did an assessment, as well as Bartlett Tree Service and both arborists disagreed with the STC recommendation for removal.
 - ii. Collins clarified which tree they were discussing, a silver maple, and that the other tree had already been removed. Collins stated she did a walk-by assessment of the trees and that it was by no means thorough and, that her original recommendation was mainly because silver maples have weaker wood. Collins also explained the tree was overhanging powerlines on a state road and the tree was mostly a safety concern. Collins stated the STC should allow Austin to do the pruning recommended by Bartlett Tree Service since he had two opposing arborist viewpoints. Collins also shared if the tree suffered more damage in the future, then the STC would want Austin to remove the tree.
 - iii. Austin asked some clarifying questions about the Township's responsibility for the tree and stated Collins had mentioned the Township may remove the tree. Austin, Collins and Kistler discussed that although Austin lives in Palmer, the Township does not own property on Stones Crossing Road since it is a state road. State roads are out of the Township's control because there is no ownership or right-of-way. Austin asked some more questions about right-of-way, and if homeowners own up to the street on their property. Kistler explained residents on Township owned roads typically do not own ten feet from the curb.
 - iv. Wisniewski asked if the other arborists did a more thorough evaluation of the tree than Collins and if Collins reviewed the other reports. Collins did

review the Bartlett report, but Austin shared the arborist for First Energy did not put anything in writing because they were only concerned about the power lines. Collins also stated that the large cut on the silver maple was most likely from the power company.

- v. Austin also asked about ownership of the tree because it was mostly on his property, but a portion is growing on his neighbor's property as well. Collins asked if Austin had a survey done of his property. He explained he did have one done, the tree is three-quarters on his property and a quarter on his neighbors, but he was considering having another survey done. Collins was unsure how the situation would end, and stated the STC was only determining what Austin would do for the silver maple.
- vi. Austin asked how long he had to do the pruning. Collins asked the other members if they had any comments or questions. Seeing none, Collins asked Lichtenwalner how the STC should proceed and what the course of action was. Lichtenwalner stated the STC should vote on the matter and provide directions on timeline for Austin to complete the work detailed by Bartlett. Mr. Strasko asked if the tree was under STC jurisdiction since it was a state road and Lichtenwalner clarified that the Township ordinance states the STC may require any homeowner to prune, cut or remove a dangerous tree. Kistler stated the tree was on private property, Collins stated if it was a risk to public health and safety then the STC did have a say. Austin and Collins discussed power company pruning practices.
- vii. Collins stated the STC would issue another letter of recommendation and thanked Austin for coming.

b. Arbor Day Celebration

- i. Collins confirmed all STC members would be at the event. Collins also shared that Wisniewski had done some great work putting together a brochure for the event. Ms. Strasko shared the other resources she had printed out. Collins shared her tree planting details and asked what type of root system the tree had for the planting demonstration. Ms. Strasko confirmed with Kistler that the trees are balled and bound roots for the event. Collins asked if they were handing out seedlings, Ms. Strasko stated they were hoping that the seedlings would be delivered in time, but she did not receive shipping confirmation yet. Collins confirmed that the STC did not put out on social media that they were giving away trees with Ms. Strasko. Collins stated that people who come to the event could be informed trees would be available. Wisniewski shared that she told other residents that trees would be available but did not specify when.
- ii. Collins asked who would be planting the trees. Kistler stated staff would be present to do the planting and explained his plan for the Arbor Day event. Collins asked Kistler to follow the tree planting documents she brought to the meeting. Collins stated she would also like Tom Adams to use the documents for Township plans. Kistler and Collins discussed

logistics of planting, how large the holes should be, how to dig the hole for the tree, where the important roots are, how high to plant, how to mulch, type of soil, soil compaction, and how to lift the tree into the hole during the demonstration to prevent damage. Kistler stated they would go through the entire planting process for the demonstration. Collins stated that trees at the event did not need to be staked, but trees planted in large developments should since there most likely are not people going back to check on the trees.

- iii. Collins confirmed Ms. Strasko had made a poster board to go along with the presentation and asked what other materials Ms. Strasko had for the event. Ms. Strasko shared she had the planting documents shown to the members earlier including Wisniewski's brochure, planting reminders from Arbor Day Foundation, and asked what else the STC wanted education wise. Collins asked to have the blurb she came up with on what the STC does in the Township. Ms. Strasko and Collins discussed display materials and informing residents on STC meetings. Collins asked to include species information on the trees being planted. Ms. Strasko stated that sugar maple and river birch seedlings were the species purchased.

c. Member participation/new member(s)

- i. Ms. Strasko shared with Austin that the STC has an open seat if he was interested in joining. The group discussed tree removal in the Township and Ms. Strasko shared she was informing residents that called with tree questions of the open seat as well. Collins asked if Ms. Strasko had received any calls from interested members. Ms. Strasko stated no, and that she left another voicemail for John Henning. Collins stated that she spoke with Henning before the meeting, and he said he had never heard from Ms. Strasko. Ms. Strasko explained his outgoing message and the group discussed how to get in contact with Henning.
- ii. Collins then stated they needed more member participation because of the amount of work the STC had in front of them. Collins also stated that if someone was on the STC they needed to be present at the meeting regularly. Collins proposed instituting a three-absence rule where if a member is absent more than three times in a calendar year, the STC recommend that the member be removed and replaced. Collins asked the other members if they felt that was fair, Mr. Strasko and Wisniewski agreed. Collins stated she would propose the idea to Michael Brett.
- iii. Wisniewski asked if the action would be retroactive, or if the rule would start from the current meeting. Collins asked what the group thought, and asked Romano if he would be able to attend meetings since he has been absent. Romano agreed he would be able to attend future meetings.

d. Tree Girdling

- i. Collins stated the picture she saw of the trunk damage was disturbing, Ms. Strasko had the picture printed and showed the other members. Collins

asked Kistler to give background on the situation to the STC. Kistler explained the resident has called the Township asking for an evaluation because they felt that the tree was dead. Kistler stated when the Township forester looked at the tree, his determination was to re-evaluate in the spring. Ms. Strasko then explained that upon re-evaluation the Township forester found the trunk damage in the picture and thought the tree was girdled. Ms. Strasko stated after receiving the picture from Kistler and the forester, she called the resident several times with no luck to inform them that the Township found what was thought to be intentional damage and would not take responsibility for the tree removal. Ms. Strasko stated the resident had not reached back out to her and she was unable to leave a voicemail or message. Ms. Strasko stated she was unsure of what the members wanted to do but offered to call the resident again or possibly send a letter to the resident.

- ii.** Collins stated the STC should discuss preventing further damage to street trees and stated this incident was vandalism of public property.
- iii.** Wisniewski asked what tree girdling was, and Collins explained tree girdling is when bark is removed around the base of a tree to prevent nutrient and water uptake from the roots, effectively killing the tree. Mr. Strasko stated perhaps the STC should add tree girdling in the tree ordinance. Kistler, Mr. Strasko, and Collins discussed what the current ordinances are, the knowledge needed for this type of damage, and how to move forward with the situation whether it be a fine or some other form of reprimand.
- iv.** Collins stated the STC could write a letter and possibly bring it to the Board of Supervisors. Ms. Strasko stated the current ordinance allows the STC to fine no less than ten dollars and no more than \$300, or imprisonment in the county jail of no more than 30 days. Collins and Kistler discussed next steps, and Collins asked if the police were involved at all. Ms. Strasko stated she shared the information with the police, but they did not do an investigation and she did not request it because the STC had not discussed next steps. Collins stated that the STC should discuss how to follow up on these situations.
- v.** Kistler explained the process that Parks and Public Works follow when they find vandalism in a park, and how they require the police to make a report and memorialize the incident. Kistler stated Ms. Strasko could discuss it with the Police Chief and ask that they treat it the same as vandalism in a park with an incident report. Ms. Strasko also shared that she has the documentation needed for the report of resident calls and tree evaluations. Kistler also stated that Ms. Strasko could ask that the reporting officer contact the homeowner.
- vi.** Romano stated that most homeowners are not aware of street tree ownership and Collins stated that would be a good educational topic and

resource to add to the website. Collins and Romano discussed other educational topics and creating articles on street trees, rights-of-way, and sidewalks.

- vii. Wisniewski asked to clarify the next steps. Collins stated the STC should wait for the police report. Kistler then discussed the fine process only works if the homeowner assumes responsibility for the damage, nothing much can be done if the homeowner pleads ignorance. Kistler, Collins, Wisniewski and Mr. Strasko discussed ways to gather evidence and if it could be proven that the homeowner caused the damage to the tree. Collins stated she wanted an investigation into the matter by police, and hoped there would be a report for the STC to discuss in May or via email.

e. Draft tree ordinance

- i. Collins stated she did not have a chance to read through the draft ordinance, and asked other members if they were able to. Wisniewski asked if the ordinance was sent via email and Ms. Strasko stated the ordinance followed Hanover Township's tree ordinance and stated she still had what Collins originally worked on and planned to compare the two for similar provisions.
- ii. Romano stated he did not read the ordinance, but he wanted to add a provision for stump removal. Romano explained the large number of stumps that he has seen around the Township, and Collins stated it was part of their job to review the ordinance and make recommendations on what should be added. Collins stated the STC should review the ordinance for the next meeting and come prepared to discuss additions.
- iii. Wisniewski asked if the other ordinances referenced in the draft tree ordinance were easily accessible. Ms. Strasko stated she tried to match Palmer's ordinance chapter numbers as best she could to what the draft references. Ms. Strasko and Collins explained to Wisniewski where she could find Palmer Township's ordinances on the website.

5. Reports

- a. Board of Supervisors
- b. Tree City USA

6. Public Comment

7. For the Good of the Order

- a. Romano shared that he had sent seedlings from his yard to someone in Lebanon and they are growing larger and healthy.
- b. Romano inquired about a tree that he had asked the Township about back in January. Romano stated that Ms. Strasko investigated the matter and stated that the tree did not qualify to be removed by the Township, but Romano did not understand why. Mr. Strasko stated it was still under STC jurisdiction and they could have the homeowner remove it. Kistler stated that the tree appeared to be at the edge of the right-of-way, and if it was on private property, the course of action

would most likely be that the STC work with Lichtenwalner if the tree was a hazard. Collins asked that the STC follow up on the matter.

- c. Wisniewski asked to meet with Ms. Strasko to update the STC website page and have residents re-directed to the website from social media. Wisniewski also asked if property owners are informed that a tree adjacent to their property will be removed and how the notification is executed. Ms. Strasko stated Collins had drafted a letter that explained the removal process to the homeowner, it asked them to take care of the new tree when it was planted and did not have any specific dates of removal or replant. STC members discussed the notification letter, emergency action, and Collins stated that the normal procedure moving forward will not be for the Township to pay to remove and replant all street trees. Collins also stated the Township was taking this action only because of the large number of dead and diseased street trees that were standing last year.
- d. Wisniewski also asked about weather for the Arbor Day event, and Collins stated if it rains that they should not plant the tree in the rain due to loss of soil structure. Hilbert, Kistler, and Collins discussed planting plans if it rained during the Arbor Day event.

8. NEXT MEETING: May 30, 2023

9. Adjournment

- a. Mr. Strasko made a motion to adjourn the meeting. Wisniewski seconded the motion. The motion was passed by unanimous voice vote, and the meeting was adjourned at 8:02PM.