



Capital of the Adirondacks

Village of Saranac Lake 39 Main Street, 2nd Floor Suite 9 • Saranac Lake, NY 12983-2294 • Phone: (518) 891- 4150 • www.saranaclakeny.gov

Public Hearing Notice

Saranac Lake Village Board of Trustees

Village of Saranac Lake, Inc.

NOTICE IS HEREBY GIVEN, that the Saranac Lake Village Board of Trustees will hold a PUBLIC HEARING on Monday, December 9, 2019 at 5:30PM in the Village Office at 39 Main Street, Saranac Lake NY 12983. The purpose of the hearing is to receive public comment on proposed local law for public tree care and the establishment of a tree committee. The proposed local law may be found at www.saranaclakeny.gov or reviewed at the Village Office at 39 Main Street Saranac Lake NY 12983.

Village of Saranac Lake

Local No. _____ of the year 2019

The local law will be known as the Village of Saranac Lake Public Tree Care Law

Be it enacted by the Board of Trustees of the Village of Saranac Lake as follows:

Section 1. Statement of legislative intent

It is the purpose of this local law to promote and protect the public safety, and general welfare by providing for the regulation of the planting, maintenance, and removal of trees, shrubs, and other plants within the Village of Saranac Lake which are on Village property. The Board of Trustees recognizes the role that trees play in the village ecosystem and that they contribute to the quality of air, reduce noise and visual pollution, help to moderate climate extremes and conserve energy, and the Board further recognizes the role trees play in enhancing property values and the general quality of life in the Village. In order to establish a responsible program for planting, maintenance, or removal of trees in the Village, the Board of Trustees finds it necessary to establish a Tree Committee and to adopt this Local Law to provide an orderly framework to maximize the benefits afforded by trees within the Village.

Section 2. Definitions

- a. **Street trees:** "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on publicly owned property within the Village.
- b. **Park Trees:** "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the Village, or to which the public has free access as a park.

Section 3. Establishment of a Tree Committee

- a. Establishment; membership; terms
 - (1) The Village Board of Trustees shall create an advisory committee known as the "Village of Saranac Lake Tree Committee." The Committee shall consist of three members, all of whom shall have a working knowledge of tree care. In addition, the Village Manager and the Village DPW Superintendent shall serve as ex officio members of the Committee. Each member shall be appointed by the Mayor, subject to approval by the Board of Trustees.
 - (2) The members shall be appointed initially as follows: one member shall be appointed for a term of two years; and two members shall be appointed for a term of three years. Thereafter, all appointments shall be for three years.
 - (3) If a Committee member does not serve the full term for reasons other than the expiration of the term, the Mayor shall appoint a successor, to serve for the unexpired term
- b. b. Tree Committee duties. The Tree Committee shall have the following duties that include, but are not

limited to:

- (1) Studying, investigating, developing and/or updating the Village's written plan for caring, preserving, pruning, topping, replanting, removing or disposing of trees and shrubs in parks and on other publicly owned property.
- (2) Maintaining reference materials relating to trees and shrubs.
- (3) Maintaining an inventory of the location of street trees and determining areas where such trees could exist but are absent.
- (4) Establishing a suggested species list for the village and recommending to the village the type and kind of trees to be planted upon village property.
- (5) Identifying trees for immediate removal.
- (6) Providing a long-range plan every five years for the Village relating to street trees and shrubs.
- (7) Providing the Village Board of Trustees with a yearly estimate of the cost of nursery stock to be used. Such plan shall be presented annually to the Board.

C. Meetings.

- (1) The Committee shall meet a minimum of two times each year. The Committee may call additional meetings as needed.

Section 4. Care of Public Trees

- a. The municipality or its agent shall perform all necessary maintenance to preserve and protect street trees in a safe and healthy condition, including trimming, spraying, fertilizing, watering, staking, topping, root pruning, mulching, treating for disease or injury, and removal if necessary.
- b. The village shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the limits of publicly owned property or parks as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- c. The Village Tree Committee may recommend a tree or part of a tree be removed if the tree or tree part:
 - (1) Poses a potential public safety risk or hazard; or
 - (2) Causes an unsafe condition; or
 - (3) By its nature, is injurious to sewers, electric power lines, gas lines, waterlines or other public improvements; or
 - (4) Is affected with any injurious fungus, insect or pest.

Section 5. Approval for Action within the Village

- a. No one except the Village of Saranac Lake or its agents acting on the Village's behalf, shall remove, destroy, or cause the removal or destruction of a tree on any publicly owned property or in any Village park, or undertake construction or any activity which may significantly and prematurely detract from the health or growth of a tree without first having obtained permission for such removal or construction from the Superintendent of Public Works.
- b. No one, except the Village of Saranac Lake or its agents acting on the Village's behalf, shall plant a tree or shrub upon Village property without first submitting a request to the DPW Superintendent who will

consult the Tree Committee before making a decision. The request shall state the number of trees to be set out; the location, species or variety of each tree to be planted; the method of planting; and any other information DPW Superintendent shall find reasonably necessary for its recommendation on whether or not the proposed actions are in conformance with the Community Forest Management Plan.

Section 6. Severability

If any section, subdivision, paragraph, subparagraph, clause, sentence, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, subdivision, paragraph, subparagraph, clause, sentence, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 7. Effective Date

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.