

*Village of Rhinebeck, NY
Monday, November 4, 2019*

Chapter 106. Trees

§ 106-3. Tree Commission.

- A. Authority and composition of the Commission. There is hereby created a Village Tree Commission for the Village of Rhinebeck. The Commission shall consist of five members. All members of the Commission shall be residents of the Village of Rhinebeck or the Town of Rhinebeck or owners or operators of businesses within the Village. However, preference shall be given in appointing members who are Village residents. Knowledge of arboriculture is desirable, but shall not be a requirement for membership on the Commission. The Commission shall be appointed by the Mayor and Board of Trustees by resolution. The initial terms of office for the members of the Commission shall be three years for two members; two years for two members; and one year for one member. Thereafter, on the expiration of a member's term, subsequent appointments shall be for a term of three years. All appointments to fill vacancies shall be for the unexpired term. Members of the Commission shall, on a yearly basis, appoint a member of the Commission to act as Chairman of the Commission for one year.
- B. Funding and compensation. The members of the Tree Commission shall not be compensated for their services. The Village shall, each year, include in its budget appropriate funding for the Commission which shall, at the very least, meet the current Tree City, USA minimum requirements in order for the Village to qualify as a Tree City, USA.
- C. Professional assistance. The Commission may, if necessary to fulfill its functions, utilize the services of licensed professionals to assist the Commission. Requests for such professional services shall be made to the Village, and hiring of such professionals, with the recommendation of the Commission, shall be made by the Village Board.
- D. Tree inventory and tree management plan. The Commission shall be responsible for creating and updating a tree survey inventory of trees within the Village parks and Village property and along public highways and on private property (where access to that property can be obtained with the property owner's permission) within the Village. This inventory shall be used by the Commission to create and implement a tree management plan which the Commission will update periodically, but no less than every three years, to reflect current conditions. The tree management plan will, among other things, address the following:
- (1) Identification of planting sites with a goal of increasing the percentage of canopy cover within the Village;
 - (2) Create a list of trees appropriate for planting along highways, in Village parks and on Village property; and
 - (3) Annual goals for pruning and removal of dead, dangerous or hazardous trees and tree limbs in the Village.
- E. Recommendations for tree maintenance, removal and care. The Commission shall make recommendations to the Village, its officials and employees for the planting, maintenance and care of trees along public highways or within Village parks and on Village property. The Village Highway Department shall, except in cases of emergency, consult with the Commission before removing or ordering the removal of a tree or limb of a tree within a highway right-of-way which threatens the

health, safety and welfare of the users of the highway or the ability of the Highway Department to maintain the highway in a safe manner. The Village Board shall appoint a liaison to the Commission and Highway Department for purposes of facilitating communications between the Department and Commission. In providing such advice, the Commission may examine the subject tree(s) and may consult with an arborist or other professional consultant. The Commission may also make recommendations to the Highway Department through the liaison concerning those trees which present a hazard because of death, age, infectious disease, insect infestation or overgrowth which obstructs street lights and traffic and street signs, or any other condition which requires the treatment, cutting or removal of the tree.

- F. Inventory of heritage trees. The Commission shall also create an inventory of heritage trees in the Village which are in special need of protection. In developing this inventory, the Tree Commission shall consider such characteristics as tree size; rarity of species; age; historic significance; ecological value; aesthetics; and location. The Commission shall utilize this inventory in making recommendations to the Village, the Village Highway Department, the Planning Board and other agencies of the Village government in regard to the care and maintenance of trees.
- G. Cooperation with the Town of Rhinebeck. The Commission shall also have the power to work and cooperate with the Town of Rhinebeck and/or any tree commission (or similar commission or committee) established by the Town of Rhinebeck for purposes of protecting, maintaining and/or planting trees within the Town of Rhinebeck. Such cooperation may take the form of participation by the Tree Commission or its members in a joint Tree Commission established by the Town of Rhinebeck and the Village of Rhinebeck pursuant to an intermunicipal agreement.
- H. Dissemination of tree information. The Commission shall assist the officers and employees of the Village, as well as residents, in the dissemination of information regarding the importance of selection, planting and maintenance of trees within the Village, whether on public or private property.
- I. Other responsibilities. The Commission shall fulfill such other and further responsibilities imposed upon it by the Village Trustees, from time to time, as may reasonably be necessary to effect the purposes and intent of this chapter.