



LEBANON TREE ADVISORY BOARD
MAY 2, 2022 - 5:30 PM
MEETING ROOM 2, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE

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- 1. Call to Order**
 - 2. Approval of Minutes**
 - A. 4/4/2022 - Approval of Minutes
 - 3. Old Business**
 - A. N. Westboro Park
 - B. Public Meeting, Quorum, Communication as a Board
 - C. Tree Warden Job Description
 - D. Vision
 - 4. New Business**
 - A. Planting, Trimming, Removal Efforts on City Land (Flow & Documentation)
 - B. Tree Advisory Board Webpage Following Ped-Bike layout (K.Flythe)
 - Agendas, minutes, media
 - Meetings, Events, Programming
 - Maps and tree inventory
 - Education & Resources (planting, care, maintenance) right place & right tree
 - Projects, Initiatives, and Partners
 - 5. Other Business**
 - 6. Adjournment**

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

City of Lebanon
Tree Advisory Board
Minutes, March 14, 2022
City Hall Meeting Room 2 and LebanonNH.gov/Live
5:30pm

MEMBERS PRESENT (7/7): Kathleen Corrigan, Charlie DuPuy, Andrew Garthwaite,
Kelsey Haigh, Susan Johnson, Mary Maxfield, Sarah Riley

MEMBERS ABSENT (0/7):

STAFF PRESENT: Paul Coats (Director, Lebanon Recreation Department)

OBSERVER PRESENT: Katrina Geurkink (may apply to be on the Tree
Advisory Board, and is currently with us as a participant
observer, here to help us envision our goals)

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1. CALL TO ORDER: Andrew Garthwaite called the meeting to order at about 5:35 pm.
 2. APPROVAL OF MINUTES: After the minutes of our regular January 3, 2022 meeting and special envisioning exercise February 7, 2022 were reviewed and some corrections made, a motion was made by Sarah to approve the edited minutes and unanimously approved.
 3. OLD BUSINESS:
 - a. Katrina led us in a **discussion of our visioning exercise**, asking that we individually identify 2-3 items we would like to be the focus of the Tree Advisory Board (TAB) for the next year.
 - i. Andrew opened with his proposed items (which we ultimately edited but provided key themes for our subsequent discussion):
 1. Planting trees
 2. Education—community science, engagement of children and homeowners
 3. Engagement with other city departments in an advisory and advocacy capacity
 4. Documentation—tree inventory
 5. Stewardship—management and management of trees
 - ii. Sarah:
 1. Inventory of trees
 2. Removing impervious surfaces

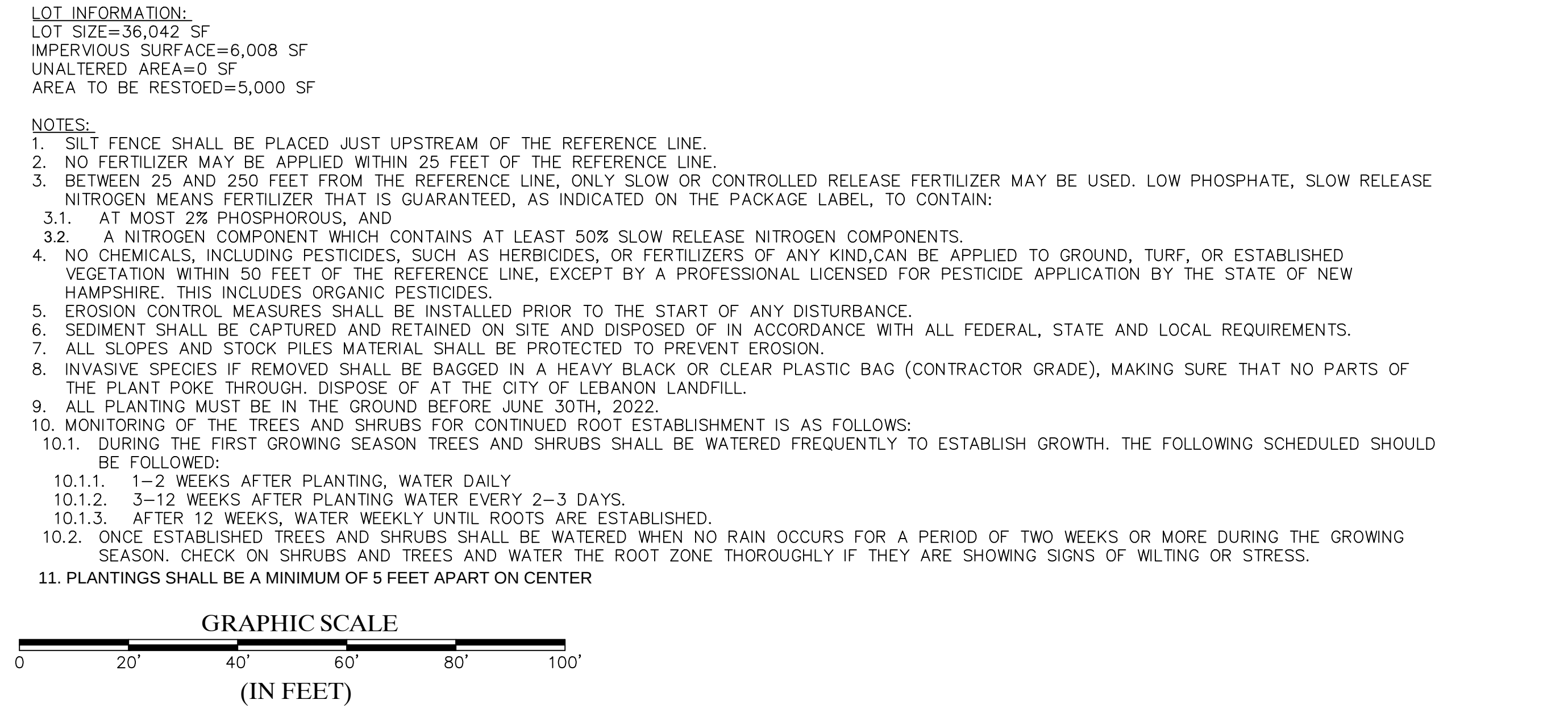
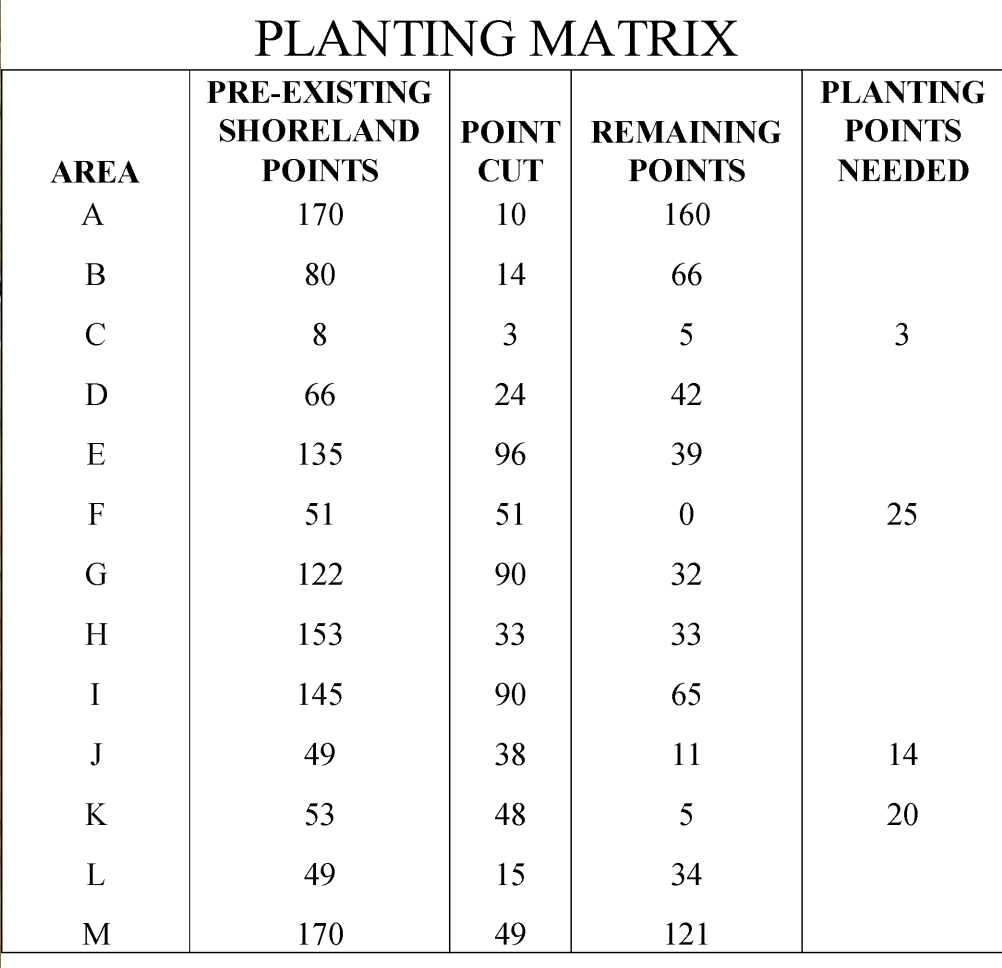
3. Educate ourselves (the TAB) on things such as soil needs, types of trees, mapping technology
- iii. Susan:
 1. Plant trees
 2. Choose one cemetery to prioritize
 3. Find volunteers to help us in our various forms of work
- iv. Kathleen:
 1. Plant trees, taking time to decide where and what types
- v. Kelsey:
 1. Inventory
 2. Decide where to plant trees
 3. Learn from the Planning Board/Department and DPW which trees are public and which are not.
 4. Manage the trees we have
- vi. Charlie:
 1. Document urban heat islands around the city
 2. Gather data about where the biggest needs are
 3. Eliminate residential hot spots
- vii. Mary:
 1. Document urban heat islands around the city.
 2. Apply current scientific understandings of tree needs and soil ecology to our decisions about where and how to plant and support trees.
 3. Apply the values and methods of environmental justice to our work.
- b. Katrina then led us in a discussion to identify **three immediate things that we can and should do**. Here is our list:
 - i. **Educate ourselves first.** We will form an online list (found in our group google folder and entitled, "What we need to LEARN".) Each of us can add to this list. This would include but not be limited to these topics:
 1. Tree ecology (soil, optimal habitat/species)
 2. Native tree species that would be adapted to different ecosystems around Lebanon
 3. Environmental justice—in what ways is this relevant to our work?
 4. Development of an advisory/advocacy relationship with the Planning Board
 - ii. **Current trees in Lebanon**
 1. Inventory (as reasonable)
 2. Learn from the Lebanon Planning Dept and DPW which trees are public.
 - iii. **Urban heat island** technology and planning for and execution of summer data collection by students and community volunteers.
 - iv.

4. NEW BUSINESS:

- a. **Arbor Day 2022–Wednesday, April 29th.** Paul shared that two Arbor Day celebrations are scheduled for this day. The more official, public celebration will be held at noon at the North Westboro Park (across Bridge St from Stateline Sports). The other event is at the Lebanon Landfill, where some trees will be planted, but no celebrants are hoped for. Relevant to the celebration at the North Westboro Park:
 - i. Lebanon Rec Dept is in the midst of choosing the types of trees that will be planted. Relevant asides about the Leb Rec Dept and trees:
 1. Paul explained that Leb Rec focuses on community parks (ex. Smith Field) and looks forward to getting recommendations from the TAB.
 2. Leb Rec waters trees via water tanks on trucks. (Did all of us know this?!? Thank you, Leb Rec!!)
 3. Leb Rec has a certain amount of money for tree maintenance. Paul said that most goes to taking care of fallen trees.
 - ii. Susan asked if there are ways TAB could support Arbor Day. Some responses:
 1. Paul wondered if we could rally a bus of senior citizens to be there.
 2. Sarah wondered whether some of the riparian information could be shared since the North Westboro Park is close to the river.
 3. Susan suggested that the TAB commit to having a table at the 4/29 event with info on the TAB.
 4. Charlie suggested involving Kilton Library because they are in the neighborhood. Susan offered to invite them.
 5. Paul told us that the day is mostly ceremonial. The tree is planted ahead of time.
 - iii. Who are the Lebanon groups planting trees?
 1. Leb Rec Dept
 2. Libraries
 3. Schools
 4. DPW does plant some (e.g. trees by the rail trail tunnel), but Leb Rec maintains them.
- b. Brief discussion by Sarah of some exploratory work by the Conservation Commission and EDC (Economic Development Commission) and [downtown Lebanon Advisory Group) to look at **the two big parking lots (upper and lower) between the Mascoma River, CCBA, and city hall.**
 - i. They're having a discussion meeting Wednesday 3/16 at 4pm.
 - ii. This is city-owned property.
 - iii. Purpose of this exploratory work: to determine what's happening there and possibly re-develop. The people involved are leaning toward making it more of a green space.

- iv. Role of the TAB here is to make sure that the city doesn't forget the trees, heat islands, etc, as this is explored.
- c. **Tree Warden applicant status**
 - i. Paul reminded us that this is a volunteer position.
 - ii. Two applicants have come forward:
 - 1. Eric Agterbeg—not an arborist, has hydrology and horticultural background. Offered to be an interim warden as we look.
 - 2. Charlie Chapman—32 years experience with Davey trees and residential tree care.
 - iii. Though a couple of us suggested hiring both, Paul stated that we need one official tree warden who will serve as a member of our board.
 - iv. Katrina suggested looking up a job definition for tree wardens from a group such as Tree City, USA.
 - v. This position is ultimately a city manager appointment, but we the TAB have to set the criteria for the job definition. This should be an agenda item at our next meeting.
- 5. OTHER BUSINESS—General announcements of interest:
 - a. Sarah shared that a Wild About Lebanon “tree crawl” is planned by the Upper Valley Land Trust and Conservation Commission for the 1st Saturday in April (Friday 4/1). Purpose: slow walk to look at trees around town in places such as Colburn Park and the Greenway.
 - b. Tomorrow (Tuesday 3/15) at 10am behind Target is a repeat Wild About Lebanon walk and talk focusing on this area where our two major rivers converge.
- 6. NEXT MEETING: Monday 4/4/22 at 5:30pm.
- 7. ADJOURNMENT: At about 7:30pm, Andrew moved to adjourn, Susan seconded. All approved.

Respectfully submitted,
Mary Maxfield
Recording Secretary



PUBLIC MEETINGS

BASIC RULE: All meetings of public bodies must have proper notice and be open to the public.

- *Public body:* All committees, subcommittees, boards, commissions, agencies, etc. that perform a governmental function for a town, city, village district or school district. RSA 91-A:1-a.
- *"Meeting":* The convening of a quorum (majority) of any public body to discuss or act on any of that body's business, including work sessions. It is a "meeting" whether the members convene in person, by telephone, or electronic communication, or in any other way in which all members may communicate with each other contemporaneously. **However**, legal meetings may never be conducted by email or any other format which does not comply with notice and public accessibility requirements, or which does not allow the public to hear, read or discern the discussion contemporaneously at the noticed meeting location. RSA 91-A:2.
- *What is not a meeting?* Gatherings of fewer than a quorum; consultation with legal counsel; chance or social meetings neither planned nor intended to discuss official matters and at which no decisions are made; strategy or negotiations regarding collective bargaining.
- *Notice:* Minimum of 24 hours (not including Sundays or holidays), either published in a local newspaper or posted in two prominent public places, one of which may be the public body's website. RSA 91-A:2. Other statutes or local rules may require more notice.
- *"Open to the public":* Anyone, not just local residents, may attend, take notes, record and photograph the meeting. However, except as required in a public hearing, the public has no guaranteed right to speak. RSA 91-A:2.
- *Telephone participation:* Boards may (but do not have to) allow one or more members to participate in a meeting by telephone or other electronic means (RSA 91-A:2), if:
 - Physical attendance is not reasonably practical (note in meeting minutes);
 - All members can simultaneously hear and speak with each other;

- Except in an emergency, a quorum is physically present in the noticed meeting location;
- All parts of the meeting are audible or otherwise discernible to the public in that location.
- *Deliberations:* Public bodies may only deliberate in properly held meetings and may not use communication outside a meeting (such as sequential emails or phone calls) to circumvent the spirit or purpose of the law. RSA 91-A:2-a.

MINUTES: Must be kept for all public meetings and made available to the public upon request within five business days after the meeting (whether or not approved yet). Must include members present, others participating, and a brief description of subjects discussed and final decisions made. RSA 91-A:2.

NONPUBLIC SESSIONS: Meetings or portions of meetings that the public may not attend. Begin in a properly noticed public meeting. A motion for nonpublic session is made and seconded, citing the statutory reason, and a majority roll call vote is taken. Once in the nonpublic session, only the reason(s) cited in the motion may be discussed. Minutes must be kept and (unless the board votes to seal them) made available to the public upon request within 72 hours after the meeting, whether or not approved yet. RSA 91-A:3. Nonpublic sessions are allowed only for reasons listed in RSA 91-A:3, II, including:

- Dismissal, promotion, compensation, disciplining, investigation or hiring of a public employee.
- Matters which would likely adversely affect the reputation of any non-board member.
- Buying, selling or leasing real or personal property if public discussion would give someone an unfair advantage over the municipality.
- Lawsuits filed or threatened in writing against the municipality, until fully adjudicated or settled.
- Preparation for and carrying out of emergency functions related to terrorism.

RIGHT TO KNOW LAW

LEGAL INQUIRIES:

800.852.3358, ext. 384

legalinquiries@nhmunicipal.org

www.nhmunicipal.org



RSA Chapter 91-A, New Hampshire's Right to Know Law, Brief Municipal Overview

GOVERNMENTAL RECORDS

DEFINED: Any information created, accepted or obtained by a quorum of a public body, or by a public agency (such as clerk's office, town administrator or police department), in any physical format, received in or out of a meeting, in furtherance of its official function. RSA 91-A:1-a.

BASIC RULE: Governmental records must be made available to the public upon request unless they are exempt from disclosure under RSA 91-A:5 or another statute. Electronic records are treated the same way as paper records in this respect. RSA 91-A:4.

AVAILABILITY: Records must be available during business hours at the premises of the public body. If not immediately available, respond within five business days: provide the record, deny it in writing with reasons, or acknowledge it in writing with a note of the time needed to respond. RSA 91-A:4.

- *Copies:* Anyone may make notes, tapes or copies. Never hand over without supervision or lend records out. Citizens may be charged the actual cost of providing the copies. RSA 91-A:4.
- *Format:* Maintain in a manner accessible to the public. May provide in any format the municipality already has, but if one is more convenient, it must be made available. May provide electronic records by access to a municipal computer, or by a copy in standard or common file formats, a printout, or any other means reasonably calculated to comply with the request. RSA 91-A:4.
- *Motive:* The reason for requesting a governmental record is irrelevant; do not even ask.
- *Raw materials:* Tapes and notes used to compile meeting minutes are governmental records as long as they are retained; policy to discard/reuse after minutes are approved is acceptable.
- *Partial release:* If only part of a record is exempt from disclosure, the remainder should be released. Redact the exempt portion(s).

RETENTION OF RECORDS: RSA Chapter 33-A:3-a governs the length of time records must be kept. Keep electronic records for the same length of time as their paper counterparts. RSA 91-A:4. However, if a record must be kept for more than 10 years, it must also be transferred to paper or microfilm. RSA 33-A:5-a. *Do not destroy a record after a request has been made for it until the request is fulfilled or disputed requests are fully resolved.* RSA 91-A:9.

DELETING ELECTRONIC RECORDS: Electronic records are not subject to disclosure under RSA 91-A after they have been "initially and legally deleted" so that they are no longer readily accessible to the public body or agency. A record is "legally" deleted if the retention period has ended and there are no outstanding or disputed requests for that item. *To "delete," you must empty the "Deleted Items" or "Recycle Bin" folder.* RSA 91-A:4.

EXEMPTIONS TO THE DISCLOSURE REQUIREMENT INCLUDE:

- Records pertaining to internal personnel practices
- Medical, welfare, library user and videotape sales or rental records
- Confidential, commercial or financial information and any other record whose disclosure would be an invasion of privacy
- Notes or materials made for personal use that do not have an official purpose
- Preliminary drafts, notes or memoranda and other records not in their final form and not disclosed, circulated or available to a quorum of a public body
- Some law enforcement records (but not all)
- Written legal advice (until the client shares it with a third party outside the privilege)

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JOB DESCRIPTION: TREE WARDEN OF THE CITY OF LEBANON, NH

The Lebanon, NH Tree Warden is a volunteer appointed by the City Manager and works through the Recreation, Arts, and Parks Department. The Tree Warden sits as an ex-officio member on the Tree Advisory Board.

The Tree Warden's duties are described in New Hampshire Statute [NH Rev Stat § 231:139 \(2015\)](#), which reads in part:

II. . . the duties of a tree warden shall be to help care for, maintain, protect, and perpetuate shade and ornamental community trees and shrubs in town public ways, village commons, parks, cemeteries, and other public grounds, and to advise the governing body from time to time as may be necessary to help accomplish that purpose. The town tree warden shall cooperate and work with other town agencies and officials in carrying out the intent of this chapter.

The Tree Warden will work with the Lebanon Tree Advisory Board to help accomplish the goals set out in the Tree Advisory Board Charter (see attached).

The Warden's primary duties will be to:

- Compile an inventory of the "shade and ornamental community trees and shrubs in town public ways, village commons, parks, cemeteries, and other public grounds".
- Assess the health and vitality of Lebanon's community trees and recommend treatment or removal when necessary.
- Become familiar with the State and City regulations on the planting, maintenance, and removal of public trees with the goal of ensuring that such regulations are being properly enforced and are sufficient to protect and enhance the City's trees.
- Establish a working relationship with the Public Works Department and offer advice on the pruning or removal of trees by DPW.
- "Partner with the utility companies to better understand their needs, and to educate residents of Lebanon about their rights and responsibilities with respect to trees and utilities". (from the TAB charter)
- Work with the Tree Board to establish a means for community members to report and seek advice on the treatment of diseased or hazardous trees
- Work with the Tree Board to provide the Lebanon community with up-to-date advice on the choice, planting and maintenance of shade and ornamental trees.

Kathleen Corrigan 4/16/2022

