



COMMUNITY FOREST MANAGEMENT PLAN

Village of Attica
October, 2020

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Department of
Environmental
Conservation

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Mayor: Nathan Montford
 Village Administrator: Douglas Post
 Department of Public Works Supervisor: Craig Kazmierczak
 Village of Attica Planning Board
 Village of Attica Tree Board
 Chairperson: Julie Cook
 Nancy Haas, Brian Fugle, Justin Lane, Nancy Hart, Laura Johnson
 Attica Historical Society: Camilla Vanderlinden
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COMMUNITY FOREST MANAGEMENT PLAN FOR VILLAGE OF ATTICA, NY 5 YEAR PLAN

FUNDED WITH A GENEROUS GRANT FROM:
NYS Department of Environmental Conservation Urban and Community Forestry Program

DEVELOPED BY:
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ADDITIONAL INFORMATION
Links to DEC :
<https://www.dec.ny.gov/animals/9394.html>
<https://www.dec.ny.gov/lands/5303.html>
<https://www.dec.ny.gov/animals/265.html#Terrestrial>

ARTICLES
Why Urban Forests?@caufu.org

EXECUTIVE SUMMARY

The Village of Attica formed an official Tree Board in 2018. The Village then applied for and was awarded a grant from NYS Department of Environmental Conservation Urban and Community Forestry Grant Program. These funds were allocated for the purposes of conducting a complete tree inventory and for the development of a Community Forest Management Plan. This document presents the results of the complete tree inventory as well as data analysis and proposed goals and the actions required to meet those goals. This management plan is comprised of 4 components and additional appendices.



This document presents the results of the complete tree inventory as well as data analysis and proposed goals and the actions required to meet those goals.

INTRODUCTION

“Forests are the lungs of our land, purifying the air and giving fresh strength to our people.” – Franklin D. Roosevelt

The Village of Attica is set in the rolling hills of Wyoming County. It is well known for the maximum-security prison named after the village. The prison is a primary employer in the region. Close by is the medium security facility known as Wyoming correctional. What might surprise many is that the prison system also supports a robust horticulture program. The Attica rodeo association maintains a large arena and hosts an annual rodeo which draws attendees from near and far. The Village of Attica also boasts a well maintained and appointed Veterans memorial park. The park welcomes visitors for concerts at the gazebo, a variety of festivals, pool, tennis court, recently installed playground with a zip line and picnic pavilions amongst the trees.

The Village has allocated generous resources to the maintenance of the park with assistance from the local garden club which maintains the park's entrance. The Village has also maintained a commitment to planting trees along the village streets.

These efforts benefit the community in numerous ways. Aesthetically pleasing environments have been proven to reduce stress, decrease crime and increase civic pride. It communicates hope and fosters community. No doubt visitors to the community, including families of inmates, are positively affected as well.

As part of their daily function, trees utilize atmospheric CO2 ultimately sequestering excess carbon, and emit O2. They assist in ground water recharge, decrease stormwater runoff and act as a riparian buffer zone by filtering water before it enters the streams and ultimately lakes. Trees filter pollutants from the air and decrease the effect of heat islands generated by buildings and hardscape.

In short, an urban forest is a very valuable asset. The Village of Attica recognizes the inherent value of the urban forest and seeks to preserve and end enhance it as proper stewards of this resource. The Village also acknowledges the duty to properly manage the urban forest so it can continue to benefit its citizens and visitors.

The Community Forest Management Plan is a collaborative effort developed to guide the Village and its citizens in a proactive management program for a period of 5 years, as well as a firm foundation for the future.

COMPONENT 1
Geography and History of the Urban Forest

COMPONENT 2:
State of the Urban Forest and i-Tree Analysis

COMPONENT 3
Management Goals and Interventions

COMPONENT 4
Expected Expenditures

COMPONENT 1

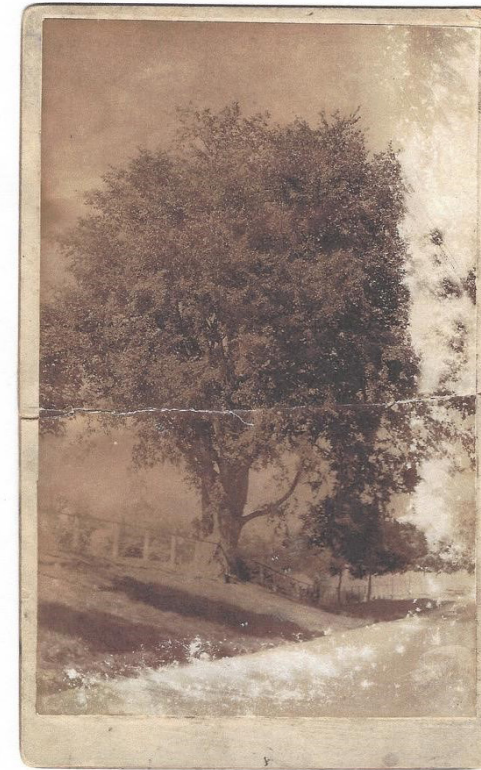
Component 1 details important geographic facts and historical background that are foundational to the project.

COMPONENT 2

Component 2 describes the current state of the urban forest as of September 2019 when the tree inventory data collection phase was completed. Results of the complete tree inventory are presented in this section. Condition, species diversity and distribution are discussed. The Village of Attica currently has 638 trees along its streets and in its 3 parks. Approximately 140 open planting sites were identified. High risk trees were indicated and priority removals and pruning have been documented. The Village was notified of trees identified as priority 1 removals during the course of the inventory. The Village subsequently initiated a contract with a local tree service to mitigate risk to the community. Component 3 addresses a plan for further pruning and removals.

It was found that the predominant species on Village streets are maple trees. Primarily sugar maple and Norway maple making up 50 % of the total tree population. Crabapple trees were also noted to be abundant. Recommendations for future plantings discourage any planting of maples or crabapples for at least 5 yrs. When the species diversity can be reevaluated. Environmental and economic benefits are an important consideration with regard to the development and benefits that maintenance of the urban forest. Inventory data was analyzed using i-Tree Eco software to determine the value of ecological benefits that are provided by Attica's urban forest. This analysis assigns dollar value per tree with regard to oxygen production, carbon sequestration, avoidance of storm water runoff, and air pollution reduction.

COMPONENT 3



Pictured above:

**Elm Tree at Maplewood.
30 feet in circumference.
Cut down because of Dutch
Elm disease around 1960.**

Component 3 details specific assessment related goals and proposed interventions to meet those goals. The Village will utilize these goals to drive their strategic plan to improve all aspects of the community forest. Public safety is of paramount concern. The management goal provides guidelines in order to address current safety concerns as well as proactive measures to monitor, respond and reduce tree risk issues in the future. As hazard trees are removed, they will be replaced. The Village is also committed to planting 20 new trees per year until all open planting spaces are filled. A recommended tree list includes trees hardy to the zone, appropriate for an urban setting, size at maturity and special features. This list will promote increased diversity and proper tree selection to avoid utility conflicts. Proper plant, proper place decreases pruning requirements and therefore cost as well as promote healthy establishment which gives a better return on the investment of planting. Veterans memorial park provides an opportunity to enhance the users experience as well as community pride with replacement of aging decayed trees with well suited specimens showcasing this lovely space. 4 seasons of interest and a perfect place to conduct education and arbor day events. The Village plans to increase public education and outreach as well as continue traditions such as their celebration of arbor day. The Village of Attica has a history of honoring their veterans which they hope to continue by planting memorial trees to highlight the dedication and service of their residents.



COMPONENT 4

Funding is required to promote and maintain a high-quality tree program. Component 4 outlines the expected expenditures associated with removals, pruning, planting and establishment as well as software and consulting services.



A Ginkgo tree that was recently planted at Veteran's Memorial Park.

COMPONENT 1 GEOGRAPHY & HISTORY

The Village of Attica lies on the northern border of Wyoming county, surrounded by rural countryside. The Village was incorporated in 1837. It has a total area of 1.7 square miles, and has a population of 2,597 (2000 census). The Village is at latitude 42.865138, longitude -78.276885, with an elevation of 981' above sea level. USDA hardiness zone 5b (-15 to -10 degrees F). The Natural Resources Conservation Service designates the soils to be primarily silty loam. Due to elevation changes some areas of Attica are subject to periodic flooding which presents challenges in species selection for new planting sites. Tonawanda creek flows through Attica from multiple tributaries.

Most of Attica's street trees are located in the tree lawn between the sidewalk and the street, this is a restrictive and challenging environment. Renovation of streets and sewer construction have damaged or obliterated potential planting spots in certain areas of the Village.

The Village has a large population of sugar maples which are not generally well suited as street trees. Norway maples, both green and purple varieties (i.e./ crimson king) have also been planted in abundance, likely for their fast growth and dense shade. Unfortunately, their rapid growth makes them weak wooded and susceptible to storm damage and decay. Their poor performance is further accentuated by frequency of girdling roots, poor structure and abundance of surface roots.

Construction and development severely impacts the roots of existing trees, leading to decline and instability. Although utility pruning is required to maintain electrical distribution, it often disfigures and damages trees to the point of decline and ultimate death. The Village has made an effort to plant trees that will not interfere with utility wires thereby reducing the need for destructive pruning.

The most frequent choice of small tree has been the crabapple (See Figures 1 & 2 on the next page). In an overall attempt to increase diversity and thereby decrease potential pest and disease problems the Village will avoid the planting of maples and crabapple for the next 5 years and likely well into the future. A list of recommended trees from the consulting arborist is on file and found in the appendix of this document.

In November of 2019, the Village drafted a Tree Law (see appendix) which outlines the rights and responsibilities of the Village and its citizens.

The Village has an active Tree Board with a total of 7 members, including an ISA certified arborist.

The Department of Public Works has actively engaged in all aspects of the management of Village trees. Attica's DPW works with the community to identify issues and mitigate risk. They also work with local tree services in order to execute tree work that requires specialized equipment and expertise. They also are active with tree planting projects and Arbor Day celebrations, as well as the establishment and maintenance of the village trees. DPW currently manages the small ash tree population for emerald ash borer by injecting susceptible trees with a registered pesticide.

Pests and diseases can significantly affect the urban forest. Sufficient diversity decreases the potential for devastating effect. Currently the village trees are monitored for gypsy moth which affects many species but especially maples and oaks. A large number of crabapples were observed to have been affected by apple scab disease, likely due to the prolonged wet spring of 2019. Repeated episodes weaken trees, but most often is results in unsightly trees due to leaf yellowing and premature leaf drop. The village has been advised that a prophylactic spray program will improve aesthetics of these trees especially in the parks and on arterial streets.

The Village has plans to increase it's efforts with regard to education and public outreach. They are considering school programs, tree steward programs, and training to promote participation and volunteerism in the community.

As part of the complete tree inventory a risk assessment was performed on all trees 12 or more inches in diameter at breast height (DBH). The Village was notified of trees requiring priority removal.

The Village contracted a local tree service to remove trees designated as priority 1. The Village has been advised with regard to the removal of hazard deadwood in otherwise healthy trees. Trees with hazard deadwood located on arterial roads or proximate to playground equipment will receive priority attention. Due to the associated costs, the Village will apply a phase based approach to the remaining trees.

The Village will address storm damaged trees as the need arises. Trees will be addressed within the guidelines of the existing Tree Law and at the discretion of the Tree Board and the DPW.

The Village employed LaBella Associates to work with the Tree board to complete a grant application for a tree inventory and community forest management plan. Larkin Tree Care was chosen to conduct the complete tree inventory and the CFMP. The Village will continue to seek available funding through grants to support the urban forestry program. A maintenance grant helps to fund removals, priority pruning, etc. Planting grant assists with new tree planting and establishment.



THE BOARD MISSION STATEMENT



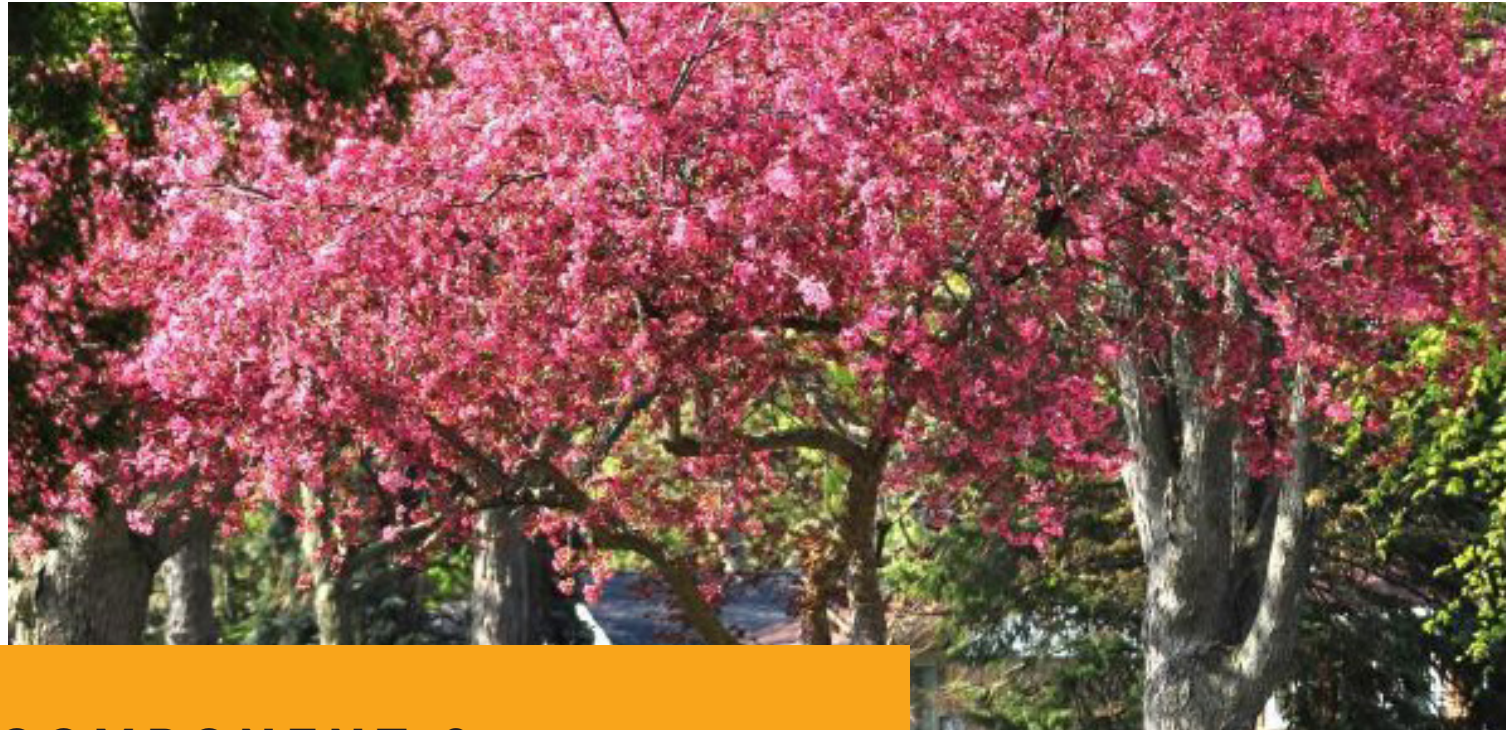
OUR MISSION IS TO ENHANCE AND IMPROVE OUR URBAN TREE ASSETS" THROUGH THE FOLLOWING INITIATIVES:

- Maintain a computer-based database of all trees that reside on village property
- Promote the planting of tree species suitable for the particular site and environment
- Base plant selection with regard to increasing diversity and avoid conflict with utility
- Preserve healthy veteran specimens
- Promote public awareness of the importance of the urban forest through education, training and arbor day events
- Promote student participation on the board and its activities

It is important to note some historical perspective with regard to Attica's Urban Forest. The Village of Attica was founded in May of 1837. One of the prominent families in these early years was the Stevens Family. They planted a Ginkgo tree at the site of the original library, currently the historical society. This ancient species of tree continues to thrive and is approximately 50 feet tall.

Figures 1 & 2: The Crabapple and Maple tree are the most requested choice for small trees.





COMPONENT 2 STATE OF THE URBAN FOREST AND I-TREE ANALYSIS

The Village of Attica has approximately 9 miles of public streets known as the right of way, and 3 parks. The complete tree inventory included all Village owned trees. The inventory was conducted by ISA certified arborist with Tree Risk Assessment Qualifications. The data was collected using Diamond maps software via a handheld tablet. The resulting database has been retained in a dynamic map (Diamond maps) and as an excel file. Collected data included latitude, longitude as a GPS point, address, date of collection, genus species, diameter at breast height (DBH), height class, overall condition, age class, percent live crown, risk assessment, utility conflict, sidewalk conflict and observations. Potential future planting sites were also identified and assessed for overall potential and size with regard to soil volume and potential conflicts.

In total 638 trees were evaluated, and a total of 140 open planting sites. This determines an overall stocking rate of 78%.

TREE INVENTORY METHODS AND RESULTS

In August 2019, Larkin Tree Care's ISA Certified Arborist began the inventory of 638 trees in the ROW, Parks, and Sewer Plant. Additionally, 170 future planting sites were identified. #Park= 43, #ROW=120, #sewer=7

Tree inventory data was collected with the use of Diamond maps software on an android tablet and a Golden Arrow GPS receiver. Diamond maps utilizes a GIS system with aerial imagery and GPS. Data was collected and recorded in real time, as an updated data base and mapping component.

DATA ANALYSIS

While the tree inventory evaluates trees on an individual basis, data analysis seeks to identify trends and patterns. The collected data was then analyzed for specific criteria such as genus/species, size, condition, overall risk rating, size of potential planting sites.

GENUS SPECIES DISTRIBUTION

Biodiversity is a key concept with regard to the overall health and sustainability of an urban forest. No genus should represent more than 20%, no species more than 10%, no family more than 30% of the entire population. This ratio is an accepted guideline with regard to biodiversity.

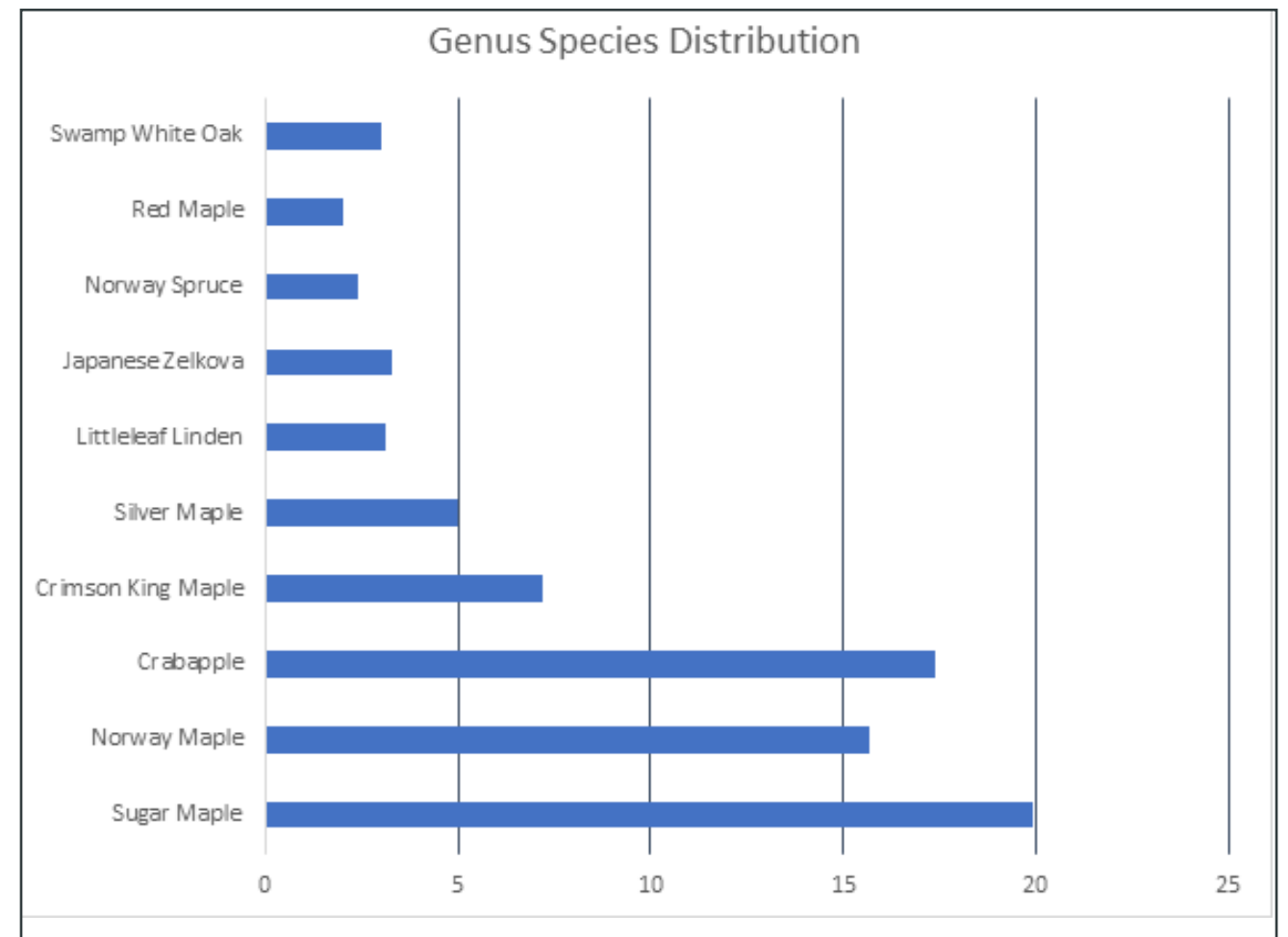
For example; A sugar maple's family (sapindaceae), genus is maple(acer), species is sugar maple (acer saccharum). The family Sapindaceae also includes golden rain and horsechestnut.

This guideline exists in order to reduce the risk of catastrophic loss due to pests or diseases. Excellent examples would include the devastation of the emerald ash borer and Dutch elm disease. The Village should seek a high level of biodiversity as a continuing goal, especially when considering selections for new planting sites.

DISCUSSION

Currently, maple trees dominate Attica's urban forest 47.8%, followed by crabapples 17.4%. These percentages clearly do not fall within the recommended guidelines for diversity. The Village is therefore advised to avoid these genus species in their planting plan. However, as hazard trees are removed, overall numbers should be re-evaluated.

The Village should seek a high level of biodiversity as a continuing goal, especially when considering selections for new planting sites. Appendix T Lists recommended tree species by size and special features.



TREE SIZE

When assessing a tree for size, both height class (small, medium, and large) as well as DBH (diameter at breast height) are considered. It is important to determine the distribution of young, semi-mature and mature trees. The life cycle of a healthy tree is long, dependent on the species and other factors. With regard to the urban forest it is important to ensure the succession of older declining trees by young and semi mature trees. The USDA states that the ideal age distribution is 40% young trees, 30% maturing, 20% mature, and 10% old. These percentages influence the overall stability of the urban forest as well as short term management costs and benefits, and indicates future population trends.

The area distribution of the villages trees is fairly consistent with the ideal, although condition and stocking rate are factors that influence the overall picture. Removal of diseased and decayed trees will also affect the distribution. The Village is committed to increasing the overall stocking rate as well as replacement of trees that require removal. Proper establishment and care will positively impact the urban forest and balance the distribution

CONDITION

Trees are a valuable asset, but in order to provide their many benefits they must be healthy. The health of any individual specimen starts with selection, right tree right place. Not all trees thrive in all environments. Selection must be made with consideration of hardiness, site tolerance and size at maturity. Aesthetic considerations are important but secondary. Trees should be sourced from a reputable dealer, and transported safely to the site. Care should be taken to reduce potential desiccation. Trees must be handled carefully during the planting process, damage to the stem from ropes or equipment may not always be visible until well after planting. These wounds predispose trees to pests, diseases and ultimately failure at the points of weakness. Efforts must be made in the establishment of the tree with regard to regular deep watering and application of mulch. Once the tree is established (1-5 yrs.) young tree training should

be performed to promote proper structure. Efforts made early in the tree's life will lay the foundation for success far into the future as well as minimize costly pruning and removals.

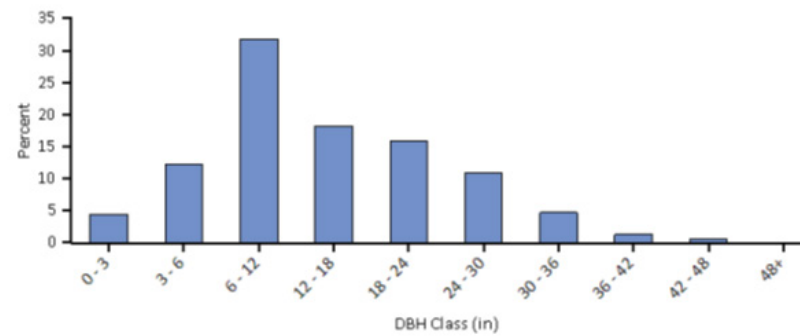


Figure 3. Percent of tree population by diameter class (DBH - stem diameter at 4.5 feet)

INVENTORY RESULTS ATTICA TREES OCTOBER 2019

Condition	Excellent	Good	Fair	Poor	Critical
#	42	37	281	175	13

Designation of excellent refers to a tree that is clearly well situated, thriving and free from defects. Good describes a tree that has minor defects. Fair describes a tree that has multiple defects that are not likely to herald a decline. Poor indicates multiple defects likely leading to decline. Critical condition is a tree whose poor condition and multiple defects are likely to lead to imminent death, and therefore hazardous.

TREE RISK AND MAINTENANCE NEEDS

Tree risk was evaluated for all trees. Overall risk takes several factors into consideration likelihood of failure and the potential target, as well as the consequence of the failure. Hazard deadwood was recorded as a requiring priority pruning. Proactive pruning done at 5-7-year intervals decreases the potential for failure of large limbs. Risk assessment also indicates trees that require removal due to decay or structural issues. The potential for whole tree failure generally

places a tree in priority 1 removal category. Priority 2 and 3 removals are likely more stable than priority 1 trees, the Village is advised to complete removal work in phases over a 3-year period in order to promote public safety.

Inventory results indicated that approximately 88 trees require removal. Priority 1= 16, Priority 2= 28 and Priority 3 = 44. It was also noted that approximately 83 trees have hazard deadwood that requires removal. The Village will begin this process with trees on arterial roads and with close proximity to the playground. Component 4 details expected expenditures and a timeframe for completion.

Results of the tree inventory were submitted for analysis by i-Tree Eco. I-Tree is a suite of software platforms developed by the USDA and Davey Resource group. It is free open resource software program that can be utilized by municipalities in various ways. I-Tree Eco's primary function is to calculate the environmental benefits that are provided to a community by its urban forest. I-Tree Eco assigns dollar values to eco benefits such as carbon sequestration, oxygen production, pollution removal, and avoided runoff.

SUMMARY I-TREE ECO REPORT

- Tree cover: 9.264 acres
- Most common species of trees: Sugar maple, crabapple, Norway maple
- Pollution removal: 348.3 pounds/year (\$125/year)
- Carbon Storage: 490.9 tons (\$83.7 thousand)
- Carbon Sequestration: 7.889 tons (\$1.35 thousand/year)
- Oxygen Production: 21.04 tons/year
- Avoided Runoff: 15.44 thousand cubic feet/year (\$1.03 thousand/year)
- Structural Values: \$1.88 million

AIR POLLUTION REMOVAL

The urban forest can help improve air quality by reducing air temperature, directly removing pollutants from the air, reducing energy

consumption in buildings, which consequently reduces air pollutant emissions from the power sources. Trees emit volatile organic compounds that can contribute to ozone formation. However, integrative studies have revealed that an increase in tree cover leads to reduced ozone formation (Nowak and Dwyer 2000).

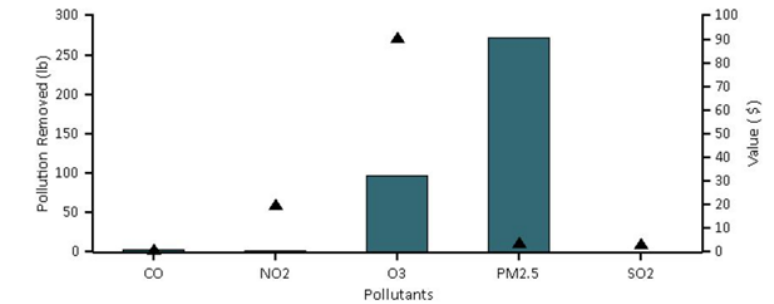
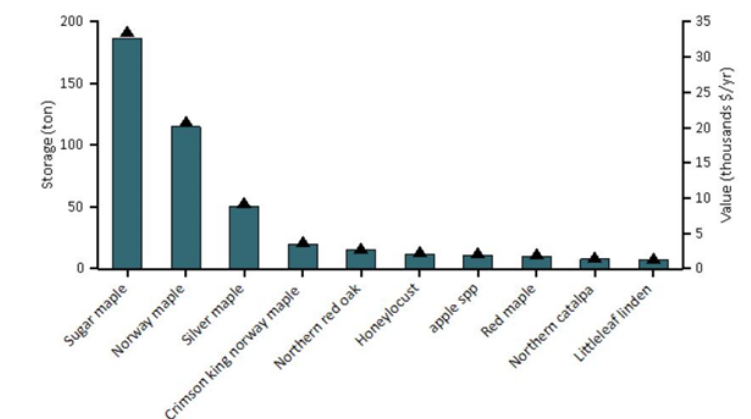


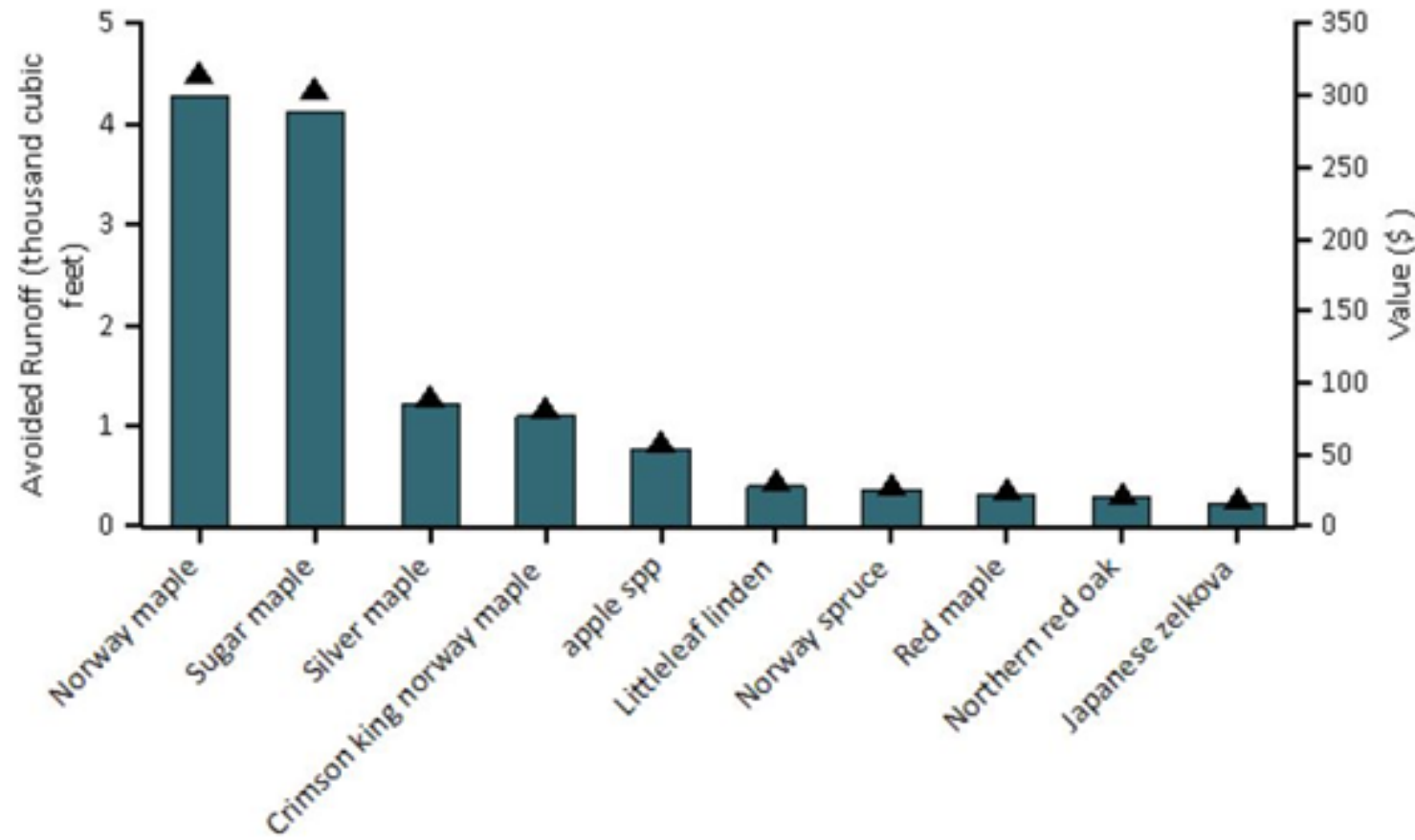
Figure 7. Annual pollution removal (points) and value (bars) by urban trees, attica eco 3

CARBON STORAGE AND SEQUESTRATION

Climate change is an issue of global concern. Urban trees can help mitigate change by sequestering atmospheric carbon (from carbon dioxide) in tissue and by altering energy use in buildings and consequently altering carbon dioxide emissions from fossil-fuel based power sources (Abdollli).

Trees reduce the amount of carbon in the atmosphere by sequestering carbon in new growth every year. The amount of carbon annually sequestered is increased with the size and health of the trees. Carbon storage is another way trees can influence global climate change. As a tree grows, it stores more carbon by holding it in its accumulated tissue. Maintaining healthy trees will keep the carbon stored in trees.





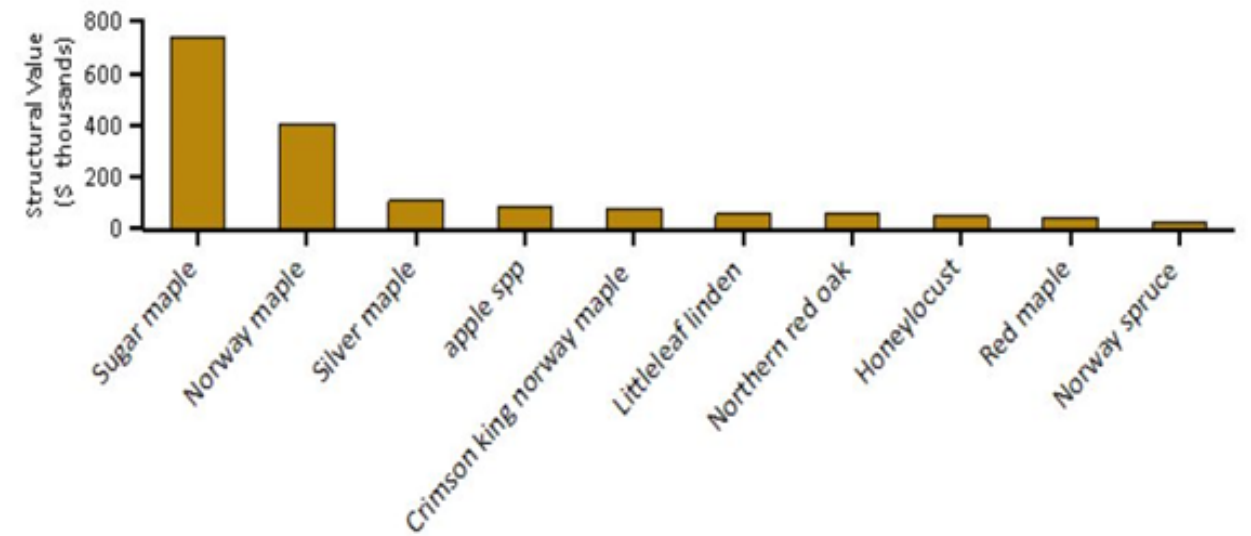
OXYGEN PRODUCTION

Oxygen production is one of the most commonly cited benefits of urban trees. The annual oxygen production of a tree is directly related to the amount of carbon sequestered by the tree, which is tied to the accumulation of tree biomass. Trees in Attica are estimated to produce 21.04 tons of oxygen per year. However, this tree benefit is relatively insignificant because of the large and relatively stable amount of oxygen in the atmosphere and extensive production by aquatic systems.

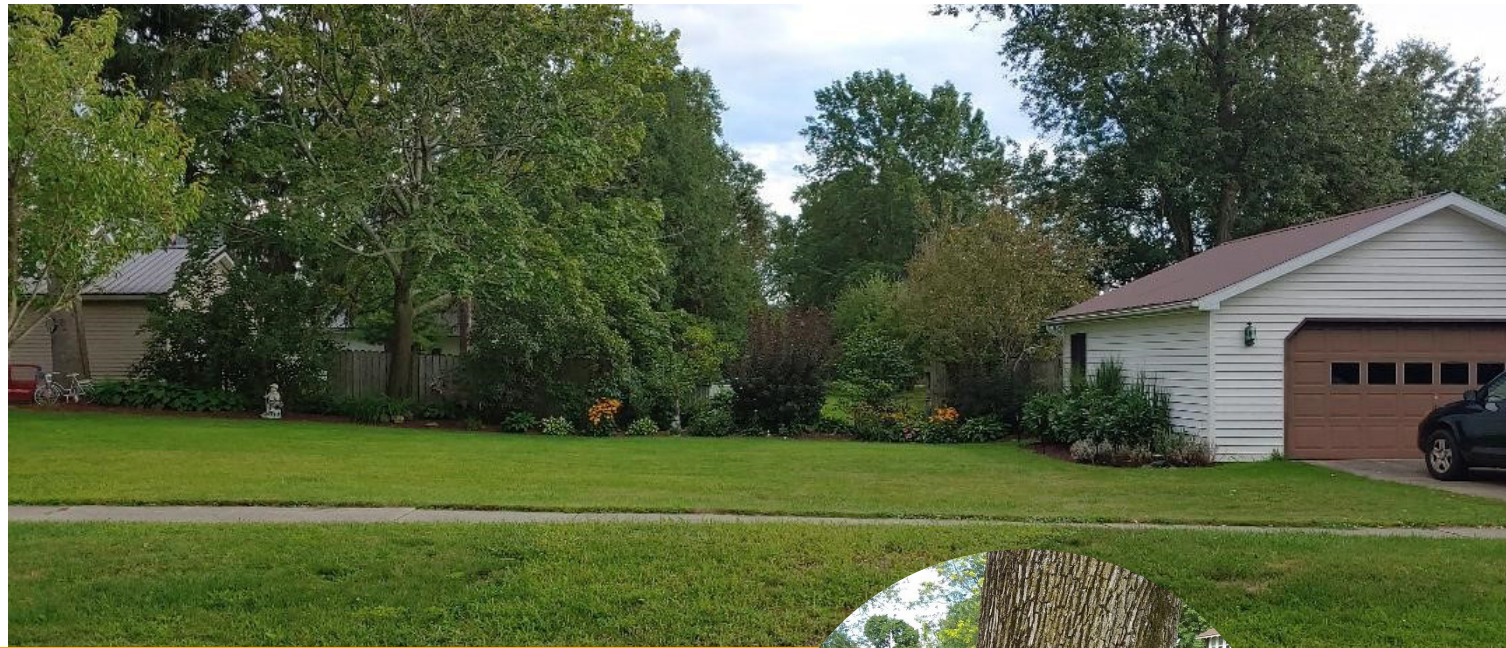
AVOIDED RUNOFF

Surface runoff can be a cause for concern in many urban areas as it can contribute pollution to streams, wetlands, rivers, lakes and oceans. During precipitation events, some portion of the precipitation is intercepted by vegetation (trees and shrubs) while the other portion reaches the ground. The portion of the precipitation that reaches the ground and does not infiltrate into the soil becomes surface runoff. In urban areas, the large extent of impervious surfaces increases the amount of surface runoff. Urban trees and shrubs, however, are beneficial in reducing surface runoff. Trees and shrubs intercept precipitation, while their root systems promote infiltration and storage in the soil.

STRUCTURAL VALUE BY SPECIES



“He who plants a tree, plants a hope “ - Lucy Larcom



COMPONENT 3 ASSESSMENTS, GOALS AND INTERVENTIONS

Data collected during the tree inventory and analysis of that data reveal trends and relevant issues that require action. Assessment identifies a relevant issue, Goals define a desired outcome, and Interventions describe proposed actions to attain that goal. Goals may be short term (1-3 yrs.), intermediate (3-5 yrs.), long term (5+ years) or a combination of all 3. Assessments, goals and interventions should be evaluated for effectiveness by the tree board and other interested parties on a regular basis. This process is a dynamic ongoing process.

ASSESSMENT

Tree inventory identified 13 trees as priority 1 removals.

GOAL

Immediate removal of 13 trees designated as priority 1 in order to reduce overall risk.

INTERVENTION

- Contract professional tree service to conduct removals as soon as possible.

EVALUATION

Goal Met November 2019. An Attica based tree service, Take Down, was contracted to remove 13 trees that were designated as priority 1 removals. The immediate action taken by the Village underscores their commitment to public safety and as well as the health and integrity of their urban forest.

ASSESSMENT

Tree inventory identified 83 trees containing hazard deadwood.

GOAL

Systematic removal of deadwood with priority attention to those on arterial roads, proximate to playground equipment and schools in order to reduce overall risk.

INTERVENTION

- Identify arterial roads, school zones and playground areas requiring priority attention
- Schedule removal of remaining hazard deadwood in phases
- Contract professional tree service to perform removal of hazard deadwood

ASSESSMENT

Trees require maintenance in order to maintain health and reduce risk. Regular maintenance should occur on a cycle of 5-7 years.

GOAL

Regular proactive maintenance of Village trees will occur on 5-7-year cycles to maintain health and reduce risk.

INTERVENTION

- Identify maturing and mature trees
- Schedule maintenance by groups or zones
- Contract professional tree service to perform regular tree maintenance

ASSESSMENT

Tree inventory identified an additional 73 trees that require removal. Of those trees, 29 are designated as remove priority level 2, and 44 are designated as remove priority level 3.

GOAL

Removal of priority level 2 and 3 trees will occur in years 2 and 3 in order to reduce overall risk to public safety.

INTERVENTION

- Contract a professional tree service to perform removals

ASSESSMENT

Tree inventory identified a lack of biodiversity in the current tree population with a predominance of maple and crabapples.

GOAL

The Village will seek to increase the overall diversity of the urban forest.

Intervention

- Avoid plantings of maples or crabapples for a period of at least 5 years
- Utilize list of recommended trees for selection
- Re-evaluate overall diversity as removals and new plantings are established

ASSESSMENT

Tree inventories are important data bases but require frequent updating to remain relevant.

GOAL

Maintain relevant record of the urban forest.

INTERVENTION

- Update current inventory as removals and new plantings occur
- Update current inventory as priority pruning is completed
- Update current inventory as routine maintenance is completed
- Export pertinent information as an excel file on a yearly basis

ASSESSMENT

Tree inventory identified 140 open planting spaces. The overall stocking rate is 78%.

GOAL

The Village will seek to maintain a stocking rate of 95-100%

INTERVENTION

- Plant 20 new trees per year (chosen from the recommended list) until a 95-100% stocking rate is achieved
- Replace removals with a new tree within 1-2 years
- New planting selections should be made with overall diversity in mind

ASSESSMENT

Tree inventory identified numerous trees in direct conflict or future conflict with utility transmission. This causes a need for damaging utility pruning.

GOAL

New plantings will not create a utility conflict.

INTERVENTION

- Tree selection for new plantings will be chosen from the recommended list for small trees which will not exceed 30ft in height at maturity

Pictured Left: A decayed tree trunk and the land after the tree was removed and the stump was ground.

**“He who plants a tree loves others beside himself”
- Thomas Fuller**

ASSESSMENT

Tree inventory revealed that a large number of young trees show signs of wounding and poor establishment. This results in poor quality trees that may become future hazards as well as a financial loss of investment.

GOAL

The placement of new trees will follow the protocol developed for planting and establishment.

INTERVENTION

Training for DPW and all involved in planting and establishment
Use of volunteer citizens to assist in establishment
Arborist involvement to monitor establishment

ASSESSMENT

Increase community involvement with the urban forest program.

GOAL

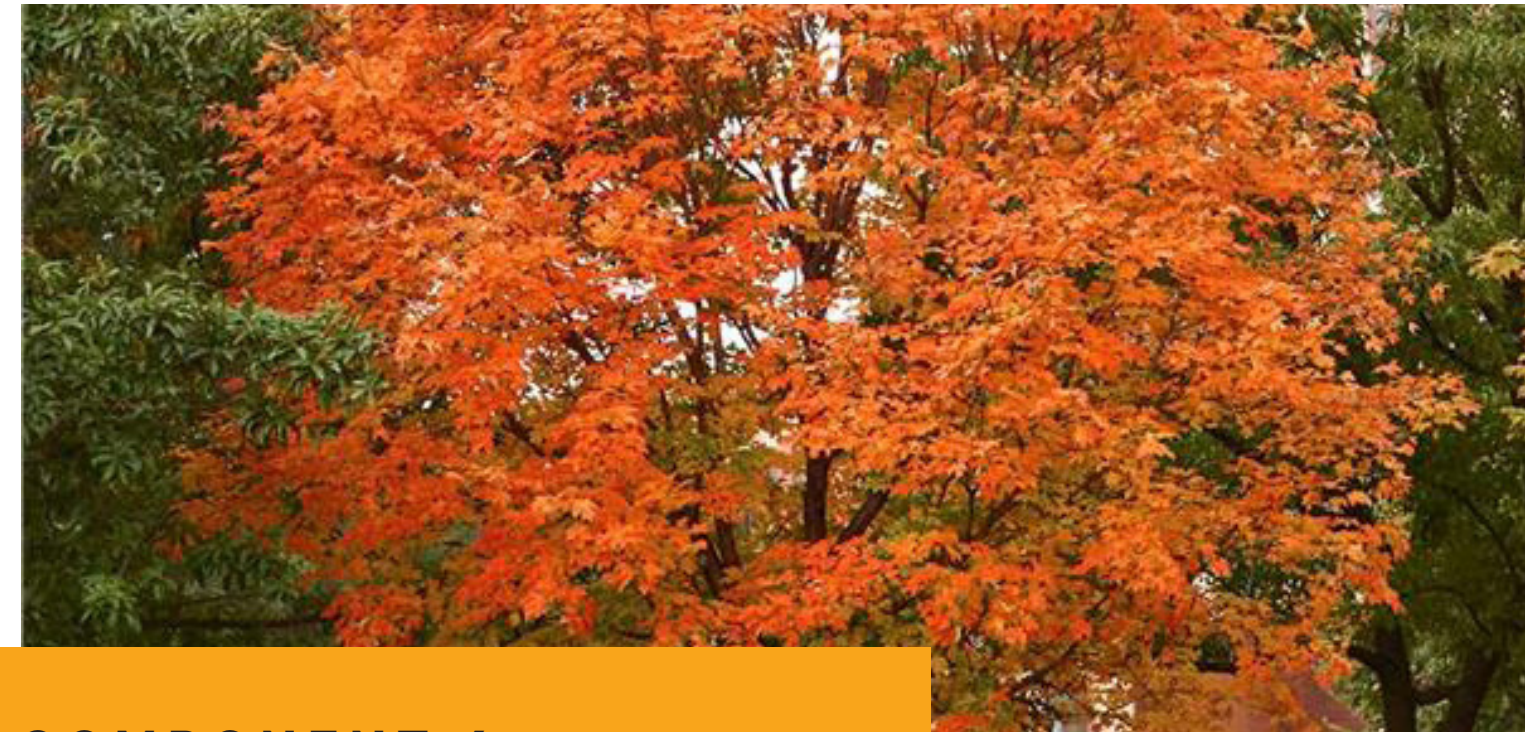
Active community involvement with urban forest program

INTERVENTION

- Increase awareness of arbor day programs
- Education at the elementary, middle and high school levels
- Tree steward program
- Education for interested citizens



Trees are sanctuaries, whoever knows how to listen to them can learn the truth - Herman Hesse



COMPONENT 4 EXPECTED EXPENDITURES

The urban forest provides substantial benefits to the community. In order to continue to reap the rewards for the future, there is a cost. Risk reduction through removal of high-risk trees and hazard deadwood is of a paramount priority. Proactive measures like routine pruning maintain the urban forest and minimize storm damage and overall risk. New plantings beautify the Village and ensure that the urban forest remains an asset for future generations.

The Village of Attica is able perform planting, establishment, young tree training and small removals in house.

At this time priority removals, priority pruning and routine pruning of trees over 12" DBH require a contract with a professional tree service.

Presented in the following pages are the estimated costs for removals, priority pruning, and routine pruning. Young tree training is estimated as routine pruning for trees under 12" DBH. Young tree training when properly administered encourages proper growth and structure.

It allows for establishment, but limbs that have the potential to lead to poor structure and potential failure or increased risk are removed when the tree is still young.

The wounds are therefore smaller and are less likely to lead to decay. Tree training is a proactive measure that can save thousands of dollars in future pruning of large trees or failure.

**FIVE YEAR BUDGET: MAINTENANCE
YEAR 1 / 2021
PRIORITY REMOVALS (REMOVE 1)**

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	0	\$25	\$0
04"-06"	1	\$105	\$105
07"-12"	2	\$220	\$440
13"-18"	5	\$450	\$2,250
19"-24"	3	\$650	\$1,950
25"-30"	4	\$1,000	\$4,000
31"-36"	3	\$1,300	\$3,900
37"-42"	0	\$1,500	\$0
43"+	0	\$2,000	\$0
TOTAL			\$12,645

**FIVE YEAR BUDGET: MAINTENANCE
YEAR 2 / 2020
PRIORITY REMOVALS (REMOVE 2)**

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	0	\$25	\$0
04"-06"	0	\$105	\$0
07"-12"	1	\$220	\$220
13"-18"	4	\$450	\$1,800
19"-24"	11	\$650	\$7,150
25"-30"	8	\$1000	\$8,000
31"-36"	7	\$1300	\$9,100
37"-42"	0	\$1500	\$0
43"+	0	\$2000	\$0
TOTAL			\$26,270

HAZARD/ PRIORITY PRUNE YEAR 1/ 2019

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	0	\$20	\$0
04"-06"	0	\$25	\$0
07"-12"	3	\$75	\$225
13"-18"	11	\$150	\$1,650
19"-24"	28	\$185	\$5,180
25"-30"	24	\$250	\$6,000
31"-36"	11	\$325	\$3,575
37"-42"	4	\$400	\$1,600
43"+	3	\$600	\$1,800
TOTAL			20,030

YEAR 3 / 2021 PRIORITY REMOVALS (REMOVE 3)

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	2	\$25	\$50
04"-06"	0	\$105	\$0
07"-12"	11	\$220	\$2,420
13"-18"	9	\$450	\$4,050
19"-24"	12	\$650	\$7,800
25"-30"	7	\$1,000	\$7,000
31"-36"	5	\$1,300	\$6,500
37"-42"	0	\$1,500	\$0
43"+	0	\$2,000	\$0
TOTAL			27,820

YEAR 3 / 2021 ROUTINE PRUNE

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	0	\$25	\$0
04"-06"	0	\$30	\$0
07"-12"	0	\$75	\$0
13"-18"	20	\$140	\$2,800
19"-24"	11	\$175	\$1,925
25"-30"	0	\$250	\$0
31"-36"	0	\$325	\$0
37"-42"	0	\$400	\$0
43"+	0	\$600	\$0
TOTAL			\$4,725

YEAR 4 / 2022 ROUTINE PRUNE

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	12	\$25	\$300
04"-06"	25	\$30	\$750
07"-12"	8	\$75	\$600
13"-18"	20	\$140	\$2,800
19"-24"	11	\$175	\$1,925
25"-30"	10	\$250	\$2,500
31"-36"	0	\$325	\$0
37"-42"	0	\$400	\$0
43"+	0	\$600	\$0
TOTAL			\$8,875

YEAR 5 / 2023 ROUTINE PRUNE

DBH	# OF TREES	COST/TREE	TOTAL COST
00"-03"	12	\$25	\$300
04"-06"	28	\$30	\$840
07"-12"	9	\$75	\$675
13"-18"	20	\$140	\$2,800
19"-24"	11	\$175	\$1,925
25"-30"	12	\$250	\$3,000
31"-36"	7	\$325	\$2,275
37"-42"	3	\$400	\$1,200
43"+	1	\$600	\$600
TOTAL			\$13,615

ESTIMATED COST NEW PLANTING

#	ITEM	COST	TOTAL COST
20	Tree	\$100	\$2,000
20	Gator Bags	\$45	\$900
TOTAL			\$2,900

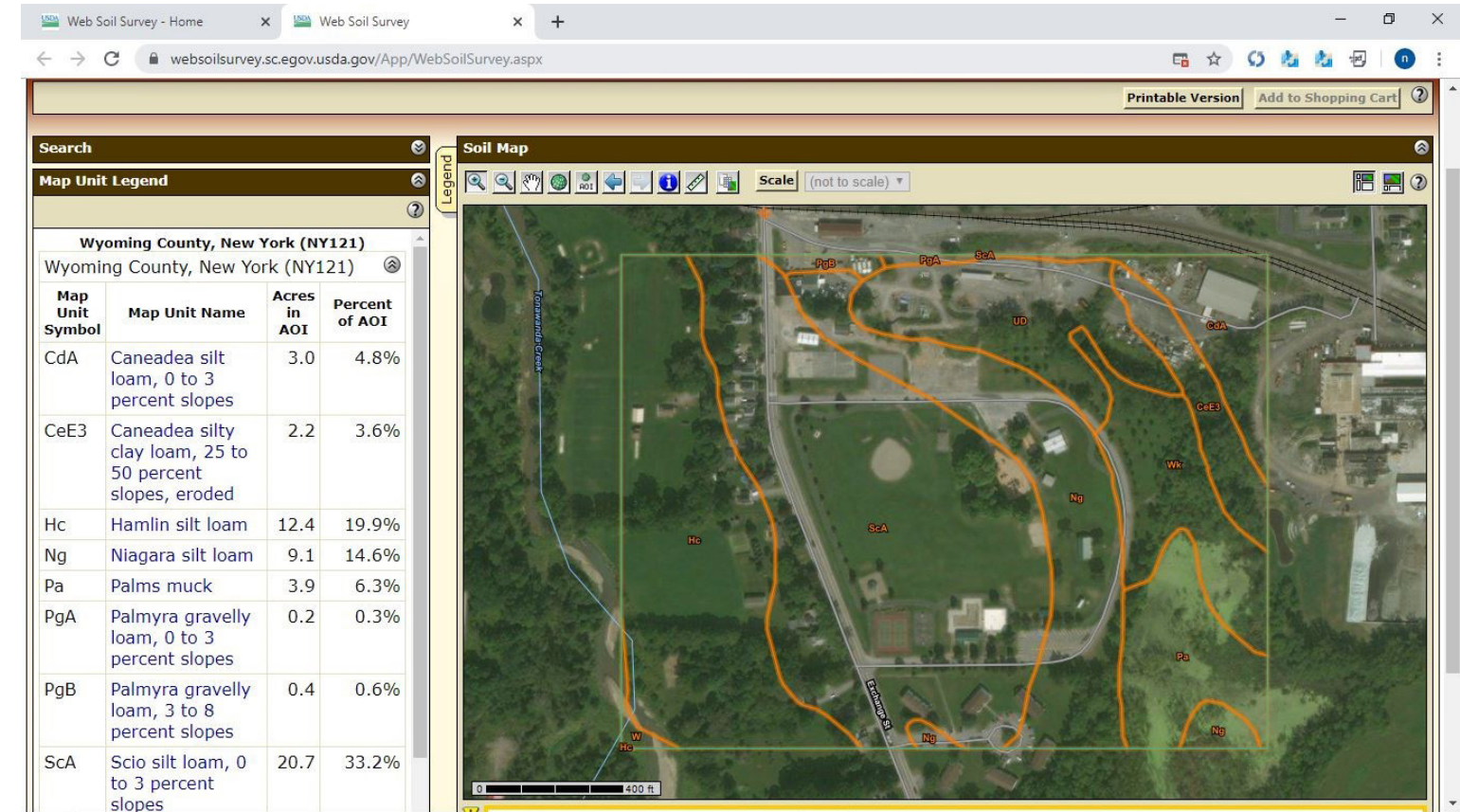
*Gator bags or similar watering system is reusable thereby eliminating the cost in subsequent years.

The Village of Attica plans to encourage homeowners and volunteers to participate in the establishment of newly planted trees. Their participation will be directed by the DPW and village arborist.

Inventory data was collected using Diamond Maps software. This software utilizes satellite imagery, established maps and GPS points collected by staff to provide a dynamic map of trees as well as other critical infrastructure. Inventory data was collected by the consulting arborist. Tree inventory data was collected using known points (i.e./ address and position) as well as the satellite image as reference.

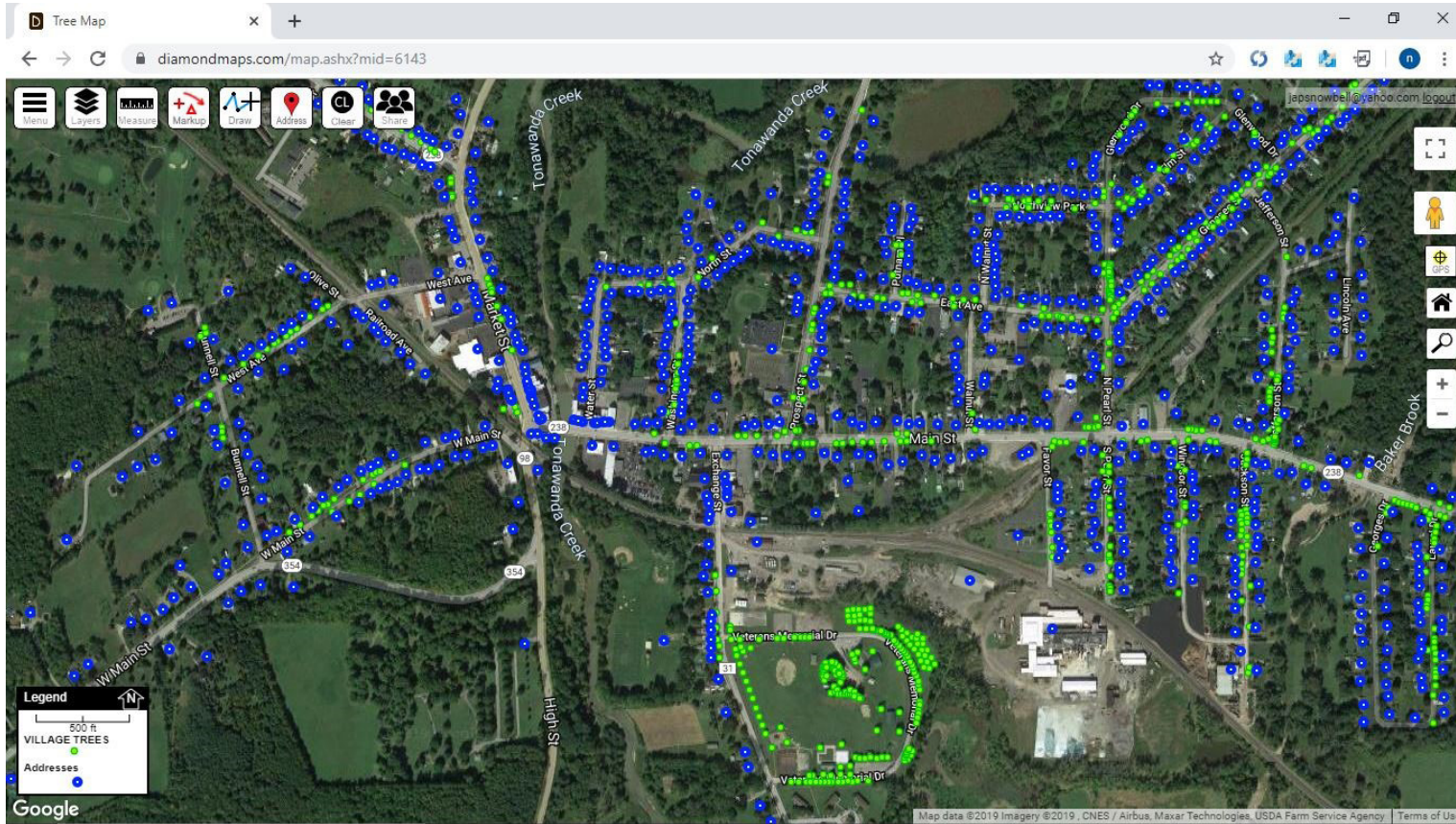
Diamond Maps also incorporates a drop-down data collection sheet which identifies relevant data collection fields. The DPW will continue to maintain and update subsequent data such as pruning, removals and new plantings.

APPENDIX



RECOMMENDED SPECIES FOR FUTURE PLANTING

Small Trees (15- 30 FT in height and maturity)
These trees will not interfere will overhead utility



SCIENTIFIC NAME	COMMON NAME	SPECIAL FEATURES
<i>Acer buergerianum</i>	Trident Maple	Fall Color
<i>Acer campestre</i>	Hedge Maple	Unique Leaf
<i>Acer ginnala</i>	Amur Maple 'ruby slippers'	Red samara, fall color
<i>Acer griseum</i>	Paperbark Maple	Exfoliating bark
<i>Acer truncatum</i>	Shantung Maple	Fall color
<i>Aesculus pavia</i> #	Red Buckeye	Showy Flower
<i>Amelanchier</i> spp.	Serviceberry	Showy flower, berries, fall color
<i>Carpinus caroliniana</i>	American Hornbeam 'Firespire'	Compact canopy, fall color
<i>Cercis canadensis</i>	Eastern Redbud	Showy flower, heart shaped leaf, green or purple
<i>Cornus kousa</i>	Kousa Dogwood	Showy flower, edible fruit
<i>Cornus mas</i> #	Cornelian Cherry	Showy flower, edible fruit
<i>Cotinus obovatus</i>	Americun Smoke Tree	Leaf, feathery flower
<i>Cotinus coggygria</i>	Common Smoke Tree	Green or purple leaf, feathery flower, smaller
<i>Crataegus crus-galli</i> var <i>inermis</i>	Cockspur Hawthorn	Showy flower, fruit, thornless
<i>Franklinia alatamaha</i> #	Franklinia	Showy flowers
<i>Halesia tetraptera</i>	Carolina Silverbell	Showy flowers, fall color
<i>Magnolia</i> spp. #	Magnolia	Showy flower
<i>Malus</i> spp.	Crabapple	Showy flower, fruit
<i>Oxydendrum arboretum</i>	Sourwood	Showy flower, fall color
<i>Prunus serrulata</i> 'Kwanzan'	Kwanzan Cherry	Showy flower, fall color
<i>Styrax japonicus</i>	Japanese Snowbell	Showy flower
<i>Syringa reticulata</i>	Japanese Tree Lilac	Showy flower, bark

RECOMMENDED SPECIES FOR FUTURE PLANTING

Medium Trees (31-45 FT at maturity)

SCIENTIFIC NAME	COMMON NAME	SPECIAL FEATURES
<i>Aesculus x carnea</i>	Red horsechestnut	Showy flower
<i>Cladrastis kentuckea</i>	Yellowwood	Showy flower, unique leaf
<i>Koelreuteria paniculate</i>	Golden rain tree	Showy flower, unique leaf
<i>Ostrya virginiana</i>	Eastern hophornbeam	Unique seedpod
<i>Parrotia persica</i>	Persian parrotia	Flower, leaf
<i>Quercus cerris</i>	Moss cupped oak	Fast growing
<i>Sorbus alnifolia</i>	Korean mountain ash	Showy flower, fruit

RECOMMENDED SPECIES FOR FUTURE PLANTING

Large Trees (Over 45 FT at maturity)

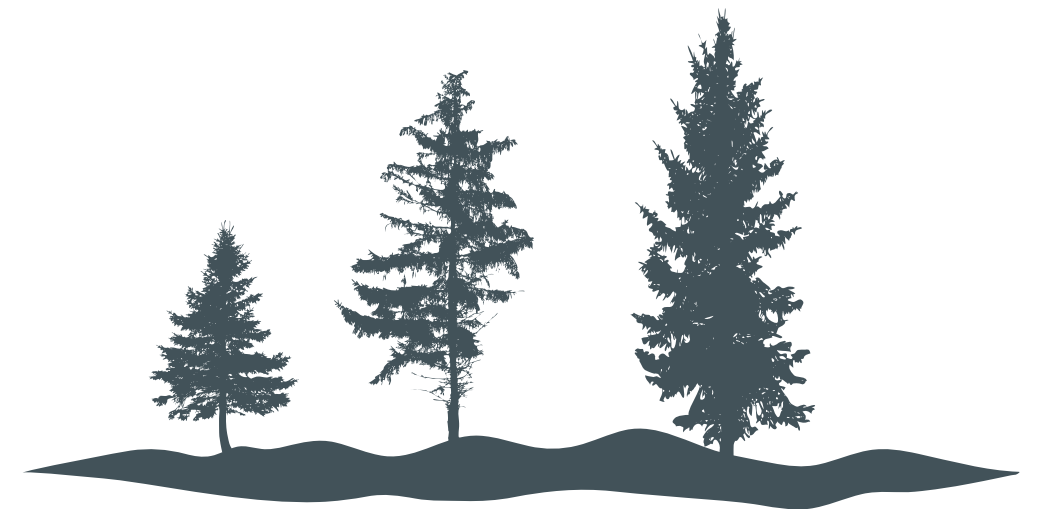
SCIENTIFIC NAME	COMMON NAME	SPECIAL FEATURES
<i>Acer Nigrum</i>	Black Maple	Fall Color
<i>Acer Saccharum</i>	Sugar Maple	Fall Color
<i>Acer rubrum</i>	Red Maple	Fall color, tolerant of wet soils
<i>Aesculus hippocastanum</i>	Horsechestnut	Showy Flower
<i>Alnus glutinosa</i>	Black Alder	Tolerant of wet soils
<i>Betula nigra</i>	River Birch	Exfoliating bark
<i>Carpinus betulus</i>	European Hornbeam	Compact crown
<i>Castanea mollissima</i>	Chinese Chestnut	Seed pod
<i>Celtis occidentalis</i>	Hackberry	
<i>Cercidiphyllum japonicum</i>	Katsura	Leaf shape, syrup smell
<i>Fagus grandifolia</i>	American Beech	Smooth bark
<i>Fagus sylvatica</i>	European Beech	Grandeur
<i>Ginkgo biloba</i>	Ginkgo	Male only, leaf shape, fall color
<i>Gleditsia triacanthos var inermis</i>	Thornless Honeylocust	Feathery leaves
<i>Gymnocladis dioica</i>	Kentucky Coffeetree	
<i>Juglans regia</i>	English Walnut	
<i>Larix decidua</i>	European Larch	Feathery, small cones
<i>Liquidambar styraciflua</i>	Sweetgum	Fall color, seedpods
<i>Liriodendron tulipifera</i>	Tulip Tree	Showy Flower
<i>Magnolia macrophylla</i>	Bigleaf Magnolia	Showy Flower, seedpod
<i>Metasequoia glyptostroboides</i>	Dawn redwood	Feathery, ancient
<i>Nyssa sylvatica</i>	Black tupelo	Fall color, tolerates wet soils
<i>Plantanus x acerfolia</i>	London Planetree	Bark pattern, tolerates wet soils, resistant to anthracnose
<i>Quercus spp.</i>	Oak	
<i>Styphnolobium japonicum</i>	Scholar Tree	Fall Flowering
<i>Taxodium distichum</i>	Baldcypress	Tolerates wet soils, distinctive cone
<i>Tilia spp.</i>	Linden	Leafshape, seed
<i>Ulmus parvifolia</i>	Chinese Elm	
<i>Zelkova serrata</i>	Zelkova	Fall Color



VOLUNTEER TREE STEWARDS

The Village of Attica established their Tree Board in 2018. The board was established in order to meet the need for a dedicated group of individuals that would lead the village in making decisions that would both revive and nurture the existing urban forest. The board members were chosen from a diverse group of individuals who either expressed significant interest or were already involved in the care of the urban forest. The village would like to extend an invitation to all residents, especially homeowners, to participate as Volunteer Tree Stewards. Volunteers would be responsible for assisting with the establishment of newly planted trees. This would include watering, weeding and monitoring newly planted trees. The volunteers will notify the arborist or DPW of any concerns. Volunteers will receive instruction with regard to the proper maintenance and establishment of young trees. The volunteers will be a valuable resource to the village as they pursue their goal of a healthy urban forest and all the benefits it provides.

VILLAGE OF ATTICA TREE LAW



VILLAGE OF ATTICA

Local Law No. 1 of the year 2019

Chapter 55. Trees

§55-1. Title

This chapter shall be known as the “Tree Law for the Village of Attica in Wyoming County, State of New York.”

§55-2. Purpose and intent.

It is the purpose and intent of this chapter to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance and removal of trees within the Village of Attica which are on Village property or within the right-of-way of any public street. It is also the purpose of this chapter to establish and maintain diversity of tree species and maximize tree canopy cover through tree planning and preservation.

§55-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ARTERIAL STREET

A high-capacity street (Market Street and Main Street).

CONTRACTOR

A person, company or organization employed to supply necessary skills and services in pruning, trimming or removing trees and shrubs.

DAMAGE

Physical or chemical injury or harm done to any tree or shrub.

FERTILIZE

The application of substances to the plant or the surrounding soil which are required for the optimal growth and health of the tree or shrub.

LANDMARK TREE

Any tree that the Village of Attica Tree Board identifies as rare, endangered or protected according to Village, county, state or federal law, rule or regulation; once which has significant old age; once which is associated with an historical event or person; one which is a tree species of record size; one which has a unique feature or been determined by the Village of Attica Tree Board to have a valuable scenic enhancement qualities.

LARGE TREE

A tree which attains a height of 70 feet or more at maturity.

MAINTAINED

To keep a tree in maximum health and vigor.

MASTER PLAN

A document that recommends to the Village Board of Trustees projects for tree planting, maintenance, appreciation and replacement.

MEDIUM TREE

A tree that attains a maximum height of between 30 feet and 70 feet at maturity.

MINOR PRUNING

Pruning or cutting out of water sprouts, suckers, twigs or branches less than three inches in diameter, or which constitutes less than 15% of the tree's foliage bearing area. The work shall retain the natural form of the tree. Removal of dead wood, broken branches, and stubs are included within the definition of minor pruning. Minor pruning in compliance with the Standards and Specifications may be performed by the property owner without obtaining a permit.

NUISANCE

A tree which is potentially dangerous, detrimental or hazardous to the health, safety, or function of persons, utilities, or structures in proximity to the tree.

PLANTING

The placing of a tree into soil that will encourage growth and maximum health and vigor.

PRESERVE

To keep a tree or shrub from harm, damage or danger; to protect and save a tree or shrub.

PRIVATE TREE

A tree or shrub not on publicly owned land or within a public street right-of-way; a tree or shrub on privately owned property.

PRUNE

To remove dead or living parts from a tree or shrub so as to increase health, vigor and form or to protect traffic, sidewalks, and utilities.

PUBLIC PROPERTY

All property owned by the Village of Attica or public street rights-of-way within the Village.

PUBLIC TREE

A tree or shrub with a trunk which is at least partially on publicly owned land or within the right-of-way of a Village public street.

REMOVAL

To take away and remove a tree or shrub including the stump to below ground level.

REPLACEMENT

The removal of a dead, dying or diseased tree or shrub followed by the planting of a tree or shrub of the same or different species in the same or adjacent location.

RIGHT-OF-WAY

The bordering land within 1.5 rods from the center of a Village public street, road or highway, unless otherwise determined by state or county road authorities.

ROD

16.5 feet.

SHRUB

Woody plant with more than one main stem emerging from the ground.

SMALL TREE

A tree that attains a maximum height of up to 30 feet at maturity.

SPRAY

The application of any pesticide, fertilizer or other substance to a tree or shrub.

STANDARDS AND SPECIFICATIONS

A document that lists up-to-date detailed tree planting and maintenance standards, recommendations, and specifications.

STREET TREE

Any tree or shrub planted or growing within the right-of-way of a public street, road or highway.

TREE

A woody plant with a single central axis (trunk) emerging from ground and acquiring a minimum height of 10 feet at maturity.

TRIM

To remove parts of a tree or shrub to maintain a desired shape or size.

UTILITIES

Those entities that provide electricity, gas, sewer, water, telephone and cable television to properties within the Village.

§55-4. Tree Board.

A. Establishment; membership; terms.

- (1) The Village Board of Trustees shall create an advisory committee known as the "Tree Board for the Village of Attica."
- (2) The Tree Board for the Village of Attica shall consist of at least five uncompensated members, including at least one member of the Village Board of Trustees and one representative from the Department of Public Works. In addition, the Village Code Enforcement Officer shall serve as ex officio member of the Committee.
- (3) Each member shall be appointed by the Board of Trustees for a term of three years, which may be renewed for successive terms.
- (4) The Village Board of Trustees shall have the right to review the conduct, acts and decisions of the Tree Board for the Village of Attica and of its individual members. The Board of Trustees shall have the power to remove individual members and to appoint new members as may be necessary.
- (5) If a Committee member does not serve the full term for reasons other than the expiration of the term, the Village Board of Trustees shall appoint a successor, to serve for the unexpired term.

B. Tree Board duties. The Tree Board shall have the following duties that include, but are not limited to:

- (1) Studying, investigating, developing and/or updating the Village's Tree Standards and Specifications for caring, preserving, pruning, topping, replanting, removing or disposing of trees and shrubs in parks, along Village streets, and in other public areas.
- (2) Maintaining reference materials relating to trees and shrubs.
- (3) Providing an inventory of the location of street trees when needed, and determining areas where such trees could exist but are absent.

- (4) Establishing lists of recommended and undesirable tree species for the Village and recommending to the Superintendent of Public Works the type and kind of trees to be planted upon Village property.
- (5) Recommending specific tree varieties to be preferred along certain streets for the sake of beautifying an avenue through uniformity in the trees lining it, or to enhance the significance of streets named after trees or to achieve some functional purpose.
- (6) Serving as a resource to the Superintendent of Public Works in an advisory capacity to identify trees for immediate removal.
- (7) Identifying where no or few trees are present in the right-of-way, and requesting the planting of new trees by the Superintendent of Public Works, including specifying varieties and locations.
- (8) Providing or updating the Village of Attica Master Tree Plan at least every five years.
- (9) Serving as a resource to the Village Board of Trustees for a yearly estimate of project costs, and for help with prioritizing projects.
- (10) Upon request made by landowners, providing recommendations to Village residents regarding trees on private property.

C. Meetings.

- (1) The Tree Board shall meet a minimum of four times per year. The Tree Board may call additional meetings as needed.
- (2) If a Tree Board member misses three consecutive meetings, the position will be deemed vacant.

§55-5. Authorization.

- A. The Tree Board is permitted to propose regulations, update the Village Tree Standards and Specifications and give specific guidance to both the Village Board of Trustees and the Department of Public Works for the planting, maintenance, removal and replacement of trees and shrubs on publicly owned Village property and within the rights-of-way of public streets to ensure safety and/or to preserve or enhance the aesthetics or function of such public sites.
- B. The Tree Board may inspect all tree-related work done on publicly owned property or with the rights-of-way of public streets. The Tree Board shall have the authority to

formulate and propose a Tree Master Plan which, after public hearing, may be adopted by resolution of the Village Board of Trustees.

§55-6. Policy regarding trees.

The Village encourages the planting of a large number and a broad diversity of tree species on public and private property, as well as the planning of area of uniformity when it will enhance beauty, function, or uniqueness.

§55-7. Permits.

No person shall remove, damage or plant any tree within the right-of-way of any Village street or upon Village-owned property without documented approval from the Superintendent of Public Works, the Village Tree Board or, when appropriate, the Village Board of Trustees, in accordance with Tree Standards and Specifications maintained by the Tree Board, with the exceptions of adjacent landowners who may do minor pruning and the Department of Public Works and other utilities, which may prune, remove and replace trees interfering with traffic or pedestrian safety or with the provision of electricity, gas, sewer, water, telephone and cable television to properties, in accordance with the Tree Standards and Specifications. Utilities must prune and remove trees in accordance with sound arboricultural practices to a reasonable minimum degree necessary to preserve the function and safety of utilities while also preserving the natural form, symmetry, canopy and number of trees as much as is reasonably possible.

§55-8. Maintenance and obstruction.

- A. No trees shall be planted on Village property or upon public street rights-of-way that, at maturity, will likely interfere with overhead utility wires.
- B. It shall be the duty of any person or persons owning real property bordering on any public street right-of-way to prune any trees or shrubs thereon in such a manner that they will not obstruct or shade streetlights, obstruct the passage of pedestrians on sidewalks, obstruct the visibility of traffic signs, obstruct or hinder the flow of traffic or obstruct the view of any street or alley intersection.
- C. All trees or shrubs which have branches overhanging a public street or sidewalk shall have said branches trimmed on the street side to a clearance height of at least 16 feet on arterial streets or at least 12 feet on other streets, and on the sidewalk side to a clearance of eight feet.
- D. All trees on public property or within public street rights-of-way designated for removal shall be completely removed from the growing site and disposed of in an authorized manner.

- E. When a tree or shrub on private property is found to be in noncompliance with this chapter, the owner shall be notified thereof and asked to correct the problem in a timely manner.

§55-9. Nuisance and condemnation.

- A. Any street tree or tree planted on property owned by the Village of Attica which is not maintained in compliance with the provisions of the Tree Law or which is dead or dangerous is hereby declared to constitute a public nuisance. The Superintendent of Public Works, when made aware of such nuisance, shall abate the nuisance in a timely manner, with tree replacement whenever possible. The Superintendent of Public Works or the Village Tree Board may also request the replacement of unsightly trees. Trees should be added, removed and replaced in accordance with the Standards and Specifications.
- B. The Tree Board or the Superintendent of Public Works shall inform the Village Board of Trustees of any private tree not maintained in compliance with the provisions of this chapter or which is dead or dangerous and request that written notice thereof be served on the property owner. Such notice shall specify in detail the nature of the Tree Board's or Superintendent's recommendations.

§55-10. Protection of trees.

- A. Prior to development, redevelopment, razing or renovating of any land within the Village, the Tree Board may request to survey the property for the presence of landmark trees, as well as any other rare, endangered or protected plants. The Tree Board will work with the developer or contractor to maintain trees identified as landmark trees and will offer with any need assistance from the Department of Public Works to transplant, when practical, other rare, endangered or protected plants to other sites within the Village favorable for the growth and survival of such plants.
- B. No person shall excavate any ditches, tunnels, trenches, or lay any drive within a radius of 20 feet from any landmark tree upon public property without written approval from the Village Board of Trustees.
- C. No person shall intentionally damage, cut, carve, attach any rope, wire, nails, advertising posters, or other contrivance to any landmark tree, or any tree upon public property or right-of-way nor allow any gaseous, liquid, chemical, or solid substance that is harmful to such trees to come in contact with them or set fire or permit fire to burn when such fire or heat therefrom will injure any portion of any such tree without written approval from the Superintendent of Public Works, in consultation with the Village Tree Board.

- D. For private property, upon the discovery of any destructive or communicable disease or other pestilence which endangers the growth or health of trees, or threatens to spread disease, injurious fungus, insect or other pest infestations on private property, the Tree Board or Superintendent of Public Works shall notify the Village Board of Trustees and request that the owner of the property upon which such diseased or infected tree is situated be notified of the condition. The notice shall encourage such property owner to eradicate, remove or otherwise control such condition within reasonable time to be specified in such notice. If a threat to trees on other private or public property is deemed to be imminent or serious, the Zoning Officer of the Village of Attica or the Attica Police Department may be requested to serve written notice thereof on the property owner. Such notice shall specify in detail the nature of the nuisance and the requirements for abatement.
- E. For public property, upon the discovery of any destructive or communicable disease or other pestilence which endangers the growth or health of trees, or threatens to spread disease, injurious fungus, insect or other pest infestations on public property, the Tree Board shall notify the Superintendent of Public Works thereof and request that it be corrected within a reasonable time.

§55-11. Removal and replacement of trees.

Trees removed from public property or rights-of-way shall be replaced at least one for one, with tree species as recommended by the Tree Board within a reasonable time period, unless there are extenuating considerations approved by the Tree Board or Superintendent of Public works. Trees should be added, removed, and replaced in accordance with the Standards and Specifications.

§55-12. Interference with planting, maintenance and removal.

No person, firm, organization nor corporation shall prevent, delay, or interfere with the Tree Board, Village Board of Trustees, Department of Public Works, or contractors in the execution of enforcement of this chapter including the planting, maintaining, mulching, trimming, pruning, fertilizing, spraying, preserving or removing of any tree, shrub or plant in any right-of-way or public place within the Village of Attica.

§55-13. Appeals; failure to comply.

Any person who receives a written notice in accordance with the Tree Law and objects to all or a part thereof may, within 10 days of receipt thereof, notify the Village Board of Trustees, in writing, of the specific nature and reason(s) of the objection and request a hearing thereon. The hearing shall be held within 10 days of notice from the appellant. Within 10 days after such

hearing, the Village Mayor, in consultation with the Village Board of Trustees and the Tree Board, shall render a decision and notify the appellant of the decision.

§55-14. Penalties for offenses.

- A. Failure within 12 days after receiving written notice of violation of the Tree Law to comply with said notice and the requirements of this chapter shall be a violation of this chapter, and each day's neglect and refusal to comply with the terms of said notice shall constitute a separate offense.
- B. Any person, whether as principal, agent or employee, violating or assisting in violation of any of the provisions of this chapter shall upon conviction thereof, be sentenced to pay a fine not exceeding \$300 and costs of suit and, in default of payment of fine and costs to undergo imprisonment for not more than 30 days.

§55-15. Local government liability disclaimer.

- A. Nothing contained in this chapter shall be deemed to impose liability upon the Village, the Village Board of Trustees, the Tree Board, the Department of Public works, or individuals, companies or corporations hired by the Village, nor to relieve the owner of any private property from the duty to keep any tree, shrub or plant that he/she planted in the right-of-way of a public street or that is on his/her property from constituting a hazard or an impediment to travel or vision upon any street, sidewalk, park or other public place within the Village of Attica.
- B. Should any section of this Tree Law be found to be unconstitutional, that finding shall in no way affect the other sections of this Tree Law which shall remain in effect.

§55-16. When effective.

This chapter shall take effect upon filing with the Office of the New York State Secretary of State.