



City of Olean

Community Development

Request for Proposals for Creation of a Tree Inventory & Community Forest Plan

Proposals are Due:

**Friday, March 26, 2021
by 2:00 p.m.**

Contact Information:

**Keri L. Kerper
CD Program Coordinator
City of Olean
Dept. of Comm. Dev.
101 East State Street
Olean, NY 14760**

kkerper@cityofolean.org

716-376-5647



The City of Olean, New York has been awarded funds from the New York State Department of Environmental Conservation for the completion of a tree inventory survey and Community Forest Management Plan for the City of Olean's street rights-of way, parks, and City-owned facilities/land. The goal of the project is to create a tree inventory and Community Forest Management Plan that can serve as the foundation for increased community investment and the future care of the City's community forest.

Background:

Olean, established in 1823, is the major commerce and industrial center for Cattaraugus County. Between 1830 and 1850, the City was known for timber production and as a major hub of rail travel. For a short time, the City was the world's largest oil depot and the home of oil executive and NYS Governor, Frank W. Higgins. Olean's key location along the Allegheny River, combined with the establishment of rail service, resulted in the development of a strong industrial corridor. Over the years, with the decline of rail and water-based transportation, the City experienced an erosion of its manufacturing base as companies closed, consolidated operations, or moved out of state.

In 2005, the Olean Common Council adopted the City of Olean Comprehensive Development Plan to identify unfulfilled community needs while addressing issues involving preserving neighborhood character, promoting diverse housing, facilitating redevelopment and encouraging local employment. Additionally, the Plan stated that quality public safety and health, educational, and recreational services are very important in the decision-making process that attracts and retains residents and employers to the area.

The City recently completed the \$11 million+ Walkable Olean Complete Street Transformation Project in downtown Olean. With Federal, State and local funding it installed the highest concentration of roundabouts at one time in the State of New York. This bold project has drastically changed the heart of our City by making it walkable and bikeable while attracting new businesses and life to North Union Street.

The City of Olean is a Downtown Revitalization Initiative (DRI) Community awarded by Governor Cuomo. Of the twelve projects chosen for funding under the DRI, five public domain projects proposed by the City were awarded approximately \$5,450,000 in financial assistance. One of the projects include improving the streetscapes of North Union and State Streets through beautification, appropriate lighting, seasonal banners, sidewalk replacement and seating in front of restaurants. Three street projects include redesigning and improving the West State Street Streetscape, South Union Street Gateway, and East State Street Streetscape to make the areas inviting and safer for pedestrians and cyclists, while accommodating traffic and improving pedestrian crossings, landscaping, space for on-street parking, bump outs and road striping. Improvements will be made to Oak Hill Park to complement the needs of the neighborhood and downtown.

City Forester Susan Cooper and her project partner Olean Tree Board will provide photos, history, a vision statement and environmental justice information to the consultant and public so it may be incorporated into the Plan. The Tree Board, Beautification Committee (additional project partner) & Community Development will provide a direct connection between participating community residents and their urban and community forest established via education/outreach & media efforts. The Forester will work with National Grid on pruning/maintenance for long-term sustainability. The City of Olean has been a Tree City USA community for 33 consecutive years. See **Appendix A** for the *City of Olean's Tree Ordinance*.

**REQUEST FOR PROPOSALS TO COMPLETE A TREE INVENTORY AND COMMUNITY
FOREST MANAGEMENT PLAN FOR THE
CITY OF OLEAN, NEW YORK**

SECTION 1. GENERAL INFORMATION

This document solicits Requests for Proposals (RFP) to complete a Tree Inventory & Community Forest Management Plan (CFMP) for the City of Olean, New York. The certified arborist chosen for the project will be required to have an International Society of Arboriculture (ISA) professional certification.

Contract Administration

Address all correspondence regarding this RFP to:

Keri Kerper
Community Development Program Coordinator
City of Olean
Department of Community Development
101 East State Street, Room 209
Olean, NY 14760

All firms/consultants who receive or download this RFP are requested to register their name and email address by sending an email to Keri Kerper, Community Development Program Coordinator at kkerper@cityofolean.org. Any revisions or corrections to this RFP after posting will be communicated to those registered. Failure to register your contact information may result in nonparticipation of the RFP process. A proposal will not be considered if it fails to include all requested information as detailed in this original RFP and any subsequent modifications.

Any requests for additional information that may be needed for the preparation of the proposal should be directed to Keri Kerper, Program Coordinator at kkerper@cityofolean.org. All questions must be received in writing before 2:00 p.m., five (5) days prior to the receipt of proposal date. Questions received after that time will not be addressed.

Submittal of Proposal

Please provide three (3) paper copies and one (1) electronic PDF copy of the Proposal for the evaluation process to:

Keri Kerper
Community Development Program Coordinator
City of Olean
Department of Community Development
101 East State Street, Room 209
Olean, NY 14760
kkerper@cityofolean.org

Submittals will be accepted until 2:00 p.m. on Friday, March 26, 2021.

Acceptance of Proposal Contents

The contents of this RFP will be included as part of the contractual obligations, if a contract ensues.

SECTION 2: OVERALL SCOPE OF SERVICES

Consultant will provide the DEC Forester and City of Olean with an initial non-public meeting to discuss the tasks that need to be completed.

Task 1: *Hold a Community Kick-off Meeting, and Complete a Tree Inventory for the City of Olean.*

- The City Forester, Olean Beautification Committee (project partner) and the Community Development Department will engage the public and media (radio stations and newspapers) by inviting them to the first public kick-off meeting to gain valuable community input, raise awareness of the project and determine the public's needs. Notification and details about the public session will be emailed and advertised on the City website and social media accounts (Facebook & Twitter). The City Forester will work with the consultant to determine inventory safety and communication procedures and confirm project expectations and milestones so data collection may begin.
- Please provide a bid estimate on a per unit, actual number of tree/sites and expected reimbursement based on actual number of trees/sites inventoried. Since the number of trees in the City are yet to be determined, the table below may be used to help determine a per unit rate for the project:

Item for Bid	Cost per Unit (Rate)	# of Units	Total Bid (Rate X # of Units)
Tree Inventory Startup (enter lump sum price for inventory of up to 2,000 trees and stumps)		1	
i-Tree Eco Inventory Report (to be delivered with tree inventory)		1	
Additional Expected Trees (enter price per tree for inventory of 2,001 to 4,000 trees)		2,000	
Additional Expected Trees (enter price per tree for inventory of 4,001 to 6,000 trees)		2,000	
Vacant Planting Spaces; 1,250 (not to exceed 25% of total tree inventory and based on planting goals)		1,250	
Community Forest Management Plan (Basic)		1	
Community Forest Management Plan (Planting Plan)		1	
Community Forest Management Plan (Storm Preparedness Plan)		1	
Initial Zoom or phone meeting with DEC & City Officials at no charge. Official Public Meetings: 1. <i>Community Kick-off</i> . 2. <i>Work in Progress Meeting</i> : (public presentation) held after inventory is complete & prior to start of plan creation. 3. <i>Final Public Presentation</i> : PowerPoint Presentation presenting findings & Final Plan.		3	
Tree Inventory Software Quote: 1 year		1	
Tree Inventory Software Quote: 3 years		1	
CONTRACT TOTAL (MAX)			

A GIS-based tree inventory will be performed to collect tree data and various site attributes. It is recommended use of a combination of Geographic Information System (GIS) and Global Positioning System (GPS) equipment. The most efficient and accurate method for mapping tree locations involves a three-tier system:

- GPS technology
 - GIS and map data on a handheld computer
 - Arborist's field judgment
- Certified arborist will compile tree inventory that will include all trees on public property or the described portion of public trees – i.e. all streets trees and trees in public parks. Below are estimates for the City's land demographics:
- Land area: 6.17 sq. miles
 - Total street miles: 100 miles (street rights-of-way)
 - Total parkland: approximately 131.2 acres
 - City-owned Properties: Olean Municipal Building, Bradner Stadium/Electrician Facility, Water Treatment Plant & Waste Water Treatment Plant.

Public Parks to consider include:

- Boardman Park, 502 North Union St. 2.08 acres
- Bradner Stadium, 500 E. State St. 11.54 acres
- Chamberlain Park, 301 Fulton St. < 1 acre
- Forness Park, 300-30 Rowland Ave. 21.78 acres, 740 Hoop St. 8.78 acres
- Franchot Park, 502R S. Union St. 2.08 acres, 201R W. Green St. <1 acre, 411-43 S. 4th St 1.93 acres
- Gargoyle Park, 101 Gargoyle Rd. 49 acres
- Gerringer-Haggerty Park, 235 N. 8th St. <1 acre
- Homer Street Park, 619A Homer St. <1 acre
- Irving Parkway, Irving Parkway <1 acre
- King Street Park, 315 King St. 2.4 acres
- Kingston Park, 1116 Queen St. 1.9 acres
- Lincoln Park, 100 East State St. 1.46 acres
- Magnano Park, 316 York 1.8 acres
- Marcus Park, 304-33 N. 15th St. 3.26 acres
- Oak Hill Park, 201 N. 4th St. 5.6 acres
- Polo Field, 1332 River St., <1 acre
- Trailhead Parklet, 102 Whitney Avenue <1 acre
- War Vets Park, 551 E. State St. 6.36 acres
- York/Union, York & S, Union St. <1 acre

Possible Planting Sites:

- Up to 25% of the total inventory – list as large, medium, small

The tree inventory will include:

- Street address/location.
 - GPS coordinates – Location of each tree and planting site.
 - Tree species – genus/species AND common names needed.
 - Tree size – Diameter will be measured to the nearest inch in one-inch size classes at 4 ½ feet above the ground, or diameter at breast height.
 - Stems – The number of trunks splitting less than one foot above ground level will be recorded.
 - Crown condition and/or percentage of crown dieback (excellent to dead rating).
 - Maintenance recommendation (prune, train, remove, etc.).
 - Defects – Indicate the presence of structural defects and record the most significant condition.
 - Risk Assessment – A risk rating will be assigned using an assessment protocol based on the USDA Forest Service Community Tree Risk rating System.
 - Risk Rating – A risk rating of each tree will be calculated based on the protocol of the International Society of Arboriculture Best Management Practices-Tree Risk Assessment.
 - Observations – General observations warranting recognition will be recorded.
 - Residual Risk – Recommend maintenance and categorize as none, low, moderate or extreme based on professional judgement.
 - Further Inspection – Clearance requirements: pruning necessary to meet clearance standards over streets and sidewalk; branches interfering with the movement of vehicles or pedestrians or where they are obstructing signs, streets or traffic lights; where trees are present, damage to curbs and cracking or lifting of sidewalk pavement one inch or more.
 - Aboveground Utilities – Inventory will indicate the presence of overhead utilities at the tree site as well as current conflicts.
 - Location and size of empty and/or potential tree planting sites/stumps appropriate to applicant's current planting and removal patterns.
 - I-Tree ECO Summary report of environmental benefits.
- Please provide quotes for tree inventory software (optional).
- Certified arborist will be required to submit a digital copy of the final tree inventory in a format compatible with Microsoft Office Excel and Shapefile. Inventory will be required to be inspected and approved by a local DEC forester before final payment and before proceeding with CFMP.

Task 2: Hold a Work in Progress Meeting 2 and Create and Complete a Community Forest Management Plan (CFMP) for the City of Olean for Approval and Adoption.

- Once the inventory and tree planting locations are complete the consultant will provide a project narrative that lists the results of the tree and planting inventory. Notification will be sent by the City Forester, Olean Beautification Committee (project partner) and the Community Development Department to residents and media (radio stations and newspapers) regarding the second public session via email, City website and social media accounts (Facebook & Twitter).
- At this meeting the consultant will review the project progress summary and provide a presentation to those in attendance which highlights inventory findings such as number/types

of sites collected, species diversity, condition rating, diameter size class distribution, maintenance needs, etc. The presentation will be placed on the City's website for those that are unable to attend the session.

- The City Forester and her project partner Olean Tree Board will provide photos, history, a vision statement and environmental justice information to the consultant and public at this meeting so it can be incorporated into the Plan. The consultant will explain next steps regarding the creation of an Urban Forest Management Plan.
- Certified arborist will work in partnership with the City of Olean to collect, analyze and use data to adopt a completed CFMP after fully understanding the findings of the tree inventory.
- Submit CFMP – Submit draft version of CFMP to the City of Olean and be prepared to include their submissions including photos, mission statement etc. Submit final version of CFMP to the City of Olean in pdf and local DEC forester will inspect prior to approval/adoption and final payment.

Task 3: Final Public Presentation Including PowerPoint Presentation, Findings and Final Plan.

The individualized Community Forest Management Plan will include:

- A vision for the long-term community forest and a strategy for how to care for the community trees.
- The use of the tree inventory which identifies management needs i.e. pruning rotations, removal implementation, and prioritization of workload.
- The development of budgets and work plans, including timelines and tasks, to meet that vision.
- i-Tree Eco benefit analysis of environmental issues such as: water quality, air quality, reduce urban heat island effect, energy efficiencies, storm water management, and health.
- Basic in-house training/meeting of responsible staff by the contracted consultant that will provide guidance to all those involved with ongoing maintenance of the Tree Inventory, and implementation of the an individualized CFMP.
- Storm preparedness and response planning will detail policies and procedures to increase the efficiency and productivity of tree risk reduction and storm response operations.
- Invasive species preparedness and response planning – how will the community plan and address threats specific to each species to be evaluated on completion of the tree inventory.
- Planting plan to address the unique characteristics of the project location, such as: species size, understory plantings, erosion control, and brownfields that could be impacted with planting and would address local needs including a species list.
- Analyze the forest community for environmental benefits including storm water management, energy conservation, improved air quality, sequestration of carbon dioxide, aesthetic and social benefits, and increases in property values.
- A vision for the long-term community forest and a strategy for how to care for the community trees.
- Prioritize inventory planting plan to limit planting sites to approximately 25% of total sites. The planting plan will advise where the tree canopy should be expanded to small, medium and large trees to ensure the forest is diverse, vigorous and properly stocked.
- Report on the forest's environmental benefits including storm water management, energy

conservation, improved air quality, sequestration of carbon dioxide, aesthetic and social benefits and increases in property values.

The City of Olean's goal for this project is to create a tree inventory and community forest management plan that can serve as the foundation for increased community investment in and for future care of the City of Olean's community urban forest.

Desired outcomes for the project include:

- Ensure an accurate and complete picture of our urban forest.
- The creation of better information database on the location and condition of trees in our community to make more informed decisions about tree planting and tree maintenance for the City and interested residents.
- Increased community care for and investment in our community forest and establish the importance of forest sustainability.
- Increased collaboration between the City of Olean and partnering organizations for this and future projects.
- The creation of a community forest management plan that outlines a risk assessment of our trees and an implementable strategy for the sustainability of our community forest.
- Complete a detailed Urban Forest Management Plan and Storm Preparedness Plan.

The tree inventory and community forest management plan will apply to the entire City of Olean and will be intended to benefit approximately 14,452 residents. That being said, we recognize that there are some residents that experience adverse environmental impacts to a greater degree than other residents. With this in mind, part of our focus in creating our public engagement strategy and our CFMP will be to ensure that the needs of our underserved residents are heard and addressed to the greatest extent possible.

The tree inventory will be conducted by an ISA Certified Arborist hired specifically for this project and will include all trees on public property – i.e. all street trees and trees in public parks and City-owned properties. The CFMP will be written by our hired certified arborist with strong input from the City of Olean, the community as a whole, and project partners Olean Tree Board and Beautification Committee.

Keri Kerper, Department of Community Development Program Coordinator will:

- act as the primary point of contact with certified arborist
- convene project advisory meetings and final presentation with hired arborist, DEC and project partners
- provide feedback on the tree inventory and CFMP

Partnerships – The Olean Tree Board's and Beautification Committee's roles in this project will involve community engagement, volunteer support, and providing local knowledge where appropriate. The organizations will:

- advise hired arborist on local conditions
- help publicize the project by organizing press events and releases
- during the tree inventory, be responsible for working with arborist to take high resolution photos for CFMP – good and poor specimens, utility conflict trees and historic trees; write introduction, mission statement or other lead in for CFMP
- work with arborist to organize community meetings, kick-off project, review inventory prior to

- stating CFMP and finally present a final version of the CFMP
- provide feedback on the CFMP (in concert with City of Olean staff)

PROJECT TIMELINE:

Our project timeline will run from approximately April 2021 to December 30, 2021. An arborist will be selected by April 9, 2021. On completion of the tree inventory and an analysis provided, final plans will be discussed for the CFMP. This may require an amendment to the contract in order to confirm the contractor price and scope of work. A draft version of our CFMP will be available for DEC and public review by November 15, 2021 and a final draft of our CFMP will be complete before December 15, 2021 for adoption by our Common Council.

SECTION 3: PROPOSAL

The proposal submitted shall contain only the information requested below.

Proposal Format

The submittal should follow the Table of Contents below:

1. General Information- Provide information about the company/consultant along with a brief history (not more than 1 page). For the betterment of the New York State economy, points will be given for being a New York resident contractor, hiring New York State crews and buying supplies and products within New York State as a top priority. Where this is not possible, please explain for partial credit.
2. Project Understanding- Include a summary of the company's/consultant's understanding of what is required (not more than 1 page).
3. Project Approach- Provide, in detail, specific methods that will be used to complete each of the requested tasks or obtain the information specified in Section 2 of this document.
4. Proposed Project Team and Experience-
 - a. Identify person(s) involved in this project and what their specific roles will be.
 - b. Describe three (3) similar projects completed in the last five (5) years. Please provide individuals specific roles in these projects as well as references and contact information for each.
 - c. Include a one-page resume for any individuals to be supervising this project.
5. Schedule- Provide a schedule from start to completion including a list of tasks and milestones along with approximate dates and deliverables of each.
6. Additional Information- Any other relevant information that may be useful for this project
7. Cost- Please provide a breakdown of costs for each specific task and a total cost for the project, not to exceed cost of the project.

Proposals that do not include a "Not to Exceed" cost will be disregarded with no further consideration. It is the responsibility of the proposing firm to accurately predict the amount of time that they will need to spend on the project.

SECTION 4: CONSULTANT SELECTION

Process

A Selection Committee will evaluate and rank all submitted proposals. Following this review, the consultant may be asked for an oral presentation or telephone interview. The certified arborist chosen for the project will be required to have an International Society of Arboriculture (ISA) professional certification.

Proposals shall include, and will be evaluated based upon, the following items/criteria and numerical point values.

- Successful provision of Certified Arborist services for similar projects	30 points
- Ability to provide comprehensive scope of services	30 points
- Availability of services as per program schedule	10 points
- Ability to maintain budgeted cost for Certified Arborist services	20 points
- <u>New York State firm/consultant and crew</u>	<u>10 points</u>
Total	100 points

After conclusion of this review and oral presentation, staff will recommend the most qualified consulting teams or firms to the Common Council. The decision will be based on a combination including, but not limited to: ranking, presentation of materials, and other qualifications. The Selection Committee may review the recommendations and invite the top candidates to conduct a presentation before them and members of City staff. Once authorized to proceed, the selected firm/consultant will be expected to immediately assist in developing a final scope of services and contractual agreement.

If, for any reason, the selected firm/consultant is not able to move forward with their proposal within 90 days, the City of Olean reserves the right to contract with another qualified firm/individual. However, firm/consultant extended timetables will be considered, within the DEC Urban and Community Forestry Contract dates.

The City of Olean shall not be liable for any expenses incurred prior to the contract being signed including the proposal preparation, attendance at interviews or time spent on the oral presentation and/or final contract negotiations.

The City of Olean reserves the right to reject any and all proposals or to request more information from any or all of the firms/individuals.

SECTION 5: CONTRACT TERMS AND CONDITIONS

Upon selection of a firm/consultant, an agreement or contract for services shall be entered into by the City of Olean and Consultant. It is expected that the contract will provide for compensation for actual work completed on a not to exceed basis with the following conditions. The contract will be amended as appropriate for each successive phase:

- I. Deletion of specific components, such as individual project meetings, will be at the discretion of the City. Payment or reimbursement shall be made based on the actual

hours worked on the various tasks required for the project plus necessary subcontractor work (as applicable) and out of pocket expenses. Billing in excess of ‘not to exceed’ amount will not be compensated unless a contract extension has been approved in advance.

- II. The City of Olean shall retain ownership of all documents, plans, maps, reports and data prepared under this proposal. In addition to being provided a hard copy and digital documents throughout the project, the consultant shall supply the City of Olean with a fully scanned file upon project completion.
- III. If, for any reason, the consultant is unable to fulfill the obligations under the contract in a timely and proper manner, the City of Olean reserved the right to terminate the contract by written notice. In this event, the firm/consultant shall be entitled to just and equitable compensation for any satisfactory work completed to that point at the discretion of the Common Council.
- IV. The consultant shall not assign or transfer any interest in the contract without prior written consent of the City of Olean.
- V. The consultant contract shall be governed by the laws of the State of New York.
- VI. Project summaries shall be submitted with each invoice during the course of the project. Each summary shall detail the unit amounts of trees inventoried for the amount billed to date, work items that need to be completed, the estimated costs to complete these tasks and the projected timelines for the completion of the project.

SECTION 6: COMMUNITY BACKGROUND

The City of Olean has highly capable departments that demonstrate successful project deliveries. This inventory and Urban Forest Management Plan will allow for community planning, and the opportunity to educate the public on the benefit of trees, proper selection and planting. It will provide the opportunity to work with DPW, National Grid, contractors and first responders to prioritize projects, reduce known hazards and become a role model for successful urban forestry. The City Forester will be responsible for updating the inventory in order to sustain up-to-date data.

Our project is being conducted citywide (population 14,452) covering under-served neighborhoods (City of Olean poverty rate 22.8%, U.S. Census Bureau). Based on HUD guidelines (huduser.gov), 3 out of 4 Census Tract Groups and 9 out of 15 Block Groups (usa.com) are low-income. The current percentage of adults living with asthma in Cattaraugus County is 12.3% as compared to the NYS percentage of 10%. Our chronic lower respiratory disease (COPD) rate is 47.5% which is higher than the State rate of 30.3% (*source: 2016-2018 Olean General Hospital & Cattaraugus County Health Department Community Service Plan/Community Health Assessment-Community Health Improvement Plan*). There are public health benefits offered by urban trees, and investing in the community forest benefits everyone, not just the privileged, thus adding an element of social justice. This project will allow us to identify empty planting locations to provide adequate canopy cover. Trees provide economic benefits such as increased property values, reduced demand on sewer systems through reduced storm water runoff/erosion, reduced wear on streets, enhanced air quality, carbon sequestration, energy conservation through shade/wind protection and noise abatement. Another benefit includes creating higher quality of life by having trees in the view-shed.

Finally, Olean is not likely to realize most of the benefits that the urban forest can provide if its trees are in poor health. Promoting tree health will help our community protect its investment in the urban forest. Public health and safety also depend on healthy trees; improperly maintained and unhealthy trees often

have an increased risk of breakage or failure which can result in personal injury or property damage. By having an Urban Forest Management Plan in place and providing for proper tree care and eliminating destructive practices, Olean will be in a better position to maintain its urban forest in a healthy and safe condition.

PROPOSALS MUST BE RECEIVED PRIOR TO 2:00 P.M. ON FRIDAY, MARCH 26, 2021.

LATE SUBMITTALS WILL NOT BE CONSIDERED.

Appendix A

City of Olean Tree Ordinance

City of Olean Code of Ordinances

Chapter 21

Article III **TREES AND SHRUBS**

Sec. 21-56 Tree board established.

- (a) The mayor, with the approval of the common council, shall appoint a tree board consisting of five members, two of whom shall be sitting members of the Common Council, one of whom shall be the Mayor, one of whom shall be the Director of Public Works, and the remaining member shall be a resident of the City. The president of the common council shall be an ex officio member of the tree board. The term of the common council members appointed shall be for two years. The term of the other members shall be three years. All terms shall expire on December 31. If a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of that person's term.
- (b) The members of the tree board shall serve without compensation.
- (c) It shall be the responsibility of the tree board to administer the tree ordinances and to recommend to the Common Council such proceedings, acts, or actions as will support the City tree program. It shall be the responsibility of the board to study, investigate, counsel, update, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented by annual report to the common council. The board, when requested by the common council, shall consider, investigate, make findings, report, and recommend upon any special matter or question coming within the scope of its work.

Sec. 21-57 Permit to plant trees or shrubs required.

- (a) No trees or shrubbery shall be planted by abutting landowners nor any trees removed, between the street line and curblin within the City, without receiving a permit in writing from the Department of Public Works approved by the Common Council.
- (b) The permit, if granted, may specify such reasonable terms and conditions to be required for the proposed action, as may be determined by the Common Council and the following provisions:

Tree Planting Specifications and Selections

- Use street grade trees following “American Standard Nursery Stock (ANSI 60.1)
- No damage to trunk or leaders
- No girdling roots
- Strong central leaders on trees (no co-dominant stems or included bark)
- Caliper to be 1.5”-3” for B&B and 1.5”-2.5” for bare root trees
- Acceptable tree species shall be determined by Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>

- Proper judgment shall be used in tree placement by City Forester following the proceeding standards

Spacing Requirements for Street Trees

- 30' minimum spacing between trees
- 15' minimum spacing from utility/light poles, fire hydrants
- 45' minimum distance from corner with traffic signal present
- 30' minimum distance from all other corners
- 5' minimum distance from any driveway, 3' minimum distance from any sidewalk
- 5' minimum distance from underground utility lines, water service boxes, etc.

Site Requirements for Street Trees (Applies within City right-of-way)

- 4' minimum subway width between curb and sidewalk for planting of any tree with root barriers; 5' minimum subway width without root barriers
- Tree may be planted behind sidewalk, within right-of-way, provided proper spacing requirements are followed
- Tree pits should have roughly 35 square feet of surface area such as 6'x6', 5'x7', or 4'x8' unless structural soil is used under surrounding paved area
- No raised planters for trees
- Trees may be planted under wires to mature at 25' or less
- Impacts on sight distances should be considered

Private Tree Planting Standards

- Acceptable tree species shall be determined by Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>
- Impacts shall be considered on sight distances
- Trees shall be a minimum of 10 feet from a property line
- There shall be no underground utilities within five feet of any proposed tree
- 15' minimum spacing from utility/light poles, fire hydrants
- 5' minimum distance from any driveway, 3' minimum distance from any sidewalk
- Trees shall not be planted in front of building entrances

Park Tree Planting Standards:

- Acceptable tree species shall be determined by Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>
- Impacts shall be considered on sight distances
- The trees shall be a minimum of 10 feet from a property line
- There shall be no underground utilities within five feet of any proposed tree'
- 15' minimum distance spacing from utility/light poles, fire hydrants
- 5' minimum distance from any driveway, 3' minimum distance from any sidewalk

- Trees shall not be planted in front of building entrances

- (c) Any person aggrieved by the action of the common council on application for a permit may apply to the common council, within 15 days of the issuance of such permit or its denial, for a hearing which shall be held not less than two nor more than four weeks from the date of request for hearing. Notice of public hearing shall be given to the applicant by mail and shall be published once in the Olean Times Herald.
- (d) At the time of the hearing, the common council shall hear all persons wishing to be heard on the application. In its decision on the application for a permit, the common council may take into account and consider the effects of the proposed action on the environment; the neighboring properties; and the safety, health, and welfare of the residents of the community generally.

Sec. 21-58 Tree trimming—Required of property owners.

All persons owning property in the City abutting upon any street and upon which there are shade trees along such street shall clean out the dead limbs and otherwise trim such trees so that the same will not become dangerous to, obstruct, or interfere with public travel or pedestrians.

Sec. 21-59 Same—Notice.

All persons required by notice from the director of public works to trim trees, as required under this article, must proceed to do so within 10 days after receiving such notice.

Sec. 21-60 Same—Failure to do so.

In case of failure to trim trees, as required under this article, the director of public works is hereby authorized to do so, and the expense thereof shall be collected from the owner or occupant in the usual or ordinary way by suit and shall become a lien upon the premises.

Sec. 21-61 Same—Permit required by utilities.

Unless acting under a contract with the City, or unless there be a bona fide emergency, no tree shall be trimmed by any utility company without such utility company's having obtained a permit from the common council of the City. Utility companies desiring to obtain such permit may make application to the common council which shall contain its plan for the trimming and/or topping of trees. The permit shall be for a term of one year and may contain such reasonable conditions pertaining to the health and welfare of the citizens of the City as may be deemed appropriate to the circumstances. The common council shall act upon each permit application within 60 days of its receipt.

Sec. 21-62 Tree Removal – Required of property owners.

If any person owning property in the City abutting upon any street and upon which there is a tree which has been deemed by the Tree Board and/or City Forester to be dangerous to, obstructing, or interfering with public travel or pedestrians, shall have thirty (30) days to have the tree removed by an insured contractor.

The City of Olean will provide a rebate of one half (1/2) of the cost of such removal by the contractor of the property owner's choice OR the City's tree removal contractor, whichever is less, to the property owner upon completion, subject to the following provisions:

- Eligible tree removal projects for the rebate are those which have been deemed by the Tree Board and/or the City Forester to be dangerous to, obstructing, or interfering with public travel or pedestrians. Trees removed for aesthetic purposes or at the will of the property owner will be ineligible for this rebate.
- An application (available in the Department of Public Works) must be completed and submitted to the Department of Public Works by the property owner.
- DPW inspection and designation of removal requirement by the Tree Board is required prior to the commencement of the project in order for the project to be eligible for the rebate.
- A permit will be required for the removal of the tree, and all work must be done by a licensed contractor in accordance with City of Olean specifications.
- A post-removal inspection will be performed prior to the release of funding.

Any tree that has not been properly removed or maintained within 30 days of notification by the Department of Public Works shall be subject to removal by the City of Olean. In such cases where the property owner fails to remove or maintain said tree, or fails to apply for or comply with the procedures of the rebate program, the City's actual cost of removing or maintaining said tree shall become a lien on the premises.

Sec. 21-63 Tree Removal – Not required by tree board.

If any person owning property in the City abutting upon any street and upon which there is a tree who desires to remove a tree in this right-of-way must request permission from and obtain required approvals from the Tree Board. In the event that the Tree Board denies such request for approval to remove a tree in the right-of-way, the property owner may appeal the decision to the Common Council within fifteen (15) days of the rendered decision of the Tree Board, and the Common Council will review said appeal by their next regularly scheduled meeting.. Approval to remove the tree granted by the Tree Board (or Common Council, upon appeal) does not exempt the property owner from obtaining necessary permits from the Department of Public Works. A licensed contractor must perform the work required to remove the tree, and removal of a tree not deemed required for the public welfare or safety by the Tree Board will be done solely at the property owner's expense.

**Sec. 21-64 Poplar trees prohibited.
[Code 1971, § 26-28]**

No poplar trees shall be placed in the subways of the City, and all poplar trees are hereby declared to be a nuisance and shall be removed by the owners thereof upon 15 days' notice from the director of public works.

Sec. 21-64 through Sec. 21-80. (Reserved)

THE FOLLOWING SECTION OF THE CITY OF OLEAN CODE OF ORDINANCES ALSO PERTAINS TO TREES AND SHRUBS:

City of Olean Code of Ordinances

Chapter 22

Sec. 22-141 Landscaping (Subdivisions)

- (a) Adequate site landscaping may be required of the subdivider on any lands developed in the city. The common council shall notify the subdivider after the sketch plan has been reviewed if a specific landscaping plan is required. When required, the landscaping plan shall designate plant species and locations.
- (b) Street shade trees shall be provided along all new streets. Trees shall be planted to meet Chapter 21,

Article II, Section 21-57 requirements for tree planting, so as not to interfere with utilities, roadways, sidewalks, sight distances, or street lights.

- (c) At least one tree shall be planted within each lot in a subdivision. Trees planted within private lots shall be outside the road or utility rights-of-way and easements, in accordance with the following provisions:
 - (1) Impacts shall be considered on sight distances.
 - (2) The trees shall be a minimum of 10 feet from a property line.
 - (3) There shall be no underground utilities within five feet of any proposed tree.

RESOLVED, that this Resolution is hereby effective immediately.