

**The New Vernon Garden Club  
Hosts  
Harding Township  
Roadside Arboreal Management Seminar**

December 5, 2011

**Purpose**

The New Vernon Garden Club hosted a Seminar on Roadside Arboreal Management in the aftermath of the recent storms in 2011. As one mandate of the New Vernon Garden Club (NVCG) is education, the purpose of this seminar was to discuss the management of trees on roadsides in Harding Township.

**Panelists**

Moderator - Linda Meister

Stan Prater - Area Manager, JCP&L

Phil Rosenbach - Esq., Real Estate Law

Paul Fox - Apgar Associates, Harding Township Engineer

Tracy Toribio - Superintendent, Harding Township Department of Public Works

Richard Wolowicz - Certified Tree Expert, State of NJ Department of Environmental Protection

John Linson - Certified Tree Expert State of NJ Dept. Environmental Protection

**Presentations**

**Mr. Linson** - As a Tree Expert from NJ Dept. of Environmental Protection, Mr. Linson noted that recent storms severely affected trees which fell on utility lines or prevented service. Soils were saturated for many days causing roots in trees to become weak. The full bloom of trees acted like sails causing trees to be uprooted or stressed. Any existing structural weaknesses in trees were further exploited during the storms. Dead trees need to be removed. Trees need to be pruned. When looking at trees near the roadside, one needs to assess the relative health of the trees and determine whether they should be taken down or pruned.

There is a state guide available that contains a rating system to determine the relative health of the tree. Whenever there is a tree, there is a risk that it will cause damage. It is important to strike a balance between maintaining trees and minimizing the potential danger should a tree or limb fall.

To determine the health of a tree, one should examine all aspects of the tree, including the trunk, branches, and any stresses on the tree. Hitting a rubber mallet against the trunk can determine whether the tree is hollow. When looking at a cross-section of a tree, a healthy tree requires one inch of solid wood for every six inches in diameter.

**Mr. Wolowicz** - Also a Tree Expert from NJ Dept. of Environmental Protection, Mr. Wolowicz spoke about rock salt injury to trees and pruning of trees. While roads are kept safe with rock salt during the winter, the salt is absorbed in the soil and thus roots of trees. Excessive rock salt will damage the root system of trees.

The root system of a tree typically extends as far as the canopy of tree. Any roadside repair that affects a tree's root system will negatively effect a tree's structural integrity.

The pruning of trees will help shed sunlight around the trees and thus enable other plants to grow underneath the canopy of the tree. Pruning around wires is important. Electrical wires need greater clearance around them than to telephone or cable wires. The Board of Public Utilities mandate that every circuit be inspected and necessary trees be pruned every four years.

How much to trim or prune branches over roads and driveways depends on the health of the tree, the type of tree, and what is around the tree. However, if there is a chance that a fallen branch will cause damage, then action might be required.

If a tree falls or is cut down along the road, the species of the new tree to be planted will depend on several factors including space available and physical surroundings. Managing the site and determining the needs at the site will determine the proper selection of the tree to be planted.

In a storm more live trees may fall than dead trees. Soils and roots get saturated and thus become weak and the leaves act as sails. So trees are uprooted or snap at their weakest point.

Fires arising from trees around power lines are not that likely on the east coast. The east coast has different air conditions and requirements that help to prevent (but not eliminate) a fire.

Electrical wires on telephone poles are the top two wires. Voltage levels impact how close a tree can be to that line. The highest wire carries the most voltage, approximately 760,000 volts, and trees must be at least 10 feet away. The second highest wire contains around 230,000 volts and trees much be about 8 feet away.

**Mr. Toribio** -- Harding's Superintendent of the Department of Public Works (DPW) explained that there are 5 men on the DPW crew, working typically 7am to 3 pm. Mechanics work till 4pm. Mr. Toribio can always be reached via email, even late at night and early in the morning.

When a tree falls across the road (county, town, or private road -- any road), residents should call the police immediately. The police will contact Mr. Toribio. The DPW's first concern is general safety. The DPW will work to get the tree off the road.

DPW's responsible for getting roads open, especially in the aftermath of a storm or if a tree has fallen. Should a tree fall in the road, the DPW will push the branches and trunk to the side of the road, typically close the origin of the fallen tree. DPW is NOT responsible for cleaning up the branches or tree. The property owner is responsible for cleaning up a tree. In an extreme storm, funds are available via FEMA for roadside cleanup. Please see the Harding Township web page for more information.

The property owner must maintain the Right of Way along the roadside. In Harding there are 460 roadside drains plus catch basins and over 100 culverts. DPW tries to clean every basin pre-, during, and post-storm. DPW is aware of designated areas in town that are particularly sensitive to rain and backup and DPW tries to maintain them throughout the year.

**Mr. Fox** -- Harding Township's Engineer noted that the Engineering Department has a limited role when it comes to road reconstruction projects and sight distance issues. Mr. Fox noted that at the start of the 20th century, Harding was mostly fields and did not have many trees. Obviously that has changed and our landscape has matured. Harding values trees and favors maintaining as many trees as possible, except when trees can cause sight distance issues or affect the reconstruction of a road.

**Mr. Rosenbach** -- As a real estate lawyer, Mr. Rosenbach spoke about impact of property lines on standing trees and fallen trees. If the roots of a tree are on property A but the branches are on property B, then the owner of property B has the right to trim the branches up to the property line. If a tree sits on the property line, then the tree is jointly owned. Both property owners are responsible for the tree and both must agree to take it down. If a tree on property A falls on the house of property B, then the owner of property A is not liable unless owner of property A is negligent in some way (such as the tree was diseased and proper care was not taken). Mr. Rosenbach noted that homeowner's insurance will cover a fallen tree and associated damage.

**Mr Prater** -- As the Area Manager for JCP&L, Mr. Prater is the municipal liaison between JCPL and 45 municipalities, including Harding Township. He noted the first storm on August 28th was a flood event and the saturation and erosion was tremendous. The October 29th storm was a snow event with 16 inches of wet heavy snow on trees in full bloom. There was over 6400 cases of trees on wires. In Northern NJ JCP&L serves over 480,000 customers and over 80 percent were out of power.

Mr. Prater explained the lines hanging from telephone poles. The top two lines are electric lines, with the highest line carrying the most voltage. The third line from the top is the cable line. The fourth line, or lowest hanging line, is the phone line. JCP&L is responsible only for the electric lines or the highest two lines.

Mr. Prater said that burying wires underground would have prevented many (but not all) of the outages during these storms. However, burying wires poses many problems as it is very difficult to dig up township properties and the cost is substantial. Also, if wires are underground then it becomes much more difficult to determine if there is a fault in

the wire and if so where. Overhead construction of wires makes it easier to find and fix a problem. Mr. Prater reassured residents that JCP&L is not going to raise rates to recover additional costs from the storms. He also said that JCP&L is not looking to put wires underground at this time.

Mr. Prater said that Harding Township's electricity is served by several sub-stations in locations such as Green Village, Ridge (North Maple), Gillette, Basking Ridge and Bernardsville. Every four years JCP&L is required to trim trees. They start at the substation and trim the entire circuit. JCP&L hires local tree-trimming sub-contractors who mark trees to be pruned or removed along the roadside. Sub-contractors leave notes on the doors of property owners that indicate the upcoming pruning, notes that trees to be trimmed or removed are marked accordingly, and the number to call if the property owner disputes the trimming. JCP&L works with the property owner to resolve any disputes.

Transmission wires and circuits have different easements depending on voltages. If a tree is higher than 15 feet next to an electrical wire, then the tree has to be trimmed or removed. Even with JCP&L's relatively aggressive tree trimming standards this past round, many trees and branches fell on wires.

Currently there are many "hangers" or branches in trees near wires throughout the area. Should these branches fall onto the wires, then electricity can be disrupted. JCP&L ask residents to report branches hanging in trees that could affect the top two wires. Please call 1-800-662-3115. To report outages call 1-888-4877.

### **Question and Answer**

The workshop concluded with a question and answer portion and the highlights are as follows:

Gail McKane, Harding Township Administrator, is working with JCP&L to update data that identifies which streets and/or properties are serviced by what sub-stations. This mapping will help JCP&L restore power to residents in the future.

Whenever experiencing a power outage, call JCP&L immediately. Do NOT rely on a neighbor's phone call to cover an electrical outage. JCP&L needs to know every instance of an outage to help restore power to everyone.

If a resident is experiencing power outages on a consistent basis, then the resident should call JCP&L and report the persistent problem.

JCP&L restores power based on population where top priority is given to the areas with the highest number of outages. A resident noted that in more rural areas, like Harding, residents have wells with pumps that run on electricity. A power outage does not just affect lights, heat and appliances but also the flow of water in and out of the house. The compounded effect of no electricity in more rural areas combined with a relatively lower

population density translates into more difficult living conditions over a longer period of time. Mayor Bartlett said that the Township Committee is looking joining forces with similar towns when addressing issues with JCP&L.

Mr. Prater recommends that residents use surge protectors on more sensitive appliances such as computers, refrigerators and televisions.

Mayor Bartlett noted that Harding Township has a 25 foot tree preservation easement on perimeters of properties where residents are not to cut down healthy trees. While this ordinance was established to prevent the clear cutting of property, the town should take a closer look at the easement due to utility lines.

When JCP&L trims a tree during its normal tree trimming cycle, JCP&L is responsible for removing the debris. If the tree trimming is performed because of a storm then the property owner is responsible for cleaning up the branches.

A resident noted that many posts were cracked during the storm and JCP&L erected secondary poles to support the cracked poles. Mr. Prater said that JCP&L is in the process of placing the wires on the healthy poles and that work should be completed in the first quarter of 2012.