

## TOWN OF WATERTOWN

CONNECTICUT

06795

Town of Watertown  
Public Works Department  
Depot Square Business Center  
51 Depot Street, Suite 203  
Watertown, CT 06795  
(860) 945-5240  
Fax (860) 945-2707  
[www.watertownct.org](http://www.watertownct.org)

To the Members of the Environment Committee:

Thank you for the opportunity to comment on Raised Bill Number 90: An Act Establishing A Loan Program for the Removal of Hazardous Trees from Private Property.

I am the Director of Public Works of Watertown, a member of the Board of Directors of the Tree Wardens Association of Connecticut and have been the town tree warden for the last nine years. I agree that private trees can cause great harm by falling into roadways or onto power lines. However, my personal opinion is that I do not want any part of inspecting or being responsible for trees on private property. I have spoken to the town manager and town attorney on this topic and they agreed.

In addition to the concerns stated by Mr. Reichle, the following are noted:

- This is an unfunded mandate,
- The time frames specified in the raised bill may not be feasible,
- The issue of trees on blighted or abandoned properties is huge and is not addressed, and
- The degree of expense and potential degree of liability that this bill could place on municipalities could be tremendous.

The tree budget for the town is less today than it was 10 years ago. The Tree Warden position is part of my job description and I have been certified as such. As a normal part of my duties, I routinely inspect and prepare reports on trees within the municipal rights of way. However, I am not an arborist. There are regular occasions where I obtain the outside services of an arborist, especially in the case of controversial decisions or hearings. I feel that the town would have to spend a lot more money on outside consultants if we were responsible for trees on private property. This would in turn reduce the amount of money that could be spent on the actual removal of hazardous trees and we already have a two year backlog.

SB 90 would place stringent time restraints on when the tree warden would need to do what the bill requires. Practically speaking it can be very difficult to make an accurate assessment on a

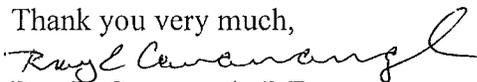
tree's condition when the leaves have fallen in the autumn and before they come into full bloom in the spring. The time frames outlined do not correspond with the reality of nature and can set us up for failure.

Another issue is how you deal with potentially hazardous trees on blighted or abandoned properties. There are no insurance companies involved, but the situation has been officially recognized. Therefore, a strong legal case can be made that we would have to do something. Again, another cost that may never be recouped and more legal exposure.

It should be clearly understood by the members of this committee that there is some degree of risk associated with every tree. The question of the amount of risk associated with each specific tree is a highly individual judgment made in the field under sometimes adverse or controversial conditions. As such, measures like SB 90 place tree wardens in a very difficult position from a workload, fiscal, legal and liability standpoint, leaving aside the whole issue of government intrusion on private property.

In conclusion, while the goal of protecting utility wires from trees may be worthy, I do not support imposing the duty of inspecting private property trees on municipal officials or Tree Wardens.

Thank you very much,



Roy E. Cavanaugh, P.E.

Director of Public Works

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(860) 945-5240