

House Bill 6471 – OPPOSED

As the Tree Warden for the Town of Glastonbury, I stand opposed to HB 6471. This is also the position of the CT Tree Wardens Association, of which I am a member. The bill is onerous and represents an unfunded mandate.

The Town has all it can do to maintain its own trees without taking on the task of assessing the condition of private trees as well. Under current conditions, there is already a need, to look at some private trees which may endanger public ways, but this legislation significantly increases the scale of that responsibility. Currently, as advised by our attorney, when the situation dictates that further assessment of a privately owned tree may be needed, we notify the property owner that they should contact an arborist to get a professional opinion as to the condition of their tree. By letting them know that they may have a tree with defects, the responsibility of the assessment, and any needed work to mitigate the hazard, falls on the property owner. The problem is solved, with the responsibility and the liability where it belongs, on the owner. I suggest that the utilities incorporate a similar practice where they feel that trees jeopardize their lines and public safety.

While I have found that the former Northeast Utilities and its affiliates have been proactive in their line maintenance, it has also been my experience that both residents and I have had to urge the other utilities to provide maintenance of their lines. Consequently, I don't see what gain there would be to give them more authority to maintain their lines when there seems such reluctance to do so now.

Another aspect of this bill which is disconcerting is that it ignores the rights of private property owners, in that it doesn't even encourage good communication with them, let alone requiring permission to do the work. There is no other asset on a property which would be managed by simple "notification". Further, the bill does not require that the utility practice good arboriculture in its maintenance. This could prove very damaging to the trees and public trust.

A tree is both an asset and a liability to a property owner, whether it be a municipal or a private owner. Having managed public trees, I know that these issues can be very emotional for abutting property owners, and the Town of Glastonbury is very sensitive to these feelings. This legislation would seem to be a kneejerk reaction to events brought about by recent storms, and is altogether too far reaching. Instead, I would suggest that we continue to utilize our existing tree laws under the guidance of capably trained, certified tree wardens, working in concert with residents and utility arborists. Such certification already exists as a voluntary measure and over 100 Towns in CT already have certified tree wardens. Let's treat our trees as the assets that they are to our communities and work together to minimize those which threaten public safety.

Another bill is forthcoming for a hearing later this week (HB 6538 in Environment), which would require tree wardens to be certified. This certification would promote the kinds of skills needed to manage public trees and those which pose an unreasonable risk to the public rights of way.

Please do not enact HB 6471. If you have any questions or need of further information, please feel free to contact me. Thank you.

Sincerely,

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