



HAWTHORNE

Shade Tree Commission

BOROUGH OF HAWTHORNE
MUNICIPAL BUILDING
445 LAFAYETTE AVENUE, HAWTHORNE, NEW JERSEY 07506
PHONE: 427-5555 EXT. 318

January 8, 2008 Meeting Notes

Attendance: John Terry (JT), Declan Madden (DM), Pieter Slump (PSL),
Patrick Allen (PA)-Borough Arborist, Joe Wojtecki (JW)- Council Liaison
& Philip Savoie (PS)
Absent: Rick Hockenberry (RH)
07:30PM-10:15PM

Motion to open meeting: PS 1st, PSL 2nd, unanimous vote to approve.

*Members of the public were in attendance at the beginning of the meeting,
therefore the public portion of the meeting was opened for public comment.*

*Motion to open the public portion of the meeting: PS 1st, JT 2nd, unanimous
vote to approve.*

*In attendance was Mr. James Dusenberry-81 Roosevelt Ave. (corner of Ethel
Ave.) and Ms. Linda Missionellie-Hawthorne Press.*

*Mr. Dusenberry stated that he would like to have his trees trimmed and that
he thinks they are a hazard. Mr. Dusenberry also made comments about
holding the Borough accountable if damage to his property occurs from this
tree. He provided the Commission a copy of the Borough's ordinance that
discusses property owner immunity from injuries that occur from people
falling on sidewalks that are raised by trees for the Commission's reference.
(Municipalities & Counties 1995 legislation, 40:64-5. Powers of
Commission.) Mr. Dusenberry wants to know if the trees are Borough trees.
The Commission responded that this matter would be looked into and that
Patrick would review this matter. The matter of inspecting the sidewalk and
roots would also be reviewed.*

Ms. Missionellie did not have any questions or comments.

Motion to close the public portion of the meeting: PS 1st, JT 2nd, unanimous vote to approve.

The business portion of the meeting was started at this time.

1. Reorganization. Election for Chair & Vice-Chair for 2008.

Chair: Nomination by PSL for PS for Chair. 2nd by DM. Vote to elect- Yes: PSL, JT & DM. PS-abstain. PS Chair for 2008.

Vice-chair: Nomination by PS for PSL for ViceChair. 2nd by JT. Vote to elect- Yes: PS, JT & DM. PSL-abstain. PSL ViceChair for 2008.

2. Review & approve December 2007 meeting notes.

Motion to approve December 2007 meeting notes: PS 1st, JT 2nd, unanimous vote to approve. Also approved was a motion to republish the 2008 meeting date schedule to correct a typographical error for the date of the June 2008 meeting.

3. Budget review.

A. 2008 Budget request submitted. \$56,000.00 requested. Still waiting for meeting with Administration and Council finance committee. E-mail sent to Borough Administrator requesting meeting date. Includes extra money to finish Brookside Ave. planting and planting request backlog. Also includes money for ACRT training.

B. \$11,000.00 encumbered for Spring'08 planting. PO for vendor may not be started until new budget is approved.

C. Final purchase items for the year were:

1. The 2008 meeting schedule announcement in the Hawthorne Press.

2. Enforcement shield credential and shield holders from Chief Supply.

No other monies were left. Other expenses, such as clothing allowances for the arborist, finally appeared on the budget history.

D. New PO preparation: training, Spring'08 planting.

No discussion. Comment only.

3. **Old Business items.**

A. Letters/request for removal/other, discussion & action:

1. 43 Kenwood Rd.-Cohen settlement letter sent out. Removal to occur shortly. Follow on replacement assessment, payment due by February 2008.
2. 121 Maitland Ave.- Roughgarden settlement letter sent out.

No discussion. Comment only.

B. Monthly reports and obligations for state reports.

1. National Arbor Day Annual Growth report due at the end of December 2007. **Report submitted.** Noted that even though documents require submittal by Dec. 31 of each year, State of NJ/NJDEP/Community Forestry has stated that the report is not due until the end of each following January 31.
2. 2007 Annual report for State of NJ. Due Feb. 15, 2007. To be addressed in Jan. 2008. Phil to prepare.

No discussion. Comment only.

C. Policy change in DPW regarding the borrowing of Shade Tree tools for personal use. Copy of this document has been provided officially to the Commission by Administration.

No discussion. Comment only.

D. Proposed meeting dates for 2008 to go to Administration for announcement in Hawthorne Press. Published in the Jan.3, 2008 edition.

See 2. discussion above. Publish revised schedule 2008 meeting dates schedule to correct a typographical error for the date of the June 2008 meeting.

Motion to close the work session portion of the meeting: PS 1st, PSL 2nd, unanimous vote to approve.

Motion to open the work session portion of the meeting again: PS 1st, PSL 2nd, unanimous vote to approve.

4. New items

A. Planting for Spring 2008. Will need to work with East Coast Landscaping shortly to begin species selection & order. Update and assignment.

Declan volunteered to oversee the Spring'08 planting project. Will need help with fieldwork, markouts as needed. Also need a letter to be sent to the homeowners whom will potentially receive a tree from the current planting request list. Question: What policy will the Commission pursue if a property owner agrees initially to receive a tree but refuses at the last minute? Still to be determined.

B. Enforcement cases ongoing:

1. 53 Rea Ave. Rana. Illegal root cutting during sidewalk removal and replacement. Summons issued. Ongoing case. Discovery prepared by Patrick & Phil. Delivered to defendant's attorney. Court date on Thur. Jan. 3, 2008. Patrick to provide update.

No discussion. Comment only.

2. **New case for assignment.** 45/49 Summit Ave. No investigation or action taken yet. Follow up required.

Field visit and investigation action by Feb.'08 meeting. Oak in wall between properties. Notes from 12/4/07 from Patrick; potential enforcement case. 50 ft. wide right-of-way. Looks like Borough tree. Work around tree (wall installation) appears to have been done previously without permission. Thought to be done by #45. Removal would be a crane job.

Note: Additional Enforcemnt case for 46 Rea Ave. reviewed. Illegal trim to zelkova at this address. Substantial branch removal. PS performed investigation; interview with property owner & pictures taken. Discussion of action to take, warning letter or citation.

Decision was made to cite property owner, who admitted removing the branch thinking the tree belonged to the property owner, due to a sidewalk obstruction.

Motion to pursue enforcement action, summons w/court action, against the property owner of 46 Rea Ave. 1st DM, 2nd JT. Unanimous vote to approve. Phil to perform enforcement work.

C. 2008 Event schedule. Volunteers, assignments.

1. Cel-Earth-Bratton April 2008, with Hawthorne Environmental Commission & Bd. Of Education. Planning continuing by Env. Commission. Event may be held at the 8-acre woods this year & Boys & Girls Club. To be determined by Jan.'08 meeting. Next meeting on Thursday Jan. 17, 2008. Phil to attend. Any others?

Phil to be main organizer for this event. Request made for Commissioners to attend event. Note: RH has secured raffle item at this time.

Motion to spend up to \$300.00 for 2 advertisements in the local paper for Cel-Earth-Bratton 2008 & Arbor Day 2008 events. 1st PS, 2nd JT. Unanimous vote to approve.

2. Arbor Day April 2008. Coordinator & planner?

Pieter to plan & coordinate. More details by next meeting.

3. Memorial Day Parade 2008?

No clear plan yet. Suggestion made for spade truck from East Coast to attend?

D. Meeting with Mayor to discuss shared services proposal and funding, work assignment issues.

Write proposal and review. No clear consensus at this time.

E. Shade Tree plan for Patrick's pending absence. Discussion.

Patrick may be out for possibly two months, starting later this month, due to his ongoing rehabilitation from his work injury. Issue of accountability of others, while Patrick is out, to continue work items needing attention and who should make these decisions needs to be quickly drawn up. The draft emergency removal policy needs to be completed quickly and submitted to all concerned in this matter.

F. Monthly work reports and new field record form. Work order request issue and assignment tracking issue. Discussion.

No discussion. Comment only.

G. National Arbor Day Growth Award plaques. Build single display board to mount awards and new location. Discussion.

No discussion. Comment only.

H. Anything else?

Nothing else at this time.

Motion to close meeting. 1st PS, 2nd DM. Unanimous vote to approve.

Supplemental meeting held on Saturday January 19, 2008.

Attendance: John Terry (JT), Declan Madden (DM), Pieter Slump (PSL), Philip Savoie (PS) & Rick Hockenberry (RH).
09:30AM-11:00AM Borough Hall

A supplemental meeting was held on this date by the Commissioners on a short notice basis to respond to a request from the Borough Administrator Eric Maurer in reference to an financial estimate for tree removal services for tree removals from the Commission's tree removal list and Borough's work order system, during the arborist's absence.

This estimate was obtained from a local tree service company, Downes Tree Service. The merits and issues surrounding this offer of services, in response to the Borough Administrator's request for an financial estimate for tree removal services from this company, was discussed on this date. Furthermore, the Commission also debated a continuation of services responsibilities in the arborist's absence, from the Jan. 8 , 2008 regular meeting.

The debate resulted in a motion to accept the offer from Downes as presented by the Borough Administrator, with some limitations as outlined here. The motion, and its limits, was as follows:

Does the Shade Tree Commission agree with Borough Administrator Eric Maurer's proposal to spend up to (not to exceed) \$1000.00 for 2 days service for an employee of Downes Tree Service to assist the Borough in removing approximately 16 designated trees on the Commission's tree removal list and the Borough's work order system?

*1st PS, 2nd RH. Vote to approve: PS, RH, JT & PSL. Vote against: DM
No abstentions. Motion approved.*

The Commission did, however, not agree that outside services be approved for trimming or pruning at this time. It was felt that this specific task should be postponed for the arborist's return. Dropped branches in road ways could be handled by the current Department of Public Works (DPW) operations and stump grinding could continue as weather allows (no frozen ground) with the current DPW employees trained in this task. The Commission also indicated that emergency removals should be made in consultation with the Commission.