



2012 – 2016

Community Forestry Management Plan

Borough of Hawthorne

Passaic County, New Jersey

2012 – 2016 COMMUNITY FORESTRY MANAGEMENT PLAN

Borough of Hawthorne Passaic County New Jersey

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Municipal / County Information Form

MUNICIPALITY	<i>Borough of Hawthorne</i>																																														
COUNTY	<i>Passaic</i>																																														
ADDRESS	<i>445 Lafayette Ave Hawthorne, NJ 07506</i>																																														
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ORGANIZATION	<i>Shade Tree Commission</i>																																														
MAYOR'S SIGNATURE	<i>Original Copy Signed</i>																																														
DATE SUBMITTED	<i>November, 2012</i>																																														
TIME PERIOD	<i>January, 2012 – December, 2016</i>																																														
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Official Use Only Certification

The above named municipality has made formal application to the New Jersey Forest Service. I am pleased to advise you that after our review, the NJ Forest Service has concluded that this plan meets the standards set forth by the State and the NJ Community Forestry Council and is approved for the period covered.

Signed:

Original Copy Signed & Dated

State Forester

Approved Date

SCOPE

The following sections outline programs and procedures for managing public tree resources within the Borough of Hawthorne during the period January 2012 – December 2016.

Recognizing that trees help improve the quality of urban life, the Borough has developed this Community Forestry Management Plan in accordance with statewide efforts to preserve and promote sustainable community forest resources and the goals and objectives of the Borough's Master Plan.

This third consecutive five-year Community Forestry Management Plan builds upon the successes realized in implementing the Borough's previous plans. During the current management period, the Borough will continue to enhance programs for managing its public street trees to help ensure a beneficial and sustainable resource.

In addition, it is expected that elements of this Plan will continue to help stimulate the public's appreciation for trees and the planting, protection and proper care of trees on private property for the benefit of the entire community.

MISSION STATEMENT

To improve the quality of life in the Borough of Hawthorne by maximizing the environmental, social and economic benefits of trees to the community while minimizing their costs and liabilities.

OVERALL PROGRAM GOALS

The New Jersey Community Forestry Council has identified fifteen Community Stewardship Incentive Program (CSIP) practices that together comprise a complete and comprehensive community forestry program.

Within each of the plan elements that follow, existing Borough programs, policies and procedures are described, intermediate and element-specific goals are established, and CSIP-based objectives for the 2012 – 2016 management period are set.

Systematic fulfillment of these CSIP-specific goals and objectives will continue to move Hawthorne's Shade Tree Program toward its overall program goals, which remain as follows:

1. Minimize the risk of trees to public safety.
2. Achieve and perpetuate the public tree resource at maximum practical stocking.
3. Maximize long-term stability and sustainability in the public tree population.
4. Optimize the balance between the costs of maintaining and perpetuating the shade tree resource and budgetary constraints.
5. Minimize conflicts between trees and infrastructure.
6. Stimulate and maintain public interest, appreciation and support for the Borough's Shade Tree Program and encourage volunteer participation.
7. Encourage environmental stewardship and the planting and proper care of trees on private property.
8. Meet all eligibility requirements of the NJ Shade Tree & Community Forestry Assistance Act.

**TREE HAZARDS
& LIABILITY**

Public trees are regarded as a valuable asset that contributes immeasurably to the character of Hawthorne.

The Borough also recognizes, however, that the benefits of trees carry costs and potential liabilities. As with all municipal assets – perhaps even more so – trees require maintenance, and as they mature, eventually require replacement. Despite active tree management, it is inevitable that potentially hazardous conditions will emerge. The Borough acknowledges that not all such hazardous conditions can or will be predicted.

Nevertheless, experience has shown that comprehensive and proactive community forestry programs that strive to prevent, anticipate, and correct such problems will cost-effectively maximize the benefits of trees while minimizing the threat to public safety and exposure to liability. All elements of this plan are designed to optimize the balance between tree benefits and risks.

Comprehensive and proactive management will reduce the probability of hazards, but unpredictable events will still occur. The Borough's resources are limited and it may not be able to meet every need of the tree population immediately.

The intent of this plan is to direct available resources toward the greatest needs and systematically develop and maintain a healthy community forest with a commensurate reduction in threats to public safety.

Public safety will be a primary consideration in the development and implementation of all community forestry plans and programs. This plan provides a means of identifying and systematically addressing existing tree hazards. Further, it provides a means of reducing the potential for future hazards and liability through responsible planting and preventative maintenance.



2007 – 2011 SHADE TREE PROGRAM REVIEW

In implementing its first and second five-year Community Forestry Management Plans, the Borough of Hawthorne enjoyed significant success in advancing its Shade Tree Program. At the same time, it experienced some setbacks. While it was successful in addressing many of the objectives it set, changing circumstances and shifting priorities have prevented it from completing others.

Although the Borough was unable to complete all of its stated objectives due to insufficient time, budget and/or manpower, or the need to address shifting priorities, the overall result was that it maintained steady forward progress by addressing emerging new needs while continuing to successfully implement and, in some cases improve, most of its existing programs.

The following is a summary of the Shade Tree Program's activities and accomplishments, and the issues it faced, during the 2007 – 2011 management period.

1. **Program Administration**

- a) The Borough continued to implement most of its previously existing administrative programs, policies and procedures. (*Program Administration, Objective #1*)
- b) The Shade Tree Commission reviewed existing ordinances directly related to administration of the Shade Tree Program. As a result of this review, Chapter 45, Article VI, *Shade Tree Commission* was amended to add two alternate members to the Commission. In addition, performance standards requiring that all tree removal, planting, pruning, and other treatment be completed in accordance with current ANSI standards, and details regarding enforcement and remuneration for damage were added to Chapter 491, *Shade Trees*. (*Program Administration, Objective #2*)
- c) Due primarily to budget constraints, the Borough elected to eliminate the Borough Arborist position. Previously, the Borough Arborist was responsible for most of the day-to-day tasks of the Shade Tree Program, including tree inspections, work scheduling, communication with property owners, contractor supervision, and enforcement, as well as completing most tree maintenance tasks. The loss of the position resulted in the need to find others to complete these tasks. Contractors have been hired to complete most tree maintenance and an independent Borough Consulting Arborist has been retained to complete most tree inspections and related tasks. There remains a need to clarify or designate responsibility for other tasks previously completed by the Borough Arborist.

2. **Training & Professional Development**

- a) The Borough continued its existing training programs, substantially exceeded its New Jersey Shade Tree & Community Forestry Assistance Act, Training Skills & Accreditation Program continuing education requirements each year, and maintained continuous Approved Status under the Act. All new Shade Tree Commissioners over the past five years have attended NJ Community Forestry CORE Training. (*Training & Professional Development, Objective #1 and #2*)
- b) Five Shade Tree Commission members and one Department of Public Works employee completed a training workshop in identifying and evaluating trees hazards over the past five years. (*Training & Professional Development, Objective #4*)
- c) With the urging and ongoing support of the Borough, the Borough Arborist became a New Jersey Certified Tree Expert in 2007. (*Training & Professional Development, Objective #6*)

- d) In addition to the Borough Arborist, one Shade Tree Commission member was also successful in becoming a New Jersey Certified Tree Expert as a result of the support of the Shade Tree Commission.
- e) The Borough Arborist and two additional Department of Public Works employees received training in electrical hazard awareness and aerial equipment use at an ACRT workshop. (*Training & Professional Development, Objective #7*).
- f) In addition to the above, Shade Tree Program participants completed a wide variety of other relevant training:
 - i) Members of the Shade Tree Commission and the Borough Consulting Arborist regularly attend professional meetings and seminars, such as the NJ Shade Tree Federation Annual Meeting, for training covering a wide variety of urban forestry and environmental subjects.
 - ii) One Shade Tree Commission member attended the Rutgers Cooperative Extension North Jersey Ornamental Horticulture Symposium in 2011.
 - iii) One Shade Tree Commission member attended the 2011 Bartlett Tree Experts Winter Client Seminar.
 - iv) Three Shade Tree Program participants attended workshops in tree pruning.
 - v) Employees of the Department of Public Works are provided with ongoing training in safety, first aid, and equipment use.

3. Public Education, Awareness & Outreach

- a) The Borough continued to implement its existing public education, awareness and outreach programs on a regular basis and via several diverse avenues. (*Public Education, Awareness & Outreach, Objective #1*)
- b) Shade Tree Program personnel continued to utilize and distribute a variety of informative materials. An objective has been established for the current management period to expand this library. (*Public Education, Awareness & Outreach, Objective #2*)
- c) Arbor Day celebrations have been held for many years in Hawthorne and have included events at Borough elementary schools, tree plantings, a tree raffle in which a tree and its planting are donated by a Borough resident and current member of the Shade Tree Commission, distribution and planting of tree tubelings with local scout groups, distribution of tree planting instructions, Arbor Day story time programs, and craft programs. (*Public Education, Awareness & Outreach, Objective #3*)
- d) The Borough of Hawthorne has been designated as a Tree City USA by the National Arbor Day Foundation every year since 1990, received the Tree City USA Growth Award for eleven consecutive years, and was named a Sterling Community in 2009. (*Public Education, Awareness & Outreach, Objective #4*)
- e) The Shade Tree Commission developed a carbonless-copy door hanger to aid in getting information about service request inspections and tree maintenance work completed from the Borough Arborist and Commission members to property owners.

4. Tree Inventory & Assessment

- a) The Borough strived to continue using and updating its computerized street tree inventory in its day-to-day activities to log service requests, schedule and record tree maintenance work, plan planting projects, select appropriate species, and monitor the overall status of the public tree population. (*Tree Inventory, Objective #1*)
- b) In 2011, with the assistance of a Business Stimulus Fund grant received through the NJ Forest Service, the Borough retained a consulting arborist to conduct a complete update of its street tree inventory. The Borough determined that this update was necessary to fully understand and evaluate extensive changes in the tree population over ten-plus years, which resulted from the continued rapid decline of aging trees, proactive efforts to remove and replace deteriorating trees, and rigorous efforts to introduce a more diversified palette

of species.

- c) The Borough did not complete a planned inventory and assessment of its park trees. This was due to the need to update the street inventory, where maintenance and planting needs remained a significantly higher priority, and insufficient funding to do both. *(Tree Inventory, Objective #2)*

5. Tree Hazard Management

- a) The Borough continued to implement its previously existing programs, policies and procedures for identifying and addressing trees requiring priority maintenance to minimize potential tree hazards on an ongoing basis. In addition, the Shade Tree Commission continued to consider species and site-related issues in improving its plans for new tree planting. *(Tree Hazard Management, Objective #1)*
- b) The Borough Consulting Arborist and Shade Tree Commissioners regularly assessed Borough trees in response to service requests, identified and prioritized the corrective work required, submitted work requests to the Department of Public Works or Borough contractors, as appropriate, and recorded the assessment results and work completed in the Department of Public Works' work order system. *(Tree Hazard Management, Objective #1)*

6. Tree Planting

- a) The Borough continued to implement its previously existing tree planting programs, policies and procedures with regard to improving species diversity and stability in its street tree population by continually seeking and planting a variety of species and cultivars and carefully selecting species to suit existing site conditions. *(Tree Planting, Objective #1)*
- b) The Borough purchased a self-adjusting tree planting sling to improve the ease and safety of handling and planting new trees while minimizing the risk of root ball damage. *(Tree Planting, Objective #2)*
- c) The Borough did not establish street tree stocking, age diversity, and species composition goals and guidelines because the need to update the existing street tree inventory became apparent. These objectives will be completed during the 2012 – 2016 period utilizing the results of the 2011 Street Tree Inventory. *(Tree Planting, Objectives #3 & #4)*
- d) Detailed records of new tree plantings completed were maintained by the Shade Tree Commission.

7. Tree Maintenance

- a) The Borough continued to implement its previously existing tree maintenance programs, policies and procedures, albeit via new procedures following elimination of the Borough Arborist position. *(Tree Maintenance, Objective #1)*
- b) The Borough did not purchase a new chipper, as was proposed in the 2007 – 2011 Community Forestry Management Plan. This decision was a matter of reduced need since most tree maintenance work is now completed by private contractors hired by the Borough. *(Tree Maintenance, Objectives #2)*
- c) On average, the Borough completed the following during the 2007 – 2011 management period:
 - i) 213 trees pruned per year
 - ii) 126 trees removed per year
 - iii) 74 stumps removed per year
 - iv) 405 service request inspections completed per year.

8. Tree Waste Recycling

- a) The Borough continued to implement all of its previously existing tree waste recycling programs, policies and procedures. *(Tree Waste Recycling, Objective #1)*

**1999 – 2011
COMMUNITY
FORESTRY
MANAGEMENT
PLAN BENEFITS**

9. Tree Care Disaster Plan

- a) Hawthorne stood ready to implement all of its previously existing tree care disaster plan programs, policies and procedures and worked to minimize future issues by implementing other elements of this Plan, such as improving species diversity and applying sound tree maintenance principles. (*Tree Care Disaster Plan, Objective #1*)
- b) As with most of northeastern New Jersey, the Borough of Hawthorne was impacted by multiple storms that caused extensive tree damage and losses over the past two years. The Department of Public Works, the Shade Tree Commission, other Borough personnel, and Borough contractors responded and addressed the damage efficiently.

10. Plan Preparation & Evaluation

- a) The Borough continually reviewed its Community Forestry Management Plan, monitored progress toward its goals and objectives, made the necessary adjustments in the Shade Tree Program's activities to address current needs, and submitted annual reports to the Hawthorne Mayor and Council. (*Plan Preparation & Evaluation, Objective #1*)
- b) The Borough submitted all necessary Annual Accomplishment Reports to the NJ Forest Service in accordance with the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act and maintained its approved status under the Act. (*Plan Preparation & Evaluation, Objective #1*)
- c) The Borough has prepared this third five-year Community Forestry Management Plan for the 2012 – 2016 management period with the assistance of a NJ Green Communities Challenge Grant and based on a thorough review of its goals, objectives and current needs. (*Plan Preparation & Evaluation, Objective #2 and #3*)

Since 1999, the Borough of Hawthorne has used this Community Forestry Management Plan to document its policies and procedures and to guide its efforts in managing and continually improve its Shade Tree Program. As a result of developing and implementing this plan over the past ten years, the Borough has realized several benefits.

- 1. The Mayor and Council's and taxpayer's support of the Shade Tree Program has remained as strong as it can be during trying economic times with this Plan providing clear justification of the costs, relative to the benefits, that the Shade Tree Program provides.
- 2. Public education, awareness and outreach programs have help develop public support and participation in Hawthorne's Shade Tree Program.
- 3. Training and professional development completed in accordance with New Jersey Shade Tree & Community Forestry Assistance Act requirements has increased the number of individuals that have improved their level of knowledge in the principles and day-to-day practices of urban forest management.
- 4. Completion of the 1998 Street Tree Inventory revealed a number of issues regarding past management practices and the resulting problems the Borough's Shade Tree Program is facing. The Borough's Community Forestry Management Plan helped clarify the interrelationships between these issues and emphasized how important a comprehensive, multi-faceted approach that extends beyond planting is to an effective municipal tree program. As a result, the Borough has strived to improve all aspects of the Shade Tree Program by, for example, investing in a new aerial bucket truck for tree maintenance and a laptop computer for more effectively utilizing its tree inventory.
- 5. The Borough has realized increased safety as a result of constantly evaluating the public tree population, identifying potentially hazardous conditions, and directing efforts toward the pruning and removal of problem trees in an efficient, proactive manner.
- 6. Both long-term decision making and day-to-day operations are more focused and accurately directed at existing needs and long-term goals. For example, continued use of the 1998 Street Tree Inventory gave the Borough the ability to know precisely what the current composition of

the tree population is, how problems in its composition affect its long-term sustainability, and how it can be improved over the long term. Day-to-day-maintenance activities are better identified, tracked and completed in a more logical, priority-based order.

7. By having a Community Forestry Management Plan and approved status under the NJ Shade Tree & Community Forestry assistance Act, the Borough has benefited from grant programs that it would not otherwise have been eligible for.
8. With clearly stated goals, and methods and flexible schedules for attaining them, this Community Forestry Management Plan serves as an effective working manual for both the Shade Tree Commission and the Department of Public Works. Additionally, it serves as a source of information and instruction for new Shade Tree Commission members.
9. Though its level of ability has fluctuated from year to year, overall, the Borough has been able to meet the three basic needs of its urban forest: tree maintenance, the removal of non-viable trees, and replanting.
10. Implementation of this plan helped in disseminating information to the public and fostering partnerships with the Board of Education, scouts and other local youth that will benefit the community as a whole over the long term.

SHADE TREE PROGRAM ISSUES

The Borough's previous five-year Community Forestry Management Plans identified several key issues affecting the Shade Tree Program. Many of these issues have been specifically addressed and partially or completely resolved. Over time, however, new issues have emerged. The following summarizes the progress made and new issues that have arisen.

1. Efforts were successfully made to solidify and clarify the roles and responsibilities of the various employees and volunteers serving Hawthorne's Shade Tree Program. Recent loss of the Borough Arborist position due to economic strain, however, significantly changed established procedures. The Borough Arborist was not only responsible for most of the day-to-day operation of the Shade Tree Program – including tree inspections, work scheduling, communication with property owners, contractor supervision, and enforcement – but also completed most tree maintenance tasks. Contractors have since been hired to complete most tree maintenance and an independent Borough Consulting Arborist has been retained to complete most tree inspections and related tasks. There remains a need to clarify or designate responsibility for other tasks previously completed by the Borough Arborist, and to ensure that the Shade Tree Commission, which is primarily responsible for the management of the Borough's trees, plays a primary role.
2. A number of groups and individuals comprise and are actively involved in Hawthorne's Shade Tree Program. Nevertheless, a relatively small number of individuals have been burdened with disproportionately large portions of the work. To this end, the Shade Tree Commission was expanded, by ordinance, to include two alternate members as a means of spreading the workload among more people.
3. Previously, the Borough Arborist was responsible for maintaining the Borough's street tree inventory database, but this task has not been re-delegated since the Arborist position was eliminated. At the time this plan was prepared, plans were being developed to hire an administrative assistant to maintain the inventory, receive, enter and follow-up on service requests, and ensure that work orders and reports are consistently distributed to the Department of Public Works, Shade Tree Commission, and Borough Consulting Arborist.
4. The Borough recognizes the importance of technical training for those individuals implementing the Shade Tree Program on a day-to-day basis. Over the past five years, highly relevant training for both employees and volunteers has increased significantly and the Borough has substantially exceeded its requirements under the New Jersey Shade Tree & Community Forestry Assistance Act.
5. Previously, the Shade Tree Commission was not integrally involved in the Site Plan Review process, as it relates to Chapter 488 of the Borough Code, *Tree Removal* and as it may relate to Chapter 450, *Subdivision of Land*. The Shade Tree Commission has opened a dialog with the Planning Board to clarify and ensure that its responsibilities are met.

**CURRENT
PUBLIC TREE
ASSESSMENT**

6. In each tree planting project over the past ten years, the Borough has introduced new species and cultivars into the Borough's public tree population resulting in steady improvement in overall species diversity. Nevertheless, as a result of past overreliance on certain species, Norway and other maples still comprise the vast majority. The Borough is acutely aware of the dangers that a near-monoculture present and will continue to make increased diversity one of its primary long-term goals.

The Borough updated its complete, computerized inventory of its existing street tree population in 2011. The Borough currently lacks a detailed inventory and assessment of trees in Borough parks and on public properties.

Based on the 2011 inventory, the following is currently known about the Borough's public street tree population. Original figures from the 1998 inventory are provided in parenthesis for comparison to the current figures.

1. The street tree resource is 56.6% (70%) stocked with 4180 (3496) trees, 45 stumps, and 3161 (1505) vacant planting sites. Though the Borough saw a steady decrease in the number of street trees from 1998 through 2007, planting initiatives assisted by the New Jersey Cool Cities program resulted in a substantial number of new trees. The reduced stocking level is primarily the result of a more aggressive approach in identifying potential planting sites between the 1998 and 2011 inventories.
2. Street-side sites in Hawthorne offer a limited amount of growing space. Approximately 64% of the existing trees are growing in sites with four feet or less of exposed soil surface (e.g. between sidewalk and curb). A large number of sites in curbside planting strips are less than three feet wide.
3. Genus and species diversity has improved substantially since 1998 as a result of the planting of a variety of new species and reduction in planting of problematic species that previously comprised a larger percentage of the tree population. Currently, the street tree population contains 117 (64) different species representing 58 (38) different genera.
4. Despite improvements in genus composition, the street tree population still contains of a disproportionately large number of maples (*Acer*), which account for 38.6% (65%) of the street tree population. The next most frequent genera are oak (*Quercus*) at 8.2% (4.5%), pears 7.9% (4.9%), and planes (*Platanus*) at 5.4% (6.2%).
5. Despite improvements in species composition, the street tree population still contains a disproportionately large number of Norway maples, which account for 20.9% (41%) of all street trees. The next most frequent species include red maple at 8.9% (16.9%), Callery pear at 7.9% (4.8%), London plane at 5.2% (4.2%), and Zelkova at 4.5% (4.8%).
6. The street tree population is significantly younger as a result of ongoing removal of senescent trees over the past 12 years and significant planting initiatives since 2008. Its age structure is irregular uneven aged, meaning that there are significant numbers of trees in at least three age classes, but they are not evenly distributed from young to old.
 - a) 56% of the street trees are 12-inches or less in diameter – 28% are 0"-6" and 28% are 7"-12".
 - b) 30% of the street trees are in the 13"-18" and 19"-24" diameter classes.
 - c) 14% of the trees are 25-inches in diameter and larger.
7. A majority of the street trees are rated in fair to good condition. The increase in trees rated in fair versus good condition is attributed, in part, to the large number of recently planted trees that have not fully recovered from transplanting. It is anticipated that a majority of these will improve to good condition over the next three years.
 - a) 32% (65%) are currently rated in "Good" condition.
 - b) 51% (29%) are currently rated in "Fair" condition.

**RELATION TO
THE BOROUGH
MASTER PLAN**

- c) 16% (6%) are currently rated in “Poor” condition.
- d) 1% (<1%) are currently dead.

All aspects of this Community Forestry Management Plan are consistent and compatible with the goals, objectives and general intent of the Borough’s Master Plan. The Borough currently lacks a separate open space plan.

The Master Plan is currently in the process of being updated and its goals and objectives have not changed since the 2007 – 2011 Community Forestry Management Plan was prepared.

Presently, there is no formal link between the Borough Master Plan and this Community Forestry Management Plan. However, their parallel goals provide a strong informal link and common purpose. Specific goals and objectives of the Master Plan to which this Community Forestry Management Plan directly or indirectly relate include:

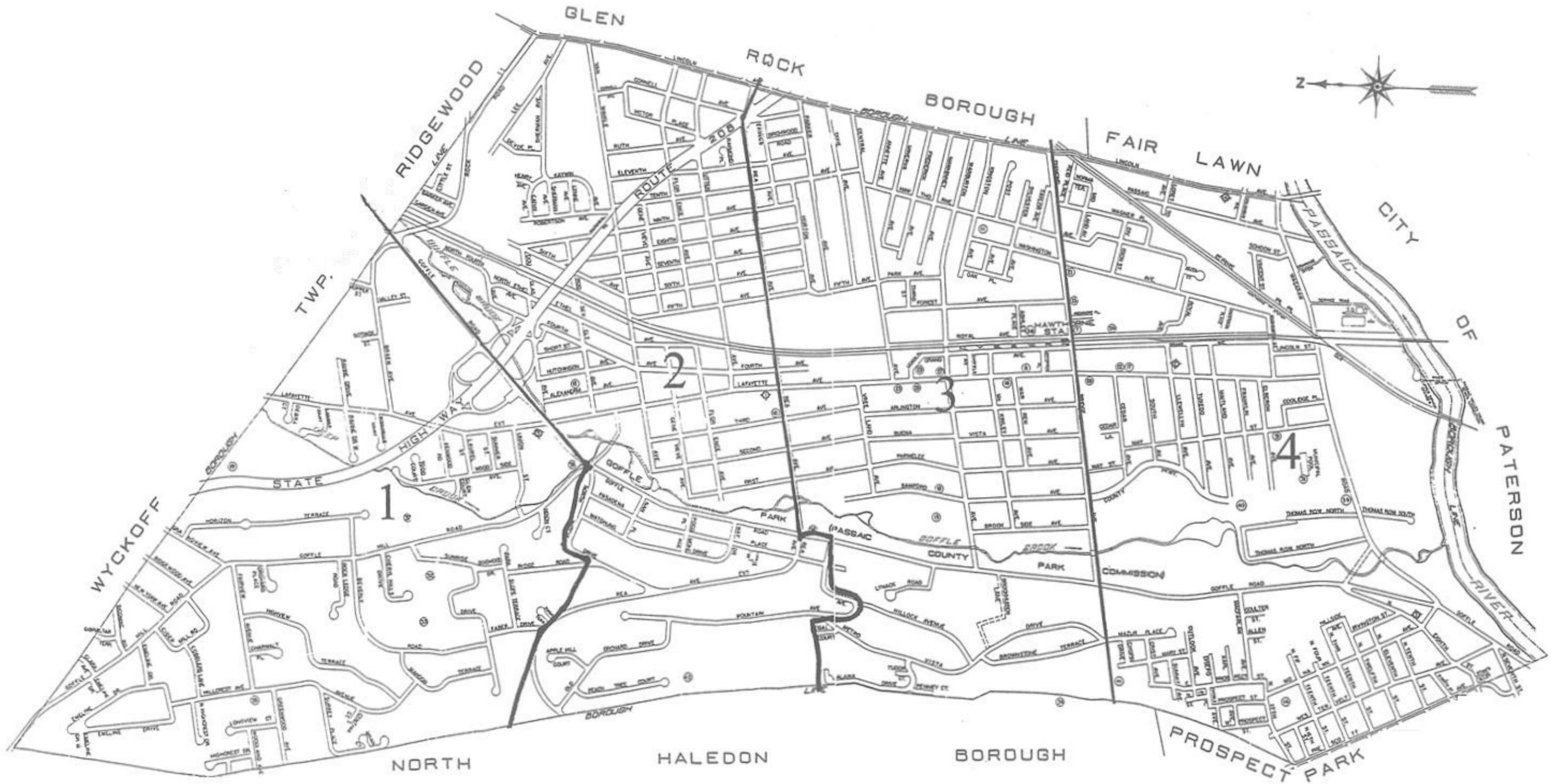
- *To preserve the existing high quality of the one and two family homes.*
- *To make appropriate proposals for alleviating any hazardous traffic conditions.*
- *To provide a safe and efficient street system which adequately serves both local and through traffic [in the Central Business District].*
- *To preserve the existing public buildings and open space [in the Central Business District].*
- *To add unifying design elements [to the Central Business District] through the use of an architectural theme encompassing: building facades, lighting, landscaping, and advertising signs.*
- *To provide small sitting parks at strategic location in the heart of the Central Business District.*
- *To design parking areas [in the Central Business District] in an aesthetic manner.*

The Plans are further linked through existing zoning, subdivision, land use, and site plan review code, which contain specific requirements regarding trees, landscaping and buffers.

Chapter 488 of the Borough Code, *Tree Removal*, which regulates the removal and destruction of trees on unimproved or vacant private lands, is designed to help preserve the important physical and aesthetic benefits trees provide to the character and livability of Hawthorne. However, given that the Borough is almost fully developed, there are few opportunities to apply the ordinance and there are no provisions for the preservation and proper management of trees on previously developed private lands. Therefore, it is critically important that effective tree management be applied where true opportunities exist.

Relative to the current Master Plan update, which is in progress, the Shade Tree Commission has requested that this Community Master Plan be indicated in the Master Plan as a related document that addresses the management of public shade tree resources and contributes to the maintenance of overall tree canopy cover in the Borough.

Ongoing implementation of this Community Forestry Management Plan – directly in the management of trees along public streets and on public lands and indirectly in encouraging the management and perpetuation of trees on developed private lands by their owners – will continue to support and help satisfy certain goals and objectives of the Borough’s Master Plan.



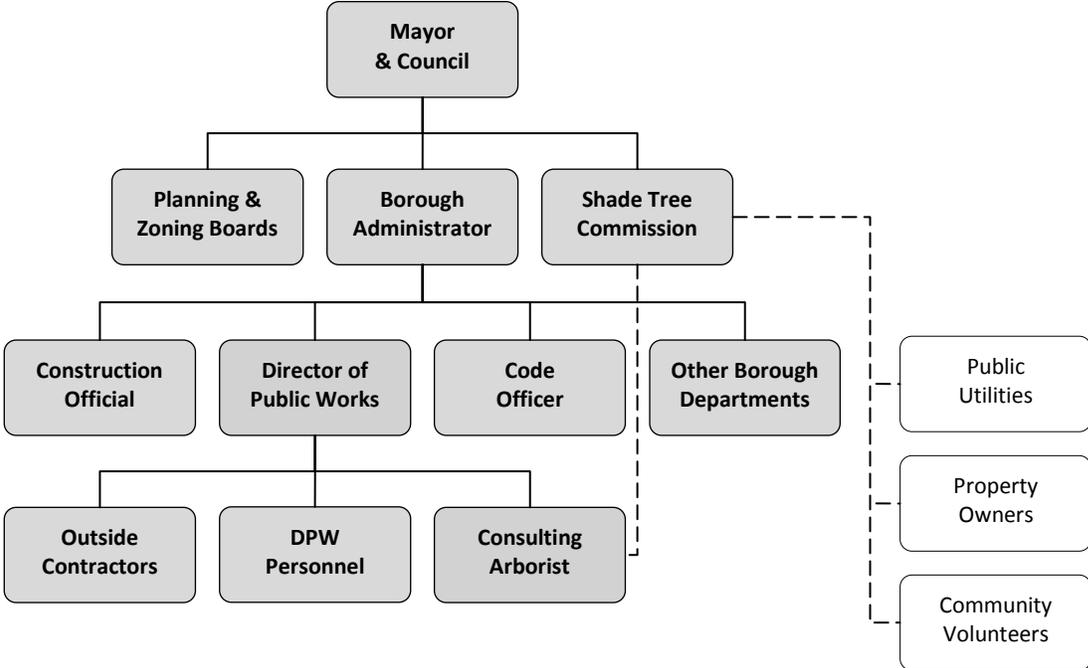
Borough of Hawthorne, NJ

Shade Tree Management Districts

SHADE TREE PROGRAM STRUCTURE

In accordance with New Jersey Statute and Borough ordinance, the Shade Tree Commission is primarily responsible for the management of all municipally owned trees in the Borough of Hawthorne.

Administration and day-to-day operation of the Borough’s Shade Tree Program is the cooperative effort of the Mayor and Council, the Shade Tree Commission, the Borough Administrator, the Department of Public Works, the Borough Consulting Arborist, and various other internal and external groups and individuals, as follows:



SHADE TREE PROGRAM RESPONSIBILITIES

1. **Mayor & Council**
 - a) The Mayor is responsible for appointing members to the Shade Tree Commission and the Borough’s other boards, commissions and committees.
 - b) The Council is the legislative body of the Borough and has all executive responsibility not held by the Mayor.
 - c) The Mayor and Council have ultimate authority over the policies, procedures, and programs of the Shade Tree Program and are responsible for approving its budget.

2. **Planning & Zoning Boards**
 - a) The Planning Board and Zoning Board are responsible for implementing and enforcing various elements of the Borough Master Plan and Borough Code that relate to land use and the conservation of natural resources.

- b) The Planning and Zoning Boards are responsible for notifying the Shade Tree Commission via e-mail and memorandum of proposed site plans and providing sufficient time for the Commission's review and comment prior to public hearings.

3. Borough Administrator

- a) The Borough Administrator serves as the chief administrative officer of the Borough and serves as a liaison between the Mayor and Council and the various Borough departments.
- b) The Borough Administrator confirms that the Borough follows all applicable laws, policies and procedures relating to personnel, the procurement of resources, and the hiring of private contractors.

4. Shade Tree Commission

- a) The Shade Tree Commission consists of five regular members and two alternate members appointed by the Mayor, all of whom are residents of the Borough and serve on a volunteer basis.
- b) The Shade Tree Commission is responsible and accountable for the management of public trees in the Borough of Hawthorne pursuant to N.J.S.A. 40:64-1
- c) Specifically, the Shade Tree Commission is responsible for:
 - i) Exercising full and exclusive control and authority over the regulation, planting and care of shade and ornamental trees and shrubbery in public rights-of-way and on Borough properties.
 - ii) Regulating and controlling the ground surrounding public trees as necessary for their growth, care and protection.
 - iii) Requiring the pruning or removal of any tree dangerous to public safety.
 - iv) Making, altering, amending or repealing any ordinances necessary to carry out its duties.
 - v) Administering treatment to or removing any tree on private property which is confirmed to be a hazard or to harbor disease or insects that threaten the health of neighboring trees.
 - vi) Encouraging arboriculture.
 - vii) Prescribing fines and tree replacement assessments for violation of ordinances relating to public trees.
 - viii) Developing the long, intermediate and short-term goals that steer Hawthorne's Shade Tree Program.
 - ix) Developing the policies that govern the day-to-day operation of the Shade Tree Program.
 - x) Reviewing the activities of the Borough Consulting Arborist and Department of Public Works employees performing tree maintenance work in conjunction with the Director of Public Works.
 - xi) Authorizing expenditures related to the Shade Tree Program.
 - xii) Tracking and annually evaluating progress toward the goals of this Community Forestry Management Plan and adjusting short-term goals and tasks, as necessary.
 - xiii) Reviewing applications and development plans before the Planning and Zoning Boards as they relate to Chapter 488, *Tree Removal*, and making applicable recommendations.
 - xiv) Responding in a timely manner to service requests from property owners.

5. Department of Public Works

- a) Previously, the Borough Arborist was a full-time employee of the Department of Public Works and was responsible for implementing the day-to-day operations of the Shade Tree Program, including completing most tree maintenance work. This position was eliminated

recently, however, and the Borough began hiring private contractors to complete most tree maintenance.

- b) Currently, Department of Public Works personnel complete a relatively small amount of tree pruning, removal of small trees, and clean-up of storm damage.
- c) The Director of Public Works is responsible for supervising and delegating tree inspections and related tasks to the Borough Consulting Arborist, an independent New Jersey Certified Tree Expert retained on annual contract since the Borough Arborist position was eliminated.

6. *Borough Consulting Arborist*

- a) The Borough Consulting Arborist is an independent New Jersey Certified Tree Expert retained on an annual contract by the Borough to provide technical guidance to the Department of Public Works and the Shade Tree Commission.
- b) The Borough Consulting Arborist's duties include:
 - i) Completing tree inspections.
 - ii) Reviewing tree and sidewalk conflicts.
 - iii) Making recommendations for corrective treatments.
 - iv) Supervising various treatments by contractors and the Department of Public Works to ensure conformance to Shade Tree Commission requirements.
 - v) Communicating the Shade Tree Commission's policies, requirements and philosophy to property owners, contractors, the Borough Administration, and the Department of Public Works.
 - vi) Submitting reports of determinations and recommendations made.
 - vii) Testifying at court proceedings, when necessary.
 - viii) Assisting the Shade Tree Commission in selecting appropriate tree species for planting.

7. *Construction Official*

- a) The Construction Official, in cooperation with the Planning Board, is responsible for administering and enforcing Chapter 488 of the Borough Code, *Tree Removal*, which regulates the removal and destruction of trees on unimproved or vacant private lands within the Borough.

8. *Code Enforcement Officer*

- a) The Code Enforcement Officer is responsible for enforcing various ordinances that relate to the quality of life in Hawthorne. These include Chapter 491 of the Borough Code, *Shade Trees*, which provides for the protection of Borough trees, the maintenance of vegetation on private property, the recycling of leaves and other vegetative waste, and sidewalk maintenance and repair.

9. *Tree Maintenance & Planting Contractors*

- a) Previously, private contractors were occasionally hired by the Borough to complete, or assist the Borough Arborist in completing, public tree pruning, removal and planting work.
- b) Currently, since the Borough Arborist position was eliminated, private contractors are routinely hired to complete tree pruning, removal and planting work.
- c) Contractors are, within the terms of their agreement, responsible for:
 - i) Completing all work to the specifications of the Shade Tree Commission in a safe and efficient manner.
 - ii) Following all current and accepted arboricultural standards and practices.
 - iii) Following all current safety standards relating to tree care operations.
 - iv) Providing proof of insurance as required by the Borough.
 - v) Providing proof of all required licenses and certifications to the Borough.

- vi) Reporting any tree-related hazards or other problems immediately to the Borough.

10. Other Borough Departments

- a) Other Borough departments assist the Shade Tree Program to the extent that they:
 - i) Administer or implement Borough ordinances, policies and procedures that directly or indirectly relate to the protection and management of public and private trees.
 - ii) Notify the Shade Tree Commission, Department of Public Works and/or Borough Consulting Arborist of tree-related emergencies, service requests, or other issues.
 - iii) Cooperate with the Shade Tree Commission and others in developing and implementing plans and projects as they may relate to the planting and protection of public trees.

11. Public Utilities

- a) Public utility firms are responsible for minimizing conflicts between trees and their facilities.
- b) While doing so, public utility firms and their contractors are responsible for:
 - i) Abiding by all applicable ordinances.
 - ii) Keeping the Shade Tree Commission informed of their work plans and schedules.
 - iii) Exercising reasonable diligence in the installation and maintenance of their facilities so as to avoid damage to public and private trees.
 - iv) Not removing any tree without prior approval of the Shade Tree Commission or its owner.
 - v) Following all current and accepted arboricultural standards and practices.
 - vi) Assisting Borough personnel and contractors in completing tree removal and maintenance work around their facilities, where necessary.

12. Property Owners

- a) Private property owners currently assist the Shade Tree Program and contribute to Hawthorne's community forest to the extent that they:
 - i) Notify the Borough of problems they may note and requests for the maintenance and planting of public trees.
 - ii) Assist in irrigating and ensuring the protection of new public trees planted adjacent to their properties.
 - iii) Are encouraged to plant and properly care for trees on private property.
 - iv) Comply with Chapter 488 of the Borough Code, *Tree Removal*, with regard to the removal or destruction of trees on unimproved or vacant private land.
 - v) Comply with Chapter 491 of the Borough Code, *Shade Trees*, with regard to the protection of Borough trees.

13. Community Volunteers

- a) Volunteer groups and individuals assist Hawthorne's Shade Tree Program by:
 - i) Serving as volunteers on the Borough's related commissions, boards and committees.
 - ii) Assisting in the implementation of various tree maintenance tasks and special projects, such as Arbor Day celebrations and the Cel-Earth-Bration event.
 - iii) Donating trees and other materials.

CURRENT ORDINANCES

The following portions of the *Code of the Borough of Hawthorne* authorize, govern or relate to the Borough's Shade Tree Program:

1. Chapter 45, *Other Offices and Bodies*, Article VI, *Shade Tree Commission*, which establishes the

**TREE
SERVICE
REQUEST
PROCEDURES**

- Hawthorne Shade Tree Commission pursuant to N.J.S.A. 40:64-1 et seq. (*see Appendix*)
2. Chapter 153, *Bushes, Hedges, Trees and Other Plant Life*, which requires the maintenance of vegetation on private properties in proximity to roadways and intersections.
 3. Chapter 287, *Landscapers and Tree Service Providers*, which contains requirements for the permitting of landscape and tree service contractors working within the Borough, the recycling of vegetative debris they generate, and roadside parking.
 4. Chapter 444, *Streets and Sidewalks*, which contains requirements regarding the maintenance and repair of sidewalks, curbs and driveway aprons by the adjacent property owner.
 5. Chapter 450, *Subdivision of Land*, which contains requirements for the planting of street trees in conjunction with subdivided developments.
 6. Chapter 488, *Tree Removal*, which regulates the removal of trees on certain privately owned lands. (*see Appendix*)
 7. Chapter 491, *Shade Trees*, which regulates the planting, protection, maintenance, and removal of public shade trees. (*see Appendix*)
 8. Chapter 540, *Zoning*, which guides and regulates the orderly growth and development of the Borough in a manner that protects its character and integrity.

In addition, the Shade Tree Program operates in accordance with several unwritten policies, as indicated in the following sections. Together, these ordinances and policies currently provide Hawthorne's Shade Tree Program with sufficient authority to fulfill its responsibilities and duties.

Requests for the inspection, pruning, removal, planting, or other treatment of Borough trees, as well as issues related to sidewalks and sewers, are generally received from adjacent property owners, but are often initiated internally by Borough personnel.

All service requests are currently addressed in the following manner:

1. All service requests are received by, or forwarded to, the Department of Public Works.
2. Service requests are typically received via:
 - a) Phone calls to the Shade Tree Hotline, a dedicated phone line and messaging system.
 - b) Phone calls or letters to the Department of Public Works Administration.
3. The Borough Consulting Arborist inspects all service requests to determine whether the request is justified and what action is necessary and appropriate.
4. Non-emergency requests for removal are forwarded from the Department of Public Works to the Shade Tree Commission with the Borough Consulting Arborist's recommendation for approval or denial.
5. Requests for tree pruning or removal deemed to be an emergency are addressed immediately by Department of Public Works personnel or a Borough contractor to mitigate any potential hazards.
6. Any necessary tree maintenance work resulting from the service request inspection and review is entered as a job order in the Department of Public Works' work order system based on the recommendations and priority level determined by the Borough Consulting Arborist and completed by a Borough contractor or Public Works personnel.
7. Upon completion of the work, Borough personnel or the Borough Consulting Arborist confirm satisfactory completion, the work order is marked complete, and a copy is forwarded to the Shade Tree Commission for reconciliation in the tree inventory database.
8. Emergency service requests are completed immediately to mitigate any potential hazards. All other service requests are completed in order of priority as time and resources permit.
9. Completed service requests and job orders are retained in the Tree Inventory system to provide a maintenance history for each tree.

**2012 – 2016
OBJECTIVES**

1. Ongoing Administrative Programs

a) *2012 – 2016*

- i) Continue implementing all administrative programs, policies and procedures already in effect.

2. Site Plan & Master Plan Review Procedures

a) *January – June 2013*

- i) Building upon progress made during the previous five-year management period, continue to work with the Planning Board to develop, refine, and implement procedures for the Shade Tree Commission's review of site plans, as provided for in Chapter 488 of the Borough Code, *Tree Removal* and as it may relate to Chapters 450, *Subdivision of Land* and 540, *Zoning*.



Budget & Resources

OVERVIEW

The following is a summary of the annual resources available to Hawthorne’s Shade Tree Program, on average, in recent years.

Certain objectives contained within this Plan will require resources beyond those currently available, particularly given current economic conditions. The Borough’s ability to satisfy certain objectives will be dependent upon its ability to secure additional funding through internal or external sources.

2007 – 2011 GRANTS RECEIVED

During the 2007 – 2011 period, the Borough of Hawthorne received the following grants to assist its Shade Tree Program:

1. 2009 Cool Cities funding through the New Jersey Forest Service which was used to plant approximately 450 new street trees replacements.
2. A 2010 Business Stimulus Fund Grant in the amount of \$7000.00 which was used to supplement Borough funds for hiring a consulting arborist to conduct a complete computerized inventory of the Borough’s street tree population.
3. A 2010 Green Communities Grant in the amount of \$3000.00 which was used to hire a consulting arborist to assist in preparing this 2012 – 2016 Community Forestry Management Plan.

EMPLOYEE SALARY & WAGES

Borough Administrator
Department of Public Works personnel
Administrative staff

Subtotal (total salary and benefits prorated by percent of time dedicated to the Shade Tree Program)

\$97,165.00

OPERATIONS

Contracted tree maintenance
Consulting Borough Arborist services
Training and professional development
Professional memberships and subscriptions
Materials and supplies
Miscellaneous operating expenses

Subtotal

\$90,565.00

BOROUGH EQUIPMENT	<ul style="list-style-type: none"> (1) 55-foot bucket truck (1) Chipper (1) Stump grinder (1) 7-yard dump truck (1) 3-yard loader (1) Resistograph (1) Air-Spade Various chainsaws Related small tools and equipment <p><i>Subtotal (estimated annual value based on value amortized over 5 – 15 year service life, plus annual maintenance, etc. and prorated by percent of time used by the Shade Tree Program)</i></p>	\$22,700.00
TREE PLANTING	<ul style="list-style-type: none"> Cost of trees supplied and planted by contractors <p><i>Subtotal</i></p>	\$16,000.00
TREE WASTE RECYCLING	<ul style="list-style-type: none"> Borough Recycling Center operated by a private contractor at no cost to the Borough <p><i>Subtotal</i></p>	\$ 0.00
VOLUNTEER SERVICES	<ul style="list-style-type: none"> Shade Tree Commission members Other community volunteer groups and individuals <p><i>Subtotal (430 hrs per year average @ \$21.36)</i></p>	\$9,184.80

TOTALS	<ul style="list-style-type: none"> <i>Borough Resources</i> <i>Value of Volunteer Services</i> 	<ul style="list-style-type: none"> \$226,430.00 \$9,184.80
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Training & Professional Development

TRAINING & PROFESSIONAL DEVELOPMENT GOALS

1. Provide individuals serving the Borough's Shade Tree Program with sufficient knowledge to make technically sound and effective management decisions.
2. Ensure that Borough employees have the knowledge to complete tree maintenance and planting tasks in accordance with the latest technical information and industry standards.
3. Maximize the number of knowledgeable and capable individuals available to assist in continually monitoring the public tree population.
4. Ensure that tree inspections and hazard evaluations follow accepted standard procedures and that the results are objective, accurate, and consistent.
5. Ensure continuity in the overall level of knowledge and expertise within the Shade Tree Program as individuals leave the Program and new ones join.
6. Satisfy the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act, Training Skills & Accreditation Program without interruption.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. ***Training Provisions & Funding***
 - a) Training and professional development opportunities in arboriculture and urban forestry continue to be made available to volunteers and employees serving the Shade Tree Program.
 - b) These opportunities include CORE Training and Continuing Education as required under the New Jersey Shade Tree & Community Forestry Assistance Act.
 - c) The cost of training is funded by the operating budget of the attendee's respective department or commission.
2. ***Recent Training Completed***
 - a) Members of the Shade Tree Commission and the Borough Consulting Arborist regularly attend professional meetings and seminars, such as the NJ Shade Tree Federation Annual Meeting, for training covering a wide variety of urban forestry and environmental subjects.
 - b) Shade Tree Commission members and Borough employees attended a variety of programs through the Rutgers Office of Continuing Professional Education over the past five years including:
 - i) Hazardous Tree Identification
 - ii) Municipal Shade Tree Management
 - iii) Managing Diseases of Ornamentals
 - iv) Managing Insect Pests of Ornamentals
 - v) ANSI A-300 Series
 - vi) Large Tree Climbing and Rigging
 - vii) Professional Grounds Maintenance
 - viii) Pruning Ornamental Shrubs
 - ix) Landscape Technician Review
 - x) Stormwater Permits – North

- c) One Shade Tree Commission member attended the Rutgers Cooperative Extension North Jersey Ornamental Horticulture Symposium in 2011.
- d) One Shade Tree Commission member attended the 2011 Bartlett Tree Experts Winter Client Seminar.
- e) The Borough Arborist and two additional Department of Public Works employees received training in electrical hazard awareness and aerial equipment use at an ACRT workshop.
- f) Employees of the Department of Public Works are provided with ongoing training in safety, first aid, and equipment use.

3. NJ Community Forestry's Training Skills & Accreditation Program

- a) At the time this Plan was prepared, the following had satisfied the CORE Training requirements of the New Jersey Shade Tree & Community Forestry Assistance Act Training Skills & Accreditation Program:
 - i) (2) Borough employees
 - ii) (0) elected officials
 - iii) (7) Shade Tree Program volunteers

**CURRENT
TRAINING
NEEDS**

The Borough has evaluated its existing programs and personnel and identified the following areas in which training is currently needed or desired.

1. New Jersey Community Forestry CORE Training for new Shade Tree Commission members, Department of Public Works employees, and Borough Council members.
2. Ongoing training in tree hazard identification and evaluation for Department of Public Works personnel and Shade Tree Commission members.
3. Planting site analysis and tree species selection for Shade Tree Commission members.
4. New species and cultivars to consider for future planting and problematic and invasive species to avoid for Shade Tree Commission members.
5. Young tree pruning techniques for encouraging the development of a structurally sound branch structure in young trees for Department of Public Works employees and Shade Tree Commission members, preferably through hands-on training.
6. Tree species identification for Shade Tree Commission members and Department of Public Works personnel.
7. Insect and disease diagnosis for Shade Tree Commission members.
8. The review and interpretation of landscape plans as it relates to the Shade Tree Commission review of plans submitted to the Planning Board.

**2012 – 2016
OBJECTIVES**

1. Ongoing Training Programs

- a) *2012 – 2016*
 - i) Continue implementing the existing programs, policies & procedures listed above consistently and in a manner that maximizes the number of individuals who increase their level of expertise.
 - ii) Attend training programs, in addition to the following objectives, that address the Current Training Needs listed above as appropriate programs become available.

2. NJ Community Forestry's Training Skills & Accreditation Program

- a) *January – March, Annually*
 - i) Review training needs versus upcoming training opportunities.

- ii) Ensure that the Borough will accumulate the necessary continuing education credits as required under the New Jersey Shade Tree & Community Forestry Assistance Act by the end of each year.
- iii) Schedule NJ Community Forestry CORE Training for additional individuals, as necessary to maintain compliance with New Jersey Shade Tree & Community Forestry Assistance Act requirements.

3. *Tree Hazard Evaluation Training*

a) *January – December 2012*

- i) Train at least one Department of Public Works employee and at least one Shade Tree Commission member who are responsible for completing tree inspections to further advance their skills in identifying and evaluating the severity of potential tree hazards using the latest information and techniques through an advanced level seminar. This should include training in how to conduct a full Hazard Tree Inspection for determining the extent of internal decay.

b) *January – December 2014*

- i) Train, or retrain, at least one Department of Public Works employee and at least one Shade Tree Commission member who are responsible for completing tree inspections to further advance their skills in identifying and evaluating the severity of potential tree hazards using the latest information and techniques through an advanced level seminar. This should include training in how to conduct a full Hazard Tree Inspection for determining the extent of internal decay.

c) *January – December 2016*

- i) Train, or retrain, at least one Department of Public Works employee and at least one Shade Tree Commission member who are responsible for completing tree inspections to further advance their skills in identifying and evaluating the severity of potential tree hazards using the latest information and techniques through an advanced level seminar. This should include training in how to conduct a full Hazard Tree Inspection for determining the extent of internal decay.

4. *Young Tree Structural Pruning Training*

a) *January – December 2013*

- i) Train at least two Department of Public Works employees and at least one Shade Tree Commission member in specialized shade tree pruning techniques at an in-depth, hands-on workshop led by a qualified expert that emphasizes developmental pruning for young trees in accordance with ANSI A300 standards to promote the development of a structurally sound trunk and crown form, minimize conflicts with roads and utilities, and minimize the need for severe pruning as the trees mature.

5. *Planting Site Analysis & Species Selection Training*

a) *January – December 2015*

- i) Train at least two Shade Tree Commission members in pre-planting site analysis, species selection and tree placement. Critical issues to be covered include:
 - Evaluating soil structure and drainage.
 - Recognizing potential root zone and aboveground restrictions and conflicts.
 - Selecting species whose site requirements and growth characteristics suit the existing site conditions.
 - Selecting an appropriate mix of species that will maximize long-term health and stability in the tree population while minimizing maintenance demands.



Public Education, Awareness & Outreach

PUBLIC EDUCATION, AWARENESS & OUTREACH GOALS

1. Increase and maintain public interest and support for Hawthorne’s Shade Tree Program.
2. Encourage public assistance in promoting and completing various programs and projects, protecting public trees, and beautifying the Borough.
3. Encourage the planting, protection and proper care of trees on private property by their respective owners for the benefit of the entire community.
4. Educate the public in the value of environmental stewardship.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Arbor Day**
 - a) Formal Arbor Day celebrations continue to be held annually in Hawthorne.
 - b) Recent Arbor Day programs have included:
 - i) Programs at Borough elementary schools.
 - ii) Tree plantings.
 - iii) A tree raffle in which a tree and its planting were donated by a Borough resident and current member of the Shade Tree Commission.
 - iv) Distribution and planting of tree tubelings with local scout groups.
 - v) Distribution of tree planting instructions.
 - vi) Craft programs.
2. **Tree City USA**
 - a) The Borough has been designated as a Tree City USA by the National Arbor Day Foundation continuously since 1990.
 - b) The Borough has received the Tree City USA Growth Award twelve times – in 1996, 1998, and every year since 2002.
 - c) In 2009, the Borough of Hawthorne was named a Tree City USA – Sterling Community.
3. **Press Releases**
 - a) Press releases and educational articles are periodically submitted to local newspapers and the Borough newsletter. These press releases and articles cover:
 - i) Announcements and summaries of Arbor Day and Cel-Earth-Bratton Day programs and other Shade Tree Program activities.
 - ii) Receipt of annual Tree City USA awards.
 - iii) General interest and educational subjects related to arboriculture and urban forestry.
4. **Awareness & Outreach Programs & Materials**
 - a) *100 Year Old Tree Program*: In 1998, the Borough sponsored a community-wide program in which 100-plus year old trees were identified and recognized. Candidate trees were reported by residents in response to local newspaper ads and scouted and confirmed by the Borough Arborist. The owner of each confirmed 100 year old tree was presented with a blue ribbon and certificate signed by the Mayor at a special Arbor Day event. This was a one-time event that has not been repeated since 1998, but may be in the future.

- b) *Adopt-A-Spot Program:* Various small public areas are landscaped and maintained by local businesses and residents. This program encourages community involvement and pride while helping to beautify areas that would otherwise be neglected.
- c) *Contractor Relations:* Local tree and landscape contractors are periodically reminded of requirements to notify the Shade Tree Commission before working on public trees. Qualified contractors are generally given permission to complete certain work or are assisted by the Borough Consulting Arborist, when necessary.
- d) *Property Owner Planting Letter:* Prior to planting, tree locations are marked and a letter explaining the proposed planting and post-planting irrigation and care is left with the adjacent property owner.
- e) *Service Door Hanger:* The Shade Tree Commission developed a carbonless-copy door hanger to aid in getting information about service request inspections and tree maintenance work completed from the Borough Consulting Arborist and Shade Tree Commission members to property owners.
- f) *Cel-Earth-Bration Day:* The purpose of this event, which is held each year on or about Earth Day and led by the Board of Education and Environmental Commission, is to educate and increase the public's awareness of environmental issues. It includes a number of activities, competitions using recycled materials, the distribution of information regarding trees, information about environmental protection and energy, and the distribution of tree tubelings. In addition, a tree and its planting are donated and raffled to a Borough resident.
- g) *Borough Website:* The Shade Tree Commission page on the official Borough website allows users to download various documents, such as this Community Forestry Management Plan and Shade Tree Commission meeting minutes; links to tree-related websites of general interest and value to the public will be added.
- h) *Cable Channel 77 Bulletin Board:* Announcements, meeting dates, and other information regarding Shade Tree programs and events are periodically posted on this local cable television station.
- i) *Community Calendar:* Meeting dates and other Shade Tree Program information and events are included on the Borough's Community Calendar, which is distributed to all Borough residents at the beginning of each year.

**2012 – 2016
OBJECTIVES**

1. ***Ongoing Public Education, Awareness & Outreach Programs***
 - a) *2012 – 2016*
 - i) Continue all existing public education, awareness and outreach programs on a regular basis.
2. ***Annual Arbor Day Programs***
 - a) *January – April, Annually*
 - i) Continue to organize and conduct annual Arbor Day celebrations.
 - ii) Continue to seek assistance from local civic groups, the Board of Education, local businesses, and others to help spread the workload and maximize exposure and attendance at the programs.
 - iii) Vary the location, activities, and target audience each year to help increase interest and support for the Borough's Shade Tree Program.
3. ***Tree City USA***
 - a) *October – December, Annually*
 - i) Continue to submit the annual application for designation as a Tree City USA through the National Arbor Day Foundation.

- ii) Prepare and submit the application for Tree City USA Growth Awards when eligibility requirements have been met.
- iii) Continue to advertise the designation throughout the Borough and in public relations materials (road signs, plaques, truck decals, stationary logo, etc.).

4. *Library of Information Handouts*

a) *2013 – 2016*

- i) Develop and begin distributing at least two new articles and/or hand-out pieces per year that address common shade tree issues as a means of responding to resident service requests and complaints and to provide general public education.
- ii) These articles may be produced in-house or reprints of articles from various sources and published as press releases to local newspapers, in the Borough Newsletter, on the Borough internet website, printed handouts left with property owners during service request inspections, take-home fliers distributed at Borough schools and to civic organizations, or other means.
- iii) Once a new piece is developed, add it to a library of materials readily available to all Shade Tree Program representatives for ongoing distribution.
- iv) Applicable subjects may include, among others:
 - Measures for protecting trees during construction.
 - The hazards of cutting roots during sidewalk repair, the Borough's policies and procedures for providing root pruning, and alternative repair methods to consider.
 - The causes and remedies for root intrusion in sewer lines.
 - The environmental, social and economic benefits of trees to property values and the community in general.
 - Timely tree health issues (weather extremes, maple decline, emerald ash borer, Asian longhorned beetle, bacterial leaf scorch, sudden oak death, hemlock woolly adelgid, etc.) and recommendations for preventive care.
 - General tree maintenance tips.
 - Selecting and planting trees on private property.
 - Proper mulching of trees.
 - The critical damage that 'weed whackers' and other lawn equipment can cause to trees and how it can be avoided.
 - Selecting a qualified arborist.



TREE INVENTORY & ASSESSMENT GOALS

1. Provide the baseline information necessary for making sound short and long-term management decisions.
2. Provide data upon which proactive tree planting, maintenance and other implementation programs can be established and improved.
3. Provide a system for accessing and utilizing tree inventory data to improve the efficiency and effectiveness of day-to-day tree management activities.
4. Monitor and evaluate changes in the tree population and the impact of management activities over time.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Existing Tree Inventory Systems**
 - a) In 1998, the Borough Arborist conducted a complete computerized inventory of the Borough’s entire street tree population, which was stored and accessed through a *TreeFiles, Shade Tree Inventory & Management System* database. The Borough Arborist routinely used this system to track trees planted and maintained, and the Shade Tree Commission used the system’s summary reports to monitor the tree population and develop tree planting and other plans.
 - b) In 2011, with the assistance of a Business Stimulus Fund grant received through the NJ Forest Service, the Borough retained a consulting arborist to conduct a complete update of the inventory. The Borough determined that this update was necessary to fully understand and evaluate extensive changes in the tree population over ten-plus years, which resulted from the continued rapid decline of aged trees, proactive efforts to remove and replace deteriorating trees, and rigorous efforts to introduce a more diversified palette of species.
2. **Current Tree Assessment**
 - a) A current assessment of the Borough’s street tree population and how it has changed over the past five years is provided on page 9.
 - b) The Borough currently does not maintain a comprehensive inventory of trees in Borough parks, on public properties, or on private lands.

2012 – 2016 OBJECTIVES

1. **Street Tree Inventory Utilization**
 - a) *April – June 2012*
 - i) Given elimination of the Borough Arborist position, designate the group and/or individual within the Shade Tree Program that will now be responsible for maintaining the updated tree inventory database.
 - Ideally, given the *TreeFiles* system’s built-in capabilities for entering service requests, creating work orders, storing tree maintenance histories, and automatically updating the inventory as trees are planted and removed, responsibility should be given to the individual that will receive service requests and distribute inspection and maintenance orders to the Borough Consulting Arborist and contractors.
 - Currently, it is the Shade Tree Commission’s opinion that this role should be filled by an administrative assistant that reports to the Shade Tree Commission to ensure

that the inventory is consistently maintained and the significant investment in it is not lost.

ii) Develop formal written workflow procedures that:

- Clearly describe the responsibilities of the person selected to maintain the tree inventory with regard to entering data updates, receiving and logging service requests, creating and distributing work orders, generating various reports and lists from the system, creating periodic data back-ups, etc.
- Ensure that service requests from residents and other internal and external sources are directed to the designated tree inventory manager for logging into the tree inventory system.
- Ensure that tree inspection and maintenance work orders are delivered to the Department of Public Works, the Borough Consulting Arborist, and/or contractors for completion on a regular schedule.
- Ensure that reports of inspection results, recommendations made, and maintenance work completed are delivered to the appropriate parties and to the tree inventory manager for updating into the tree inventory system.

b) *July 2012 and continually thereafter*

- i) Begin and continue implementing the workflow procedures on a regular and consistent basis.



**TREE HAZARD
MANAGEMENT
GOALS**

- 1. Minimize the risk of trees to public safety.

**EXISTING
PROGRAMS,
POLICIES
& PROCEDURES**

- 1. ***Tree Hazard Identification***
 - a) The Borough strives to identify potentially hazardous trees on a continuous basis via:
 - i) Ongoing observations by Department of Public Works personnel, Shade Tree Commission members, and other Borough personnel during the course of their normal activities.
 - ii) Service requests from property owners.
 - iii) The recently completed 2011 Street Tree Inventory.
 - b) The Borough possesses a Resistograph and Air-Spade to aid in its tree risks assessment efforts.
- 2. ***Tree Hazard Abatement Procedures***
 - a) All emergency situations brought to the Borough’s attention are investigated and addressed promptly by the Borough.
 - b) All other tree issues brought to the Borough’s attention are addressed in accordance with its established Service Request Procedures.
 - c) All work required to mitigate potentially hazardous conditions brought to the Borough’s attention is completed in priority order based on the degree of hazard potential and the availability of the necessary resources.
- 3. ***Record Keeping***
 - a) The Department of Public Works maintains records of service requests, tree inspections completed by the Borough Consulting Arborist, and tree maintenance work completed by Borough personnel and contractors.

**2012 – 2016
OBJECTIVES**

- 1. ***Ongoing Tree Hazard Management Programs***
 - a) ***2012 – 2016***
 - i) Continue to address hazard abatement needs as they are identified in order of priority.
 - ii) Continue to review and analyze records for trees that required hazard abatement work for trends in species, age, location, prior maintenance history, etc. and adjust future planting and maintenance efforts accordingly to help minimize the occurrence of similar conditions in the future.
 - iii) Continually strive to improve the Borough’s ability to identify and mitigate potentially hazardous conditions as new programs and procedures outlined in this Plan are implemented.

2. Existing Priority Maintenance Work

a) *July 2012 – December 2013*

- i) Complete high priority tree pruning and removal work identified during the 2011 Street Tree Inventory.
 - It is anticipated that the Borough's ability to satisfy this objective may be fully dependent upon external funding to hire contractors to supplement in-house efforts.

TREE PLANTING GOALS

1. Achieve and perpetuate the public tree population at maximum practical stocking (the maximum number of public trees the Borough can effectively manage given available resources).
2. Optimize and maintain tree species diversity to maintain long-term stability in the public tree population to the extent that:
 - a) No single genus comprises more than 20% of the public tree population.
 - b) No single species comprises more than 10% of the public tree population.
3. Optimize and maintain age diversity in the public tree population so that the number of trees lost to advanced age is relatively consistent from year to year.
4. Minimize conflicts between trees and sidewalks, utilities and other public and private fixtures.
5. Minimize future maintenance needs and costs.
6. Improve aesthetic appeal, seasonal variation, and physical benefits to adjacent properties and the Borough overall.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. ***Planting Jurisdiction***
 - a) The Borough currently plants trees on:
 - i) Borough rights-of-way.
 - ii) Borough parks.
 - iii) Borough-owned properties.
 - b) The Borough does not plant trees on privately owned property.
2. ***Planting vs. Removal Ratio***
 - a) In 2007 – 2011, the Borough removed an average of 126 trees per year, ranging from a low of 57 to a high of 214. These removals were primarily the result of continued proactive removal of dead and structurally deteriorating trees coupled with storm damage.
 - b) During this same period, the Borough planted an average of 169 replacement trees per year, ranging from a low of 34 to a high of 536. The planting of 536 trees in 2009 was the result of 462 trees being planted through the New Jersey DEP's Cool Cities Initiative and 74 by the Borough.
 - c) While this planting versus removal ratio resulted in a net increase in the public street tree population over the 2007 – 2011 period, the increase was possible only because of the one-time Cool Cities planting of 462 trees. Without that assistance, the average number of trees planted would have been 76 per year, resulting in a significant net loss. It is expected that such a loss will continue into the foreseeable future.
3. ***Planting Location & Tree Placement***
 - a) Planting locations are typically identified by the Shade Tree Commission and the Borough Consulting Arborist via:
 - i) Observations made during the course of their daily activities.
 - ii) Vacant planting sites identified during the 1998 and 2011 street tree inventories.
 - iii) Records of trees removed.

- iv) Planting requests from adjacent property owners.
- b) Trees are placed:
 - i) Within the right-of-way for street tree plantings, or on Borough property in the case of planting in Borough parks and properties. Trees are not currently planted outside the right-of-way on private property.
 - ii) In a manner that will minimize future conflicts with above and below ground utilities, hardscape fixtures and traffic. Root control barriers are occasionally installed with new plantings to help minimize conflicts with sidewalks, where appropriate.
 - iii) Behind the sidewalk where there is sufficient space with the right-of-way and cooperation from the adjacent property owner.
 - iv) With consideration to the preference of the adjacent property owner.

4. *Species Selection*

- a) Species are selected by the Shade Tree Commission with the advice of the Borough Consulting Arborist.
- b) Species are selected with consideration to:
 - i) Shade Tree Program goals for optimizing overall species diversity within the public tree population.
 - ii) Recommendations by the New Jersey Shade Tree Federation and other resources.
 - iii) Existing soil conditions, available growing space, and above and below-ground restrictions at each planting sites.
 - iv) Insect and disease resistance and road salt tolerance.
 - v) Expected future maintenance requirements and past species performance.
 - vi) Availability.

5. *Tree Supply & Installation*

- a) Previously, tree plantings were completed by the Department of Public Works or by private contractors hired by the Borough. Over the past five years, trees have been furnished and planted almost exclusively by contractors.
- b) Prior to accepting delivery of trees, Shade Tree Commission members and/or the Borough Consulting Arborist may visit the supplying nursery to select and approve the planting stock.

6. *Post-Planting Care*

- a) Post-planting maintenance includes:
 - i) Irrigation by adjacent property owners in accordance with written instructions provided by the Shade Tree Commission.
 - ii) Removal of stakes by the Shade Tree Commission after the trees are sufficiently established.
 - iii) As-needed structural pruning and crown raising after the trees are established.
 - iv) Ongoing monitoring and corrective treatments, as necessary.

7. *Funding*

- a) The purchase and planting of public trees is funded in whole or in part by:
 - i) The Shade Tree Commission operating budget.
 - ii) The Borough capital budget in the case of road and other improvement projects.
 - iii) Occasional donations from individuals.
 - iv) Grant funding, when available.
 - v) Replacement assessments received via Shade Tree Commission enforcement actions.

1. Ongoing Tree Planting Programs

a) *2012 – 2016*

- i) Continue implementing all existing tree planting programs where appropriate and with changes dictated by the following objectives.

2. Street Tree Stocking & Age Structure Goals

a) *July – December 2012*

- i) Using current street tree inventory data, calculate “maximum practical stocking” – the maximum number of public street trees that the Borough can effectively manage in accordance with all elements of this Plan, given available resources.
- ii) Calculate the number of street trees that must be planted each year to achieve maximum practical stocking over a period of time that will ensure that the uneven age structure of the existing young trees is carried through to all age classes over the long term. Although the tendency is to plant more trees faster, achieving maximum practical stocking over a longer period of time will result in more age diversity and more stability in the tree population over the long term.
- iii) Establish a feasible target date for achieving maximum practical stocking based on these calculations with realistic allowances for existing tree mortality, transplant mortality, etc.
- iv) Establish intermediate progress goals for increasing the level of stocking during each five-year management period to maintain consistent progress toward the long-term stocking goal.

b) *2013 – 2016*

- i) Design and complete planting programs in accordance with the stocking goals and planting rates established.

3. Street Tree Species Composition Goals

a) *July – December 2012*

- i) Using current street tree inventory data, establish a long-term goal for an optimum street tree species mix that provides sufficient genus and species diversity, provides insect and disease resistance, etc.
 - No single genus should comprise more than 10%-20% of the street tree population.
 - No single species should comprise more than 5%-10% of the street tree population.
 - A variety of improved, insect and disease resistant cultivars should be favored over historically problematic species.
- ii) Establish intermediate progress goals for altering the existing street tree species composition by the end of each five-year management period (e.g. reducing Norway maples by 5% by 2012, keeping the number of Callery pears below 5%, etc.) to help maintain consistent progress toward the long-term goal.

b) *2013 – 2016*

- i) Design and complete planting programs in accordance with the species composition goals set.
- ii) Vary the species planted from year to year to provide species diversity over all age classes.

4. Borough Wide Tree Canopy Cover Goals

a) *January – June 2013*

- i) Develop an appropriate and feasible long-term goal for total tree canopy cover across the Borough, including privately owned land. In developing this goal, consideration must be given to:
 - Current canopy cover levels and a desired level that is realistically attainable given current land use and development.

- The extent to which canopy cover can be directly manipulated or indirectly influenced by the Shade Tree Program.
 - Appropriate distribution of canopy cover across the Borough given wide variations in land use.
- ii) Develop and/or modify programs, policies and procedures to affect change in the current level of canopy cover on Borough lands and to encourage the addition and maintenance of canopy cover on private lands by individual property owners.

5. Annual Tree Planting Program Funding

a) *July 2012 – 2016*

- i) Continue to stress to the Mayor and Council the critical importance of consistent annual replanting to perpetuate the Borough's public tree resource.
- ii) Support annual budget requests with lists of tree planting requests from Borough residents, lists of vacant planting sites identified by the Street Tree Inventory, charts of overall tree stocking levels, and the benefits of trees in reducing energy consumption and improving air quality.

b) *October – December, annually*

- i) Investigate the availability of New Jersey Community Forestry *Community Stewardship Incentive Program* (CSIP) grants, as well as other community development, transportation, and similar grant programs, for funding Borough tree planting projects.
- ii) When available, apply for grant funding to supplement the Borough's tree planting budget.

c) *January – June 2014*

- i) Evaluate the feasibility of establishing an Adopt-A-Tree program and/or Memorial Tree Planting program through which residents may contribute money toward the planting of trees adjacent to their property, or elsewhere in the Borough.

d) *July – December 2014, and continuously thereafter*

- i) If deemed feasible and desirable, establish the Adopt-A-Tree and/or Memorial Tree program(s) with consideration to:
- How contributions will be accepted by the Borough and how the money will be held and spent.
 - What percentage of the donations will be used for maintenance of the trees.
 - Advertising the program(s) to ensure sufficient participation to keep the program(s) self-sufficient.
 - Publically recognizing those that contribute.
- ii) Once established, advertise and implement the Adopt-A-Tree and/or Memorial Tree programs on a continuous basis.

e) *January – June 2015*

- i) Investigate and evaluate the feasibility of establishing a Tree Trust Fund for the deposit of donations received for tree planting programs, remuneration for trees damaged, and fines levied for tree ordinance violations to supplement the Borough's tree planting budget.

f) *July – December 2015, and continuously thereafter*

- i) If deemed feasible, establish and begin implementing the Tree Trust Fund.

TREE MAINTENANCE GOALS

1. Improve and maintain the long-term health and condition of the Borough's public tree population.
2. Maximize the service life of existing trees.
3. Minimize tree hazards and maintain public safety.
4. Maximize the cost-efficiency of tree maintenance activities.
5. Respond promptly and effectively to citizen complaints and service requests.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. ***In-House Crews***
 - a) Previously, nearly all tree maintenance tasks were completed by the Borough Arborist, an employee of the Department of Public Works. Over the past five years, however, the Borough Arborist position was eliminated and most tree maintenance work has shifted to private contractors.
 - b) Currently, Department of Public Works personnel complete a relatively small amount of tree pruning, removal of small trees, and clean-up of storm damage.
 - c) The Department of Public Works is currently equipped with:
 - i) (1) 55-foot bucket truck
 - ii) (1) Chipper
 - iii) (1) Stump grinder
 - iv) (1) 7-yard dump truck
 - v) (1) 3-yard loader
 - vi) (1) Resistograph
 - vii) (1) Air-Spade
 - viii) Various chainsaws
 - ix) Related small tools and related equipment
2. ***Private Contractors***
 - a) Since the Borough Arborist position was eliminated, private contractors hired by the Borough have completed approximately:
 - i) 90% of all tree removal work
 - ii) 90% of all tree pruning work
 - iii) 90% of all stump grinding work
 - iv) 60% of all emergency tree work
 - b) Contractors and/or in-house crews working on behalf of Passaic County currently complete all tree removal and pruning work in County parks and all tree removal work on County rights-of-way; the Borough of Hawthorne completes all pruning on County rights-of-way.
 - c) Contractors working on behalf of local utility companies complete all line clearance pruning along Borough and County rights-of-way.

3. *Inter-Local & Mutual Assistance Agreements*

- a) Public Service Electric & Gas Company is responsible for assisting in the pruning and removal of Borough trees growing in proximity to their electric lines.
- b) The Borough of Hawthorne participates in the Passaic County Municipal Mutual Aid program through which certain services may be provided to or by other municipalities on a shared or as-needed basis.

4. *Systematic Maintenance Programs*

- a) The Borough has and continues to implement a program in which it strives to prune all street trees in one of thirteen tree management zones each year. The Borough's efforts to maintain the desired schedule have been hampered, however, due to diminished budgets, a constant stream of priority service request work, and other factors.

5. *Work Identification, Prioritization & Scheduling*

- a) Currently, most tree maintenance needs are identified via:
 - i) Observations by the Borough Consulting Arborist, Department of Public Works personnel, Shade Tree Commission members, and other Borough personnel in the course of their normal routines.
 - ii) Service requests from adjacent property owners.
- b) Tree maintenance needs are prioritized and scheduled for completion based on the degree of hazard potential, subject to available personnel, equipment and budget.
- c) Records of service requests, work orders and tree maintenance work completed are maintained through the street tree inventory database.

6. *Tree Removal*

- a) It is the Borough's policy to not remove live public trees unless they pose a threat to public safety.
- b) Requests for removal must be made in writing to the Shade Tree Commission, inspected and evaluated by the Consulting Borough Arborist, and approved by the Shade Tree Commission.
- c) The Borough removed an average of 126 public trees per year over the past five years, primarily due to death and structural deterioration.

7. *Plant Health Care & Specialty Treatments*

- a) The Borough generally does not complete insect and disease treatments except on an occasional, small scale basis to control significant problems on high value trees.
- b) Cabling and bracing are completed on a limited basis where justified and feasible.
- c) Post-planting maintenance treatments are routinely provided for young trees including irrigation by the adjacent property owners and stake removal, structural pruning and crown raising, and ongoing monitoring by the Borough.

8. *Root & Sidewalk Conflicts*

- a) By ordinance, adjacent property owners are responsible for maintaining sidewalks within the Borough right-of-way.
- b) When sidewalks are damaged by the roots of Borough trees, the Borough is responsible only for the selective pruning and removal of the offending roots, to the extent doing so is feasible and appropriate. The adjacent property owner is responsible for removing and replacing the damaged slab(s) after the Borough has pruned the roots.
- c) Property owners are required to notify and obtain written approval from the Borough prior to beginning any sidewalk, curb or driveway repairs or other construction in proximity to Borough trees. Notice of this requirement is provided with all building permits.

**2012 – 2016
OBJECTIVES**

- d) The Borough will prune and remove some surface roots of Borough trees from private lawns when necessary and when it can be completed without undo harm to the tree.
- e) The Borough continues to utilize a variety of methods to help minimize tree and sidewalk conflicts in the future, such as careful species selection and tree placement, sidewalk and curb modifications such as sidewalk “round-outs,” curb “skips,” “ramp-overs” and, in some cases, the installation of root control barriers at planting time.

9. Funding

- a) The cost of tree maintenance work completed by Department of Public Works personnel is covered by the Department of Public Works operating budget.
- b) The costs associated with contractors hired by the Borough for tree maintenance work is covered by the Shade Tree Commission operating budget.
- c) Costs associated with tree and infrastructure conflicts, primarily sidewalks and curbs, will be partially funded by the Borough’s Capital Improvement Fund on an annual basis.

1. Ongoing Tree Maintenance Programs

a) 2012 – 2016

- i) Continue implementing all existing tree maintenance programs, policies and procedures on a regular basis.
- ii) Continue to conduct proactive management zone pruning as time and resources permit.

2. Structural Pruning for Young Trees

a) July – December 2013

- i) Develop a project to provide pruning to improve the structure of trees planted in recent years. Such pruning is a cost effective way to ensure the development of good form and sound structure as trees mature, minimize future pruning needs, and minimize the development of potentially hazardous structural defects.
- ii) Development of this project will require:
 - Scouting, identifying, and prioritizing the trees to be pruned. Generally, trees 3” – 6” in diameter will be targeted with priority given to trees in higher use areas and/or which exhibit the greatest need.
 - Developing technically sound pruning objectives and specifications in accordance with the ANSI A300 Pruning Standard for “Structural” / “Young Tree Pruning” and, where necessary, “Crown Raising.”
 - If appropriate, developing specifications for correcting root collar disorders such as girdling roots, deep planting, etc.
 - Ensuring that the appropriate Department of Public Works employees have received the necessary training to successfully complete this specialized objective.

b) January – December 2014

- i) Complete the Structural Pruning project for recently planted trees.



**TREE WASTE
RECYCLING
GOALS**

- 1. Minimize the cost of tree waste disposal to the Borough.
- 2. Produce beneficial recycled products for use on public properties and by Borough residents.

**EXISTING
PROGRAMS,
POLICIES
& PROCEDURES**

- 1. **Recycling Facilities**
 - a) The Borough owns one composting facility within the Borough, which is used to process leaf waste, temporarily store the resulting products, and distribute the products to Borough residents.
 - b) Currently, the facility is operated by a private contractor at no cost to the Borough. In return, the contractor is entitled to sell all recycled materials.
 - c) The facility accepts organic wastes from the Borough crews and Borough residents. Organic wastes are also accepted from local tree and landscape contractors who purchase a permit.
- 2. **Material Processing, Use & Distribution**
 - a) *Leaves*
 - i) Leaves are composted to produce compost, humus and blended topsoil for planting, lawn repairs and other uses where organic soil is desired.
 - ii) The resulting compost, humus and topsoil are:
 - Made available to Borough residents at no cost.
 - Used by the Borough for various landscaping projects in Borough parks, recreation field repairs, etc.
 - Sold to commercial vendors and contractors by the Borough’s recycling contractor.
 - b) *Wood Chips*
 - i) Wood chips and stump grindings are used as-is for mulch or tub-ground to produce decorative mulch.
 - ii) The resulting wood chips and tub-ground mulch are:
 - Made available to Borough residents at no cost.
 - Used by the Borough to mulch plantings on Borough lands.
 - Sold to commercial vendors and contractors by the Borough’s recycling contractor.
 - c) *Bulk Wood & Brush*
 - i) The majority of the bulk wood and brush received at the facility is tub-ground to produce decorative mulch. The resulting wood and tub-ground mulch are:
 - Made available to Borough residents at no cost.
 - Used by the Borough to mulch plantings on Borough lands.
 - Sold to commercial vendors and contractors by the Borough’s recycling contractor.
 - ii) Some bulk wood is distributed as firewood or sold to area mills.
- 3. **Recycling Income**
 - a) Currently, the Borough derives no direct income from the sale of recycled products. However, the cost savings realized by operating the facility through a private contractor are substantial.

**2012 – 2016
OBJECTIVES**

1. *Ongoing Tree Waste Recycling Programs*

a) *2012 – 2016*

- i) Continue implementing all existing tree waste recycling programs, policies and procedures.**

**TREE CARE
DISASTER PLAN
GOALS**

1. Enable the Borough to respond to tree-related emergencies promptly and effectively.
2. Maintain strong inter-local assistance agreements with neighboring municipalities for the mutual benefit of all during emergencies and disasters.
3. Minimize the risk of widespread tree damage and losses to weather, insect and disease infestation and other forces.
4. Provide the Borough with a viable plan to repair or replace widespread tree damage or losses.

**EXISTING
PROGRAMS,
POLICIES
& PROCEDURES**

1. ***Tree Emergency & Disaster Threats***
 - a) Severe weather is currently considered the most serious threat to the Borough’s tree population. In recent years, severe storms have caused substantial damage to both public and privately owned trees.
 - b) In addition to the threat to the trees themselves, widespread structural failures pose a serious threat to electrical service, communications, and the Borough’s ability to provide critical emergency services.
 - c) The risk of widespread tree damage and losses to biotic threats is currently considered moderate, but manageable through increased species diversity and cultivar selection. Currently, there is particular concern regarding:
 - i) Asian longhorned beetle, which remains a significant threat given Hawthorne’s proximity to high-traffic shipping and trucking routes in the New York metropolitan area.
 - ii) Bacterial leaf scorch and its apparent spread throughout New Jersey.
 - iii) Emerald ash borer, which is expected to spread from the Great Lakes area to much of the eastern United States.
2. ***Existing Emergency & Disaster Plans***
 - a) The Borough’s State-mandated *Emergency Operations Plan* outlines procedures for vital services and cooperative efforts between all Borough departments and neighboring communities during an emergency or disaster.
 - b) The Borough currently lacks a formal plan specific to the repair and replacement of widespread tree damage and losses beyond initial emergency response efforts.
 - c) The Borough has, however, consistently implemented programs over the past several years that are helping to minimize the tree population’s vulnerability to widespread damage and losses during all but the most severe weather. These efforts have included:
 - i) Aggressively pruning or removing trees at risk for structural failure.
 - ii) Selecting species and placing new trees in a manner that will help reduce future storm damage and uprooting.
 - iii) Selecting species and cultivars for inherent insect and disease resistance and to increase overall species diversity, thereby minimizing the risk of population-wide insect and disease epidemics.

3. Emergency Response

- a) The Department of Public Works, in cooperation with the Office of Emergency Management, local utilities, and contractors, is responsible for clearing trees and debris to open roadways and permit restoration of electrical service and communications.
- b) The Department of Public Works and Borough contractors remain on 24-hour call through the Police Department to respond to tree-related emergencies.

4. Storm Water Management

- a) Portions of the *Code of the Borough of Hawthorne* require the preservation, planting and/or maintenance of buffers and filter strips to avoid erosion and siltation, minimization of impervious groundcover, and the design and construction of stormwater collection systems in conjunction with land development to ensure efficient, natural drainage, reduce the severity of flooding, and minimize the runoff of silt, nutrients, and pollutant laden stormwater into local water networks.
- b) The Borough enforces regulations for keeping leaf piles from blocking storm drains and provides curbside leaf pick within timeframes required by applicable stormwater regulations.
- c) Chapter 488 of the Borough Code, *Tree Removal*, which regulates the excessive removal of trees on private lands, was enacted, in part, to help reduce surface drainage and soil erosion.
- d) Property owners are encouraged to plant and maintain trees, shrubs and other plants to help protect waterways from runoff, siltation and stream bank erosion.

5. Wildfire Protection

- a) Wildfire is not considered to be a significant threat to the public tree resources in the Borough of Hawthorne at this time.

1. Ongoing Programs

- a) *2012 – 2016*
 - i) Continue implementing existing programs, policies and procedures listed above.
 - ii) Implement and strive to expand technically sound and responsible planting, preventive maintenance and hazard identification and abatement programs, as outlined elsewhere in the Plan, to reduce the risk of future tree failures and losses.



PLAN PREPARATION & EVALUATION GOALS

1. Ensure that Hawthorne's Shade Tree Program continues to follow a well-defined, consistent and efficient course of action toward its overall goals.
2. Provide a means of continually evaluating the success of past programs and activities and making adjustments to address changing conditions and needs.
3. Remain in compliance with and eligible for the benefits of the New Jersey Shade Tree & Community Forestry Assistance Act.

EXISTING PROGRAMS, POLICIES & PROCEDURES

1. Preparation of this third five-year Community Forestry Management Plan was the cooperative effort of the Hawthorne Shade Tree Commission and their consulting arborist.
2. Goals and objectives contained in this Community Forestry Management Plan are based on the Borough's implementation of its 2007 – 2012 Plan and ongoing review of its progress.
3. Preparation of this Plan was made possible through a 2010 Green Communities Challenge Grant from the New Jersey Forest Service and the in-kind services of Borough employees and volunteers.

2012 – 2016 OBJECTIVES

1. **Annual Program Evaluation**
 - a) *December, Annually*
 - i) Evaluate the success of the year's activities and accomplishments relative to the goals and objectives contained within this Plan.
 - ii) Adjust programs and procedures, as necessary, based upon the evaluation.
 - iii) Prepare and submit the Annual Accomplishment Report to the New Jersey Forest Service in accordance with the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act.
 - iv) Prepare and submit an annual report that details the Shade Tree Program's activities and accomplishments, its shortfalls, and the issues that it will face in the coming year to the Mayor and Council.
 - v) Meet with the Mayor and Council to review the reports and plans for the coming year.
2. **Five-Year Evaluation**
 - a) *January – March 2016*
 - i) Evaluate the success of all objectives completed to date.
 - ii) Evaluate progress toward the overall goals of the Shade Tree Program.
 - iii) Begin formulating new objectives and adjustments to existing policies, programs and procedures, if necessary to address changing needs, for the 2017 – 2021 management period.
3. **2017 – 2021 Management Plan Development**
 - a) *April – September 2016*
 - i) Finalize new objectives and adjustments to existing policies, programs and procedures for the 2017 – 2021 management period.

- ii) Prepare and submit a Community Forestry Management Plan for the 2017 – 2021 management period.
- b) *October – December 2016*
 - i) Obtain Plan approval from the New Jersey Community Forestry Council.



Summary of 2012 – 2016 Objectives

Objectives / Tasks	2012	2013	2014	2015	2016
PROGRAM ADMINISTRATION					
1. <i>Ongoing Administrative Programs</i>	[Bar spanning 2012-2016]				
<input type="checkbox"/> Continue all existing administrative programs, policies and procedures already in effect (p.17, #1.a.i)	[Bar spanning 2012-2016]				
2. <i>Site Plan & Master Plan Review Procedures</i>		[Bar]			
<input type="checkbox"/> Continue to work with the Planning Board to develop, refine and implement procedures for the Shade Tree Commission's review of site plans under consideration (p.17, #2.a.i)		[Bar]			
TRAINING & PROFESSIONAL DEVELOPMENT					
1. <i>Ongoing Training Programs</i>	[Bar spanning 2012-2016]				
<input type="checkbox"/> Continue all existing training programs on a regular basis, maximize the number of individuals that increase their expertise, and attend programs that address Current Training Needs as appropriate program become available (p.21, #1.a.i-ii)	[Bar spanning 2012-2016]				
2. <i>NJ Community Forestry Training Skills & Accreditation Program</i>	[Bar]	[Bar]	[Bar]	[Bar]	[Bar]
<input type="checkbox"/> Review training needs and schedule training, as necessary, to maintain Approved Status (p.21, #2.a.i-iii)	[Bar]	[Bar]	[Bar]	[Bar]	[Bar]
3. <i>Tree Hazard Evaluation Training</i>	[Bar]		[Bar]		
<input type="checkbox"/> Train at least one Department of Public Works employee and at least one Shade Tree Commissioner responsible for tree inspections to advance his or her ability to identify and evaluate potential tree hazards via an advanced level seminar (p.22, #3.a.i)	[Bar]		[Bar]		
<input type="checkbox"/> Train, or retrain, at least one Department of Public Works employee and at least one Shade Tree Commissioner responsible for tree inspections to advance his or her ability to identify and evaluate potential tree hazards via an advanced level seminar (p.22, #3.b.i)			[Bar]		
<input type="checkbox"/> Train, or retrain, at least one Department of Public Works employee and at least one Shade Tree Commissioner responsible for tree inspections to advance his or her ability to identify and evaluate potential tree hazards via an advanced level seminar (p.22, #3.c.i)					[Bar]

Objectives / Tasks	2012	2013	2014	2015	2016
TREE INVENTORY & ASSESSMENT					
1. <i>Street Tree Inventory Utilization</i>					
<input type="checkbox"/> Designate a group and/or individual within the Shade Tree Program to be responsible for managing and updating the street tree inventory database; Develop formal written workflow procedures describing the inventory manager's responsibilities, ensuring proper flow of service requests and work orders, and ensuring that the inventory is routinely updated and complete records maintained (p.26, #1.a.i-ii)	█				
<input type="checkbox"/> Begin and continue implementing the workflow procedures on a routine basis (p.27, #1.b.i)		█	█	█	█
TREE HAZARD MANAGEMENT					
1. <i>Ongoing Tree Hazard Management Programs</i>					
<input type="checkbox"/> Continue all existing tree hazard management programs; Continue to address hazard abatement needs as they are identified in priority order; Continue to adjust planting and maintenance efforts to reduce future risks based on experiences; Continually strive to improve the Borough's ability to identify and mitigate potentially hazardous conditions (p.28, #1.a.i-iii)	█	█	█	█	█
2. <i>Existing Priority Maintenance Work</i>					
<input type="checkbox"/> Complete High Priority tree pruning and removal needs identified by the 2011 Street Tree Inventory (p.29, #2.a.i)		█	█		
TREE PLANTING					
1. <i>Ongoing Tree Planting Programs</i>					
<input type="checkbox"/> Continue all existing tree planting programs with changes dictated by the following objectives (p.32, #1.a.i)	█	█	█	█	█
2. <i>Street Tree Stocking & Age Structure Goals</i>					
<input type="checkbox"/> Using current Street Tree Inventory data, calculate maximum practical stocking for Borough street trees; Establish feasible goals for achieving maximum practical stocking with a suitable age structure within an appropriate time-frame (p.32, #2.a.i-iv)	█				
<input type="checkbox"/> Design and complete planting projects in accordance with the stocking goals and planting rates set (p.32, #2.b.i)		█	█	█	█
3. <i>Street Tree Species Composition Goals</i>					
<input type="checkbox"/> Using current Street Tree Inventory data, establish a long-term goal for optimum species composition in the street tree population; Establish intermediate progress goals for adjusting the existing species composition (p.32, #3.a.i-ii)	█				
<input type="checkbox"/> Design and complete planting projects in accordance with the goals set; Vary the species planted from year to year to maintain species diversity over all age classes (p.32, #3.b.i-ii)		█	█	█	█

Objectives / Tasks	2012	2013	2014	2015	2016
TREE PLANTING, cont'd					
4. <i>Borough Wide Tree Canopy Cover Goals</i>					
<input type="checkbox"/> Develop an appropriate and feasible long-term goal for total tree canopy cover; Develop and/or modify programs, policies and procedures to affect change toward that goal (p.32, #4.a.i-ii)		■			
5. <i>Annual Tree Planting Program Funding</i>					
<input type="checkbox"/> Continue to stress and provide justification for annual budget requests to permit consistent annual replanting to perpetuate the public tree resource (p.33, #5.a.i)	■				
<input type="checkbox"/> Continually investigate the availability of CSIP and other grants for tree planting and prepare and submit applications (p.33, #5.b.i-ii)	■	■	■	■	■
<input type="checkbox"/> Evaluate the feasibility of establishing Adopt-A-Tree and/or Memorial Tree Planting programs (p.33, #5.c.i)			■		
<input type="checkbox"/> If feasible, establish and advertise and implement the Adopt-A-Tree and/or Memorial Tree Planting programs on a continuous basis (p.33, #5.d.i-ii)			■		
<input type="checkbox"/> Evaluate the feasibility of establish a Tree Trust Fund to receive donations from individuals and businesses, deposit monies from fines for tree damage, etc. and supplement existing tree planting budgets (p.33, #5.e.i)				■	
<input type="checkbox"/> If feasible, establish and begin implementing the Tree Trust Fund on a continuous basis (p.33, #5.f.i)				■	
TREE MAINTENANCE					
1. <i>Ongoing Tree Maintenance Programs</i>					
<input type="checkbox"/> Continue all existing tree maintenance programs, policies and procedures on a regular basis; Continue to conduct systematic zone pruning as time and resources permit (p.36, #1.a.i-ii)	■				
2. <i>Structural Pruning for Young Trees</i>					
<input type="checkbox"/> Develop a project to provide developmental structural pruning for trees planted in recent years; Identify trees to be pruned, develop appropriate specifications, and ensure that those completing the pruning have been properly trained (p.36, #2.a.i-ii)	■				
<input type="checkbox"/> Complete the Structural Pruning Project (p.36, #3.b.i)		■			
TREE WASTE RECYCLING					
1. <i>Ongoing Tree Waste Recycling Programs</i>					
<input type="checkbox"/> Continue all existing tree waste recycling programs, policies and procedures (p.38, #1.a.i)	■				
TREE CARE DISASTER PLAN					
1. <i>Ongoing Programs</i>					
<input type="checkbox"/> Continue all existing programs, policies and procedures; Strive to reduce risks via other elements of this Plan (p.40, #1.a.i-ii)	■				

Objectives / Tasks	2012	2013	2014	2015	2016
<p>PLAN PREPARATION & EVALUATION</p> <p>1. <i>Annual Program Evaluation</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Evaluate the prior year's accomplishments, identify objectives not yet completed, and adjust programs, as necessary; Prepare and submit an <i>Annual Accomplishment Report</i> to NJFS; Prepare and submit reports to the Mayor and Council (p.41, #1.a.i-v) <p>2. <i>Five-Year Evaluation</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Evaluate the Shade Tree Program's accomplishments during the current 5-year management period; Evaluate progress toward the overall goals of the Shade Tree Program; Begin formulating new objectives and program adjustments (p.41, #2.a.i-iii) <p>3. <i>2017– 2021 Plan Development</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Finalize new objectives and program adjustments and prepare and submit a Community Forestry Management Plan for the 2017 – 2021 management period (p.41, #3.a.i-ii) <input type="checkbox"/> Obtain State approval for 2017– 2021 Community Forestry Management Plan (p.42, #3.b.i) 					

PRIMARY ORDINANCES

1. Chapter 45, *Other Offices and Bodies*, Article VI, *Shade Tree Commission*, which establishes the Hawthorne Shade Tree Commission pursuant to N.J.S.A. 40:64-1 et seq.
2. Chapter 488, *Tree Removal*, which regulates the removal of trees on certain privately owned lands.
3. Chapter 491, *Shade Trees*, which regulates the planting, protection, maintenance, and removal of public shade trees.

CODE OF THE BOROUGH OF HAWTHORNE

CHAPTER 45. OTHER OFFICES AND BODIES

ARTICLE VI. Shade Tree Commission

[Adopted 6-3-2009 by Ord. No. 1978-09 (Ch. 54 of the 1989 Code)]

§ 45-33. Creation of Commission.

There is created in the Borough of Hawthorne a Shade Tree Commission, as originally authorized by Chapter 325 of the Laws of 1915, and as currently authorized by N.J.S.A. 40:64-1 et seq., to regulate planting, care and control of shade trees and ornamental trees and shrubbery upon and in streets, highways, public places, parks and parkways of the Borough of Hawthorne.

§ 45-34. Membership.

The Commission shall consist of five members and two alternate members all of whom shall be residents of the Borough of Hawthorne and appointed by the Mayor. Each member shall serve for a term of five years or until his or her successor is named and qualified. The first alternate to the Commission shall serve a term of five years and the second alternate shall serve a term of four years when initially appointed and thereafter each alternate member shall serve a term of five years or until his or her successor is named and qualified. The initial term of each alternate member shall commence on January 1, 2010.

CODE OF THE BOROUGH OF HAWTHORNE

CHAPTER 488. TREE REMOVAL

[HISTORY: Adopted by the Municipal Council of the Borough of Hawthorne 11-16-2009 by Ord. No. 1999-09. Amendments noted where applicable.]

GENERAL REFERENCES

Shade Tree Commission — See Ch. 45, Art. VI.
Bushes, hedges, trees and other plant life — See Ch. 153.
Uniform construction codes — See Ch. 185.
Landscapers and tree service providers — See Ch. 287.
Subdivision of land — See Ch. 450.
Shade trees — See Ch. 491.
Zoning — See Ch. 540.

§ 488-1. Findings.

The Borough of Hawthorne finds that the development of unimproved or vacant land, or partially developed but largely unimproved tracts, for the purpose of erecting buildings or structures, has resulted in indiscriminate and excessive removal of trees upon tracts of land and has resulted in creating increased surface drainage and soil erosion, thereby increasing municipal costs to control drainage within the Borough. It further finds that such excessive removal and destruction of trees impairs the proper occupancy of existing residential areas and impairs the stability and value of improved and unimproved real property in such areas, with attendant deterioration of conditions affecting the health, safety and general welfare of the inhabitants of the Borough, and further finds that regulation of the indiscriminate removal of trees is within the police power of the Borough.

§ 488-2. Definitions.

For the purposes of this chapter, the following words shall have the meanings indicated:

BUFFER AREA

The distance from the side and rear property lines beginning at the front setback line of the lot and running to the rear line.

BUILDING PLOT

A parcel of land upon which a building or structure has been or may be erected in accordance with Ch. 540, Zoning.

PERMIT

A license issued by the Construction Official to remove or destroy trees from any unimproved or vacant land as defined in this chapter.

TREE

Any living tree having a trunk of a diameter of eight inches or greater measuring at a height of three feet above natural grade.

UNIMPROVED OR VACANT LAND

Such privately owned land upon which no building or structure has been completely built, for a period of two years after the certificate of occupancy is issued. Included within this definition is partially improved land which is any tract containing improvements but for which an application for development has been filed, other than a single-family home where the application for development solely relates to improvements to the single-family home upon such lands, containing 2.5 acres of land or more.

§ 488-3. Applicability.

The provisions of this chapter shall apply to all unimproved or vacant lands within the Borough and all tracts of land or combination of tracts of land containing 2.5 or more, whether improved or unimproved, where an application for development, other than improvements to an existing single-family home on the tract, has been made to the Zoning Officer, Zoning Board of Adjustment or Planning Board of the Borough of Hawthorne.

§ 488-4. Permit required; application procedures.

- A. Permit required. No property owner shall remove or destroy or cause to be removed or destroyed by any person any tree on any unimproved or vacant tract of land or partially improved tract of land as defined above, within the Borough, unless a permit is obtained for such removal.
- B. Application fee. The permit shall be obtained from the Construction Official upon an application being made therefor and a fee of \$10 being paid with each application.
- C. Application information where no building permit is requested. An application for a permit for removal or destruction of any tree on a tract where no building permit is requested or contemplated shall contain the name of the applicant, the name of the owner of the

property with the consent of the owner if different from the applicant, the location and species of trees on a sketch of the property and the reasons for the removal or destruction.

- D. Application information where building permit is sought. An applicant/owner shall file, along with an application for a permit for removal or destruction of trees where a building permit for construction is being sought, a site plan, and a tree plan showing the location and species of trees on site and which trees on the property are to be removed, together with the condition of such trees shown on the plan by the architect or engineer, under the seal of such architect or engineer.
- E. Determination of Planning Board or Zoning Board of Adjustment; issuance of permits. In the event of an application for development pending before the Planning Board or Zoning Board of Adjustment, the Board shall determine which trees may be removed, and the permit for such removal shall be issued by the Construction Official at the time of the issuance of the building permit.
- F. Referral to other agencies. The Planning Board or Zoning Board shall refer all applications to the Shade Tree Commission for their examination and opinion. Their report shall be submitted to the Board within 20 days of receipt of same. The Board shall not be bound by the recommendations of these committees, and failure to submit a report to the Board within 20 days shall not be construed as a restriction at any time following the expiration of the twenty-day period.
- G. Surety bond required where building permit is sought. In all cases of application for permit where a building permit is applied for, there shall accompany the application a cash or surety bond in a minimum sum of \$500 for each acre with the application for building permit, with the amount to be determined by the Construction Official, which bond shall assure compliance with the preservation of those trees not to be removed, which bond shall be returned with the certificate of occupancy, less any costs expended by the Borough to replace trees improperly removed or destroyed in violation of the permit.
- H. The reviewing board may require in certain cases that there is a need for the use by the board of the services of a tree expert. In such event, the cost thereof shall be borne by the applicant and payment of the same shall be a condition precedent to the release of the bond filed or the issuance of a permit.
- I. Appeal. In the event of denial of any permit by the Construction Official, the applicant may appeal that decision to the Zoning Board of Adjustment as provided by statute.

§ 488-5. Standards for removal.

The following shall be the standards to be applied in determining which tree may be removed:

- A. Hardship in such cases shall be based on an examination of all the circumstances considering the applicant's hardship. If the hardship of the owner outweighs the public benefit promoted by retention of trees, a hardship requiring removal may be found to exist.
- B. Any area to be occupied by a building, driveway, walkway, drainage field, septic tank or recreation area (tennis courts, swimming pools or similar facilities) may have the trees removed but not more than 15 feet around the perimeter of such facilities.
- C. The area in the required buffer shall remain undisturbed.
- D. The area that has a cut or fill deemed injurious or dangerous to trees may have removal of trees in such area, as determined by the Construction Official.
- E. The Construction Official shall view the land where the tree or trees are to be removed, as well as drainage or other physical conditions existing on the subject or adjoining property, and may consider the opinion of the Shade Tree Commission.
- F. The permit shall be granted if there is a finding that the removal and destruction will not impair the growth and development of remaining trees on the property of the applicant or adjacent properties and would not cause erosion of soil, impair existing drainage, lessen property values in the neighborhood or impair the aesthetic value of the area.

§ 488-6. Regulations; exemptions.

- A. Protection of trees. No soil material, permanent or temporary, shall be placed within six feet of any tree. Where grading may be required, trees shall be walled in with extension tile to the outer crown of the tree. No structure, equipment or movable machinery which would injure the tree shall be permitted to operate within six feet of any trees in order not to disturb the soil and thereby injure the tree. Prior to removal for construction activity, all trees to be retained shall be tagged. Said tagging shall be reviewed by the office of the Construction Official.
- B. Exempt lands or activities. The following lands or activities shall be exempt from the provisions of this section:
 - (1) Borough land.
 - (2) County land.

(3) State land.

§ 488-7. Removal of diseased trees.

No fee shall be charged or a permit required for the removal of diseased or damaged trees.

§ 488-8. Violations and penalties.

Any person violating any of the provisions of this chapter shall be subject to fines, imprisonment or community service not exceeding the penalties provided in N.J.S.A. 40:69A-29(b).

CODE OF THE BOROUGH OF HAWTHORNE

CHAPTER 491. TREES, SHADE

[HISTORY: Adopted by the Municipal Council of the Borough of Hawthorne 6-3-2009 by Ord. No. 1978-09. Amendments noted where applicable.]

GENERAL REFERENCES

Shade Tree Commission — See Ch. 45, Art. VI.
Bushes, hedges, trees and other plant life — See Ch. 153.
Uniform construction codes — See Ch. 185.
Landscapers and tree service providers — See Ch. 287.
Parks and recreation — See Ch. 350.
Streets and sidewalks — See Ch. 444.
Subdivision of land — See Ch. 450.
Shade trees — See Ch. 491.
Zoning — See Ch. 540.

§ 491-1. Authority.

The regulation, planting, care and control of shade and ornamental trees and shrubbery upon and in the streets, highways, public places, parks and parkways of the municipality (except highways, parks or parkways of the County of Passaic or State of New Jersey) shall be exercised by and under the authority of a Shade Tree Commission. As used in this section, parks and parkways shall include any park, playground, recreation area or dedicated open space owned or controlled by the Borough of Hawthorne.

§ 491-2. Permit required.

- A. No person, firm or corporation shall do or cause to be done any of the following acts upon any of the streets, highways, public places, parks and parkways within the Borough of Hawthorne without a written permit issued by the Shade Tree Commission:
- (1) Cut, trim, break, climb with spikes, disturb the roots of or otherwise injure, or spray with any chemical or remove any living tree; or injure, misuse or remove any structure or device placed to support or protect such tree.
 - (2) Plant any tree.
 - (3) Fasten any rope, wire, electric attachment, sign or other device to a tree, or to any guard about such tree.
 - (4) Close or obstruct any open space provided about the base of a tree to permit the access of air, water or fertilizer to the roots of such tree.
 - (5) Pile any building material, or make any mortar or cement within six feet of a tree.
 - (6) No fire shall be started within 10 feet of any tree or planting regulated by this chapter.
 - (7) Remove, authorize or procure the death or removal of any tree.
- B. The permit shall be issued by the Shade Tree Commission without fee to the applicant.

§ 491-3. Removal.

- A. The Shade Tree Commission shall have the authority to cause the removal or order the removal of any tree or planting from any areas which are subject to the authority of the Shade Tree Commission and which have become dangerous to the public safety.
- B. A property owner affected may request the removal of a tree or other planting for any reason. The property owner shall submit a request for removal of said tree or planting, in writing, indicating the reason for the request. A copy of the request for removal shall be served upon adjoining property owners no less than 10 days prior to the review of that application by the Shade Tree Commission. The applicant shall file an affidavit of service with the Shade Tree Commission certifying to the service upon adjoining property owners by either certified mail, return receipt requested, or personal service. Prior to the review by the Shade Tree Commission, the Shade Tree Commission shall cause the area to be examined by the Shade Tree Commission's designee, and a report shall be filed with the Shade Tree Commission to be reviewed at the hearing. The applicant and any adjoining property owners shall have the right to be heard at the hearing before the Shade Tree Commission. The Shade Tree Commission shall review the application and, if the application is granted, the costs of removal shall be the responsibility of the applicant. The Shade Tree Commission may provide for reasonable security prior to the removal of any such tree or planting.

- C. Trees removed by the authority of the Commission alone will be replaced either on or off the site of removal at the Commission's discretion. Trees removed at a property owner's request which are not dangerous to the public safety will be replaced either on or off the site of removal at the Commission's discretion. The property owner applicant who receives permission to have a healthy tree removed will, prior to removal, pay a fee to the Commission as determined by the Commission which shall be equal to the market value of the type and size of tree to be removed, the minimum value to be \$100 and the maximum value to be \$500.

§ 491-4. Indemnification.

- A. Any property owner who is granted approval to remove a tree shall assume all liability for, and shall defend, indemnify and save harmless the Shade Tree Commission of the Borough of Hawthorne and the Borough of Hawthorne (all of their boards, authorities, employees and other respective agents) from and against all losses and expense (including costs and attorneys' fees) by reason of liability imposed by law upon any of the aforementioned for damages because of injury or death resulting therefrom to any person or persons; and damage to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising out of owner/applicant's operations or that of the owner/applicant's subcontractors or anyone directly or indirectly employed by the owner/applicant or the owner/applicant's subcontractors.
- B. In addition, the owner/applicant shall provide to the Shade Tree Commission a certificate of insurance naming the Borough of Hawthorne and the Shade Tree Commission of the Borough of Hawthorne as named insured in form and content with insurers acceptable to the Borough and the Shade Tree Commission.
- C. The Commission retains the authority granted to it under N.J.S.A. 40:64-8 and 40:64-9.

§ 491-5. Use of deleterious substances.

It shall be unlawful for any person, firm or corporation to cause, authorize or procure any brine water, oil, liquid, dye, gas or other substance harmful to tree life to lie, lead, pour, flow or drift on or into the soil about the base of a tree or other planting subject to the jurisdiction of the Shade Tree Commission, at a point whence such substance may be lying on, or flow, dripping or seeping into such soil, or in any other manner whatsoever.

§ 491-6. Electric and overhead wires.

- A. It shall be unlawful for any person, firm or corporation to cause, authorize or procure a wire or another conductor charged with electricity to come into contact with any tree or planting subject to the jurisdiction of the Shade Tree Commission in such a manner as may injure, destroy, damage or kill said tree or other planting.
- B. Every person, firm or corporation having control over any wire for the transmission of electric current upon a public highway shall, at all times, guard all trees or other plantings through which or near which such wire passes against any injury from the wire or electric current carried by said wire. The device or means used shall, in every case, be subject to the approval of the Shade Tree Commission.

§ 491-7. Interference with Commission.

It shall be unlawful for any person, firm or corporation to interfere or cause or authorize or procure any interference with any lawful work undertaken by the Shade Tree Commission, or any of its authorized agents, while they are engaged in and about the planting, cultivating, pruning, spraying or removal of any tree or other planting subject to the jurisdiction of the Shade Tree Commission.

§ 491-8. Powers and duties of Commission.

It shall be the duty of the Shade Tree Commission, subject to its review and approval, which shall be subject to the sole discretion of the Shade Tree Commission, from time to time, to plant trees and other plantings in those areas which are subject to the jurisdiction of the Shade Tree Commission.

§ 491-9. Performance standards.

All work in terms of removal, replacement, cutting, pruning, trimming or care of shade trees shall be in accordance with ANSI standards as currently promulgated and as may be amended from time to time.

§ 491-10. Enforcement; violations and penalties; replacement assessment.

- A. This chapter may be enforced by the members of the Commission, the Code Enforcement Officer, the Arborist and members of the Police Department.
- B. Any person, firm or corporation convicted of violating any of the provisions of this chapter shall be subject to a fine not to exceed \$2,000 for each violation.

[Amended 4-6-2011 by Ord. No. 2035-11]

- C. In addition to the penalties provided by Subsection B, the Shade Tree Commission may require a person who removes or otherwise destroys a tree or other planting subject to the jurisdiction of the Commission in violation of this chapter to pay a replacement assessment to the Borough. The replacement assessment shall be the value of the tree or other planting as determined by the appraisal of a trained forester or certified tree expert retained by the Commission for that purpose. In lieu of an appraisal, the Commission may adopt a formula and schedule based upon the number of square inches contained in a cross section of the trunk of the tree or other planting, multiplied by a predetermined value per square inch, not to exceed \$27 per square inch. The square inch cross section shall be calculated from the diameter at breast height and, if there is a multiple stem tree, then each trunk shall be measured and an average shall be determined for the tree. For the purpose of this section, "diameter at breast height" shall mean the diameter of the tree taken at a point 4 1/2 feet above ground level. The Commission shall modify the value of the tree based upon its species, variety, location and its condition at the time of removal or destruction.