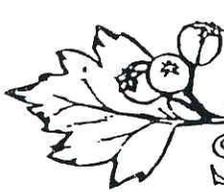


JEAN



HAWTHORNE

Shade Tree Commission

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

November 13, 2007 Meeting Notes

Attendance: Rick Hockenberry (RH), , John Terry (JT), Declan Madden (DM), Patrick Allen (PA)-Borough Arborist & Philip Savoie (PS)
Absent: Pieter Slump (PSL), Shirley Shortway-English (SSE)-Council Liasion
07:30PM-10:00PM

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

Five members of the public attended this meeting. A decision was made to hold the public portion of the meeting first, to not inconvenience the members of the public attending the meeting. Each of the residents issues & concerns were addressed as follows:

1. Mr. Seymour Pollack, 196 Mountain Ave.

Mr. Pollack was concerned about the letter the Commission had sent to him recently dated Oct. 24, 2007 regarding a Request for tree replacement for an illegal removal of tree on Rea Ave. Ext. and replacement value payment. Mr. Pollack wanted to know what had happened to the money and was concerned that the Borough Ordinance did not address this issue. Mr. Pollack was informed that the replacement value payment was used to replant trees within the Borough and went into a specific account for this purpose and not into the Borough's general account or budget. Mr. Pollack was satisfied with this explanation but asked that the Borough Ordinance be updated to more clearly reflect how these specific monies are handled.

2. Mr. Brian Tousignant, 53 Brookside Ave.

Mr. Tousignant came to express his pleasure and the neighborhood's pleasure with the Brookside Ave. reconstruction project and in particular the replanting of trees as part of the project. He did have several suggestions he wanted to share with the Commission & the Borough's Administration. They are as follows:

A. On communication: more would have been helpful. The residents questioned the contractors many times about the phases of the project and the contractors could not provide them with this information. Mr. Tousignant suggested using e-mail to inform the residents of activities during a project. Mr. Tousignant said many times during this project that he felt like the main source of information for his neighbors, because of his efforts to contact the Commission or speak with the contractors. He felt communication from the Borough was lacking.

B. He was also concerned about more communication regarding underground sprinkler systems and the planting of trees and rebuilding of sidewalks & curbs. He would like better outreach in this area as well.

3. Ms. P. Emma Anderson, Prospect Park resident, associated with a group of Prospect Park residents related to the State of NJ/NJDEP/Community Forestry planting project in Prospect Park.

Ms. Anderson came to visit the Commission to discuss possible cooperation between these communities for arboriculture related services and information. She was informed the Commission would contact her after the meeting. She left her phone# & e-mail.

4. Mr. Ronnie Cohen, 43 Kenwood Rd.

Mr. Cohen came to the meeting to discuss the settlement of a enforcement case against this property for illegally burying a Borough tree (tulip) and illegally trimming/cutting major branches off another Borough tree(white oak) on the property without permission from the Commission and in violation of the Borough ordinance. The matter was discussed with Mr. Cohen and the Borough Arborist recommended the following actions, which was agreed to by the Commission.

The tulip, buried deeply in the soil, probably could not be saved. Permission to remove the tree will be given to Mr. Cohen to remove this tree at his own cost. His contractor will have to provide proof of liability insurance. Mr. Cohen also agreed to pay replacement cost value for this tree to the Commission, which is estimated to be approximately \$1600.00.

The white oak tree will undergo a remediation program. This includes an air spade treatment for the roots and a chemical camistat treatment to help provide nutrients to help the tree heal itself from the major branch removal.

Mr. Cohen has priced out and hired a company, Sav-a-Tree, to perform the work. Patrick has been in touch with them about the work to be done. Mr. Cohen will also enter a guilty plea, in exchange to the agreement above and

a minimal fine. A follow up letter to Mr. Cohen from the Commission needs to be sent out to formalize this agreement.

5. Mr. Troy Roughgarden, 121 Maitland Ave.

Mr. Roughgarden came to the meeting to discuss an illegal tree removal located at the Eight Acre Woods by the Boys & Girls Club on Maitland Ave. The tree removed was a white birch tree on severe lean by the sign for the Eight Acre Woods. This removal resulted in an enforcement case against Mr. Roughgarden for this violation of the Borough ordinance.

Mr. Roughgarden represented that he did not know he should not have done this and that he has maintained this area of public property for many years on his own initiative, as his father did before him and his grandmother was in a preservation group for this area. He stated that one of the reasons he has "maintained this area" was because he used to live across the street, at his mother's home, from this location. He also felt that due to the extreme tilt of the tree in question, that it was a safety hazard. He also stated that he was sorry for this misunderstanding and that it would not happen again. He asked that the citation against him be dropped.

This matter was discussed between the Commissioners with input from the Arborist. A unanimous agreement was not reached as to how to handle this case. A motion was made for the following agreement to present to Mr. Roughgarden for settlement of this case.

A motion was made for vote for the following actions to resolve this matter: Mr. Roughgarden must plant a replacement tree (to be approved by the Arborist) in the general area where the illegal removal occurred or pay replacement value of the tree, estimated by the Arborist to have an approximate value of \$180.00. Upon either action being completed, the Commission and Arborist would agree to dismiss the case. Additionally, the tree could replace an existing Borough Bradford Pear tree located in front of his mother's home at 148 Maitland Ave., which is not in good health and will eventually have to be removed within the next few years. The Borough Arborist would remove the existing tree.

1st Motion made by John Terry, 2nd by Rick Hockenberry.

Vote to approve agreement: JT & RH.

Abstain to approve agreement: PS & DM.

Note: DM did not vote in this matter as he personally knows Mr. Roughgarden and stated a conflict of interest in this matter.

Therefore, this motion was passed. Mr. Roughgarden was made the offer and he accepted it at this time. Mr. Roughgarden will also enter a guilty plea if the summons cannot be dismissed, in exchange to the agreement above and a minimal fine. A follow up letter to Mr. Roughgarden from the Commission needs to be sent out to formalize this agreement.

Commissioner Pieter Slump briefly attended at this time but could not stay.

At this time all matters of public affairs were finished and a motion was made to close the public portion of the meeting. None of the public remained at this time.

Motion to close public portion of meeting: 1st-RH, 2nd JT. Unanimous vote to approve motion. Regular business was conducted at this time.

Following the November 2007 Agenda:

1. Review & approve October 2007 meeting notes.

Motion to approve October 2007 meeting notes: JT 1st, RH 2nd, unanimous vote to approve.

2. Budget review.

A. Current line item history. No changes-due to tax season, 10/10/07 history was printed. Approximately \$12,400.00 left.

B. 2008 Budget past due. Need to get prepared for Borough Council review.

C. Depending on budget, Rutgers course for John & Pieter? (Hazard Tree Training.)

Items above were briefly discussed. FU on submitting budget ASAP. No other comments.

3. Old Business items.

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

1. 196 Mountain Ave., Pollack, Letter written & sent out.

2. 89 8th Ave.- Dusenberry letter. Allegation of non-inspection and statement of suit against Borough for damage. Patrick investigated. *No letter written but tree removed after inspection by Patrick. No further action required,*
3. Romeo-39 Short St. Letter to be written to notify about the removal of the tulip tree & stump by Downes Tree Service. *Letter written & sent out. Job completed.*

All above items noted, no further action needed.

B. Wagaraw Road. Follow up: Appears PSE&G may have trimmed AGAIN and did not notify Borough/Arborist as per agreement. PSE&G & Asplundh officials deny working in this area (at Shade Tree Federation meeting.) Signed agreement was followed up by Phil and sent out to the respective parties: PSE&G's & Asplundh's attorneys. When do we want planting phase to be completed and what species? Patrick to comment.

Patrick commented that another Borough employee had seen Nelson Tree Service working at this location. Not clear what further follow up can be pursued at this time. Patrick will talk to Rich Wolowicz (PSE&G) about the agreed upon replanting and species in the Spring of 2008.

C. Enforcement cases ongoing:

1. Kenwood Rd. & Woodside Ave. 1st tree buried in deep soil and 2nd tree illegally trimmed. Possible meeting with property owners. Case update?

Citation issued and meeting with property owner, as discussed above. Upcoming court date for Patrick to resolve issue.

2. 112 Genevieve Ave. Sidewalk replacement w/root cut. Phil investigated and to handle. Case update.

Case completed and out of court.

D. Policy change in DPW regarding the borrowing of Shade Tree tools for personal use Discussion with Administration and DPW Administration at meeting on 9/28/07. Both parties agreed with HSTC that this policy should cease. HSTC has asked that a written memo be released to DPW formalizing this new policy and HSTC be copied. Follow up needed to obtain copy of this document.

Follow up to obtain copy of memo still needed.

4. New items

A. Planting list & field assessments.

1. Brookside Ave. Planting completed, 32 trees planted, mainly on the east side of the street. All underwire size, hedge maple & golden rain.

Note was made about excess mulch and possible depth of planting. Downes will be requested to rake back excess mulch. Patrick may air spade trees in Spring 2008 to remove excess soil if needed to clear trunk and root flare.

2. Waiting for return call from East Coast Landscaping for Fall '07 planting. Previous call determined that planting is still possible up until ground is permanently frozen. Purchase orders for Fall'07 & Spring'08 planting are waiting to be processed upon call from East Coast.

3. Field assessments are currently being collated for addresses and tree size. Need to make choices of species for Fall'07 & Spring'08 planting shortly so as to fill order with East Coast. May need to adjust money amounts for each season, depending on weather conditions.

Items #2 & #3, comment only.

B. Weekly meetings with Administration have currently been slowed due to leaf season. An announcement will be made when they begin again.

Comment only.

C. Monthly reports and obligations for state reports. Not started yet. Would like to start in December 2007 with new monthly report & form to make annual reporting easier. Final review to occur with Patrick & Joe Scarmazzo. National Arbor Day Annual Growth report due at the end of December 2007. Will need to gather data shortly.

Phil to follow up.

D. Proposed meeting Dates for 2008, all Tuesdays @ 07:30PM @ Borough Hall, 2nd Floor meeting room.

January 8, 2008 (Meets second Tuesday of month.)
February 5, 2008
March 4, 2008
April 1, 2008
May 6, 2008
June 9, 2008 (Meets second Tuesday of month.)
July 8, 2007 (Meets second Tuesday of month.)
August 5, 2007
September 9, 2008 (Meets second Tuesday of month.)
October 7, 2008
November 11, 2008 (Meets second Tuesday of month.)
December 2, 2007

Motion to accept above dates for 2008 public meetings. PS 1st, DM 2nd, unanimous vote to approve.

E. New CSIP grant announcement update. Grant is currently not available, despite letter from State indicating its availability in the mid-year report. May be available in the Spring of '08.

Comment only.

F. Anything else?

1. Patrick asked for approval for a radio communication headset under the current Northeastern(NE) Purchase Order, as a safety related issue, for communication with the ground crews. NE Quote#55934.

Motion to approve communications gear under existing NE PO, quote#55934. RH 1st, DM 2nd, unanimous vote to approve.

2. Declan asked for Commission approval to complete CTE training Commission had let him start last year in 2006 and this year in 2007. He requested funds for profession development for a local course for Certified Tree Expert(CTE) preparation offered by Ted Sczwinski in Little Falls in Spring'08. The cost of this course is approximately \$650.00. The finishing of this course would help Declan gain his CTE certification, that would be used in legal proceedings and future grant applications.

Motion to approve funds for DM's training in 2008 from the 2008 training budget, done so DM can sign up for the course beginning in Feb. 2008. PS 1st, RH 2nd, unanimous vote to approve.

Motion to close monthly meeting. RH 1st, JT 2nd, unanimous vote to approve.