

March 5, 2009

Township of Colts Neck

Shade Tree Commission

March 5, 2009

Meeting Minutes

The Meeting was called to order at 7:36PM by Chair Person Eileen Stivala who read the following statement. "As the presiding officer of this meeting of the Colts Neck Shade Tree Commission, I hereby declare that the notice requirements in accordance with the provisions of the Open Meeting Law Chapter 21, P.L. 1995 has been provided in accordance with the Annual Notice Procedures of C 10.4 – 28 of said Act. I further order that this public announcement be placed in the minutes of this meeting.

Roll Call –

Commission Members Present - Eileen Stivala, James Nicoletti, Ben O'Neill, Mary Barbagallo, Henry Hammond, Jennifer Axelrod,

Commission Member Absent – None

Staff Present – Julie McGowan, Al Reed Sec.

Staff Absent – Edward Eastman

Township Committee Liaison Report – None

DISCUSSION

In an effort to have a uniform attendance policy for all Monmouth County Volunteer Committees, Boards & Commissions, the Board Of Chosen Freeholders of Monmouth County surveyed these bodies and deduced that an attendance policy should consist of the following. "3 consecutive missed meetings" to be considered as a resignation. If the

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absence is unexcused.

Accordingly, the Shade Tree Commission discussed the pros and cons of a similar ruling to include 3 consecutive unexcused missed meetings and/or a total of four unexcused missed meetings in a calendar year would constitute in affect, a resignation.

To be legitimately excused from a meeting, the person need only to call prior to the scheduled meeting a Chair Person, Vice Chair Person or as a last resort, another Member who is attending the scheduled meeting.

An excused absence from a scheduled meeting may be due to illness, injury, accident, family tragedy, or work related travel/or vacation.

After discussion and possible modification at the April Meeting, the policy for attendance will be voted upon and if accepted, will become an official part of the Shade Tree Commission policy. A resolution will be prepared to this effect and the Secretary is directed to write Either "Excused Absence", or just "Absence" if unexcused when taking roll call.

The above discussion was reviewed and action will be taken at the Next (April 2, 2009) regular STC Meeting.

In an effort to avoid having to cancel regularly scheduled meetings at the last minute because of the inability to field a quorum, having "Alternate Commission Members" was discussed. Ms. P. Anderson and Mr. McKindrick attended our Regular Scheduled March Meeting. Ms Anderson has been a resident of Colts Neck since 1965. Mr. Mckindrick, a lifelong resident of Colts Neck is attending Rutgers in pursuit of Landscape Architect Certification. Mr. Wm. Vanderstreet also attended our meeting and is also interested in participating in the Colts Neck Community.

As always, all interested persons are welcome to attend any of the Shade Tree meetings.

New Subdivisions and Site Plans

The following items have been carried over from 2008.

1. **PB # 636 Findel, Cedar Dr. – Minor Site Plan** – JM report dated 3/6/06 on 12/22.05 prints – open item awaiting PB action and revised prints. JM has new plans and reports DEP is checking. NC
2. **PB # 649 Willow Brook Stables – Block 9, Lot 2.01, Willow Brook Road** – Plans in their present form denied. NC

3. **PB # 665 Rada, Bluebell, Block 29, Lot 9.** (PB approved – needs new plans. NC
4. **PB # 668 Bonanno – Evergreen, Block 9, Lot 2.09** – Resolution written accepting revised plans showing fence moved and new plantings. Ben “O” to verify and check for any activity. NC
6. **Mr. Bill Kileen of 37 Acorn Dr.** came to our regular STC Meeting seeking help/relief from a problem he is having. As he stated, a neighbor has changed the topography of his property to such an extent that any water falling as normal precipitation is unnaturally diverted on to Mr. Kileen’s property causing water problems that did not exist for years before the neighbor changed the elevation of his land causing the water to be diverted onto Mr. Kileen’s property. (J. Nicoletti is aware of some of the details of this problem. J. Nicoletti will contact Mr. Kileen and report on findings at the next STC Meeting. NC
7. **PB # 671 Cappola, Clover Hill Road & Moonlight, Block 1, Lot 8.01 and Lot 8.5** – Lot Line Revision – Need Landscape plan NC
8. **PB # 672 Trump, Block 46, Lot 1.52** – JM is currently overseeing proposed changes to landscaping and the owner and/or his representative is cooperating with STC recommendations. As presented sizes of plantings are unspecified.
 Sizes are to be as follows.
 24 to 30 inch Winter Gem
 24 to 30 inch Holly
 9 to 10 ft. Norway Spruce
 9 to 10 ft. Weeping Cherry
 4 inch Cal. Delcova

 Conditionally approved with the specification of sizes on prints. Motioned by J. Nicoletti, Seconded by H. Hammond. Unanimously voted yes by the Commission. Resolution issued by secretary.
9. **PB # 674 Mc Mahon, Clover Hill Road, Block 7.02 Lot 34.01 & 34.13** Inadequate as presented. Plans need clarification.

10. Klatsky PB # 676, Jockey Terrace South, Block 40.05, Lot
Approved, Resolution required. Offered by J. Nicoletti,
Seconded by Mary Barbagallo, Unanimously voted passed.

11. PB # 667, Kling Block 7, Lot 4.01 Crine Road -

12. ZB # 704, Torio, Lot 5, Block 8 - J. McGowan recommends
approval offered by J. Nicoletti, Seconded by Ben O'Neill, passed
unanimously.

INFRACTIONS & OTHER ITEMS

1. Rivers edge multiple residents having various greenway
violations – As follows: In progress NC
 - a. **Parikh** – Block 35, Lot 22.24. CEO letter of 9/10/03
reference lights to be removed by 10/10/03. CEO actively
pursuing. No landscaping required. JN to follow up with
CEO.
 - b. **Bisignano** – Block 35, Lot 22.23 – CEO letter of 11/13/03,
violations to be removed by Oct 1, 2003. JN to follow up
with CEO.
 - c. **Damusjian** – Block 35, Lot 22.18 – CEO letter dated
10/16/03 with action by 11/01/03. No action as of 11/01/03.
CEO and JN to follow up.
 - d. **Vulpis/Lionette** – Block 35, Lot 22.19 – CEO Letter dated
10/16/03. Need to consult lawyer regarding STC's next
move. CEO and JN to follow up.
 - e. **Aprilante** – Block 35, lot 22.20, CEO sent letter dated
10/16/03. Mrs. Aprilante called GEF saying " Fire caused
damage" . Need to consult lawyer regarding STC's next
move. CEO & JN to follow up. Property inspection required.
NC
2. Shor - Block 27, Lot 10.2 Bluebell Road - Fence and
structure in Conservation Easement and wetlands, groundcover
shrubs and trees cut. CEO sent letters dated 3/11/04 &

4/15/05. CEO and GEF and DEP representative met with Mr. Shor. He is to proceed with the wetlands problem first. CEO & JN to follow up. **NC**

3. **PB # 633 Clemente # 9 Western Drive, Block 10, Lot 9.6** – Greenway easement and site violation. On 6/29/05, GEF and AJ Garito discussed 6/02/05 print with Township Committee. They agreed to land swap and other changes. (Land swap never happened.) PB approved with conditions. Revised prints required. *Property needs to be inspected. Mary & Sal Barbagallo & Julie to inspect property.* **NC**

4. **Figaro, Michel # 153 Cedar Drive** – Cut large tree in conservation easement. JM & JA to report on site visit and make recommendations for restoration. NC ES will write letter to Mr. Figaro asking that he replace the large 36 inch caliber that was removed with five 3 inch caliber white oaks. Locations will be flagged by JM and suggest planting by 15 May '06 **NC** - Letter sent to Mr. Figaro informing him that 5 trees should be planted by May 15, 2007 to avoid further action against him. It is duly noted that the trees planted are not white oak and Mr. Figaro is in violation. To be forwarded to legal to determine course of action. **NC** Awaiting course of action from legal.

5. **DeFalco, Robert # 26 Twin Lake Dr., Block # 48, Lot 20.13-** **Landscape easement violation.** – Off Bond. Tax map 7.05, 6/05/05. - J. N., GEF visited site.- Needs to be reviewed with J. M. and follow up. Violation notice served 11/06/05 and on site visit with GEF. Mr. DeFalco to replace rails in fence but must not remove any more brush or ground cover. Discuss restoration procedure. JM will determine what is to be planted after a visit to the site. JM to follow up w/letter. Need landscape plan. Memo sent to T. Anfuso so stating. Secretary to send Mr. Defalco a letter. **NC**

6. Polino, on Williamsberg – STC needs to get Rich Galinski (CEO) to explain violation if any regarding fencing, wall height, and pool built into deck. Deferred until next month **NC**

7. **Mr. Mark Vanselous, 92 Tulip Lane, Block 7.24, Lot 3 -**
Violated property boundary by the following actions. Cleared a conservation easement, installed a fence in a conservation easement, has planted grass in the area he cleared. It is required by law that the fence be removed from the conservation easement. Cease all mowing of conservation easement allowing the conservation easement to return to its natural state as it was intended to be. (STC to write official letter to Mr. Vanselous reflecting the above. NC

8. **PB #667, Kling, Block 7, Lot 4.01, Crine Road-**

Committee Reports –Violations, Complaints and “other” item resolution subcommittee – No report.

STC has requested from Bob Bowden that Rich Galinski come to STC Meetings and will be compensated for his time. This will help all of us to be up to date on matters of concern to the STC. Rich Galinski did not show for this meeting.

Committee Reports

Violations, Complaints and “other” item resolution subcommittee.

Cul-de-sac Sub Committee – No report.

Pools - No report. – Ben O’Neill needs ID to enter private property. Times when he attempted to obtain ID, police station said their equipment to make photos was at schools or was inoperable. Consequently, no action yet.

Public Lands Committee Report - Street Trees, Town Hall, Park

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H. Hammond reports that trees will be ordered for planting on Township property using any remaining funds in budget. No action says H. Hammons.

Lands, Greenways, Conservation acres, and Landscape easements. No report.

STC Member's Reports & Questions – None

Meeting Adjourned @ 8:20 PM - Motioned by James Nicoletti seconded by Henry Hammond.

Respectfully Submitted,

A. W. Reed, STC Secretary