

November 5, 2009

---

Since the August Minutes were not passed at the September business meeting because a quorum could not be gathered, the August Meeting Unfinished business as well as the October Minutes will be used as an agenda for the November Meeting. New business if any, will be reflected in the final approved November minutes.

## ***Township of Colts Neck***

### **Shade Tree Commission**

**November 5, 2009**

**Meeting Minutes**

**The Meeting** was called to order at 7:40PM by Mary Barbagallo 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 - Ben O'Neill, Henry Hammond, Curtis McKittrick, Jennifer Axelrod, Mary Barbagallo,**

**Commission Member Absent – James Nicoletti, Eileen Stivala**

**Staff Present –, Julie McGowan, Al Reed Sec.**

**Staff Absent – Edward Eastman**

**Township Committee Liaison Report – Ed Eastmond** reports that the Earle problem of providing accessible housing on Government Property is expected to be an on-going thing for at least another year. He additionally noted that Wpn Sta. Earle will probably have a fire problem due to the many dead trees killed by gypsy moth infestation.

**DISCUSSION**

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.

**While out of context with respect to our usual meeting format** to allow Mr. Rich Galinski the Code Enforcement Officer (COE), to meet his tight schedule was invited to our meeting in spite of his work overload and another appointment later this evening. The afore mentioned effort was specifically made to expedite the list of long carried infractions (some more than one year old) to be expedited.

**1. Rivers Edge – Rich Galinski will followed up & reported back the following.**

2. **Shore (NC)** " " "

3. **Clemente** – complied and will be inspecte by Julie McGowan and Mary Barbagallo. " "

4. **Figaro (NC)** " " "

5. **DeFalco (NC)** Julie Located plans and will review

6. **Polino** Resolved

7. **Vanselous** - Reported violation is incorrect. He is in compliance and well within his rights. (To be dropped from this record.)

8. Approved plan received from Kling. – easement cleared and bond posted. Resolved

9. **Kureti Shiv, Ranjan** 14 Paddock Lane, Block 7.30, Lot 3.2 – **New infraction**, Rich Galinski to investigate. **NC**

10. Findel is still in court.

11. Romano shed is in violation and case will come up in court. Has lights installed on a tennis court. He is in violation and must remove said lights. Not merely disconnect (continued)

Rich said he needs support in court since he is not an expert in maters concerning tree species, shrubery, etc. He was promptly told by Julie McGowan that he will always be supported by the STC. Just let us know when any support is needed before the court date.

Rich explained that several properties on Rivers Edge are in foreclosure and it is useless to try to catch violators for offences that happened before foreclosure was initiated.

**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**
5. **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**
6. **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. Zelcova

7. 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. **NC Full plan expected by September.**
8. **PB # 636 Findel Block 16, Lot 61.01 - pond to be removed - plants replacing pond are listed on new plans dated 6/11/09 (Hank Hammond & Ben O'Neill approved plan)**
- 9.
- 10.

### **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 (Progress Reported)**
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

November 5, 2009

---

(CEO) to explain violation if any regarding fencing, wall height, and pool built into deck. Deferred until next month NC

**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.**

**Pools** - Ben O’Neill reports all known pool construction inspections current. Eleven inspections reported to date.

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

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

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

**STC Member’s Reports & Questions** – Ben O’Neill motions that the STC should try to get Rich Galinski , Code Enforcement Officer (CEO) paid for attending STC Meeting. Henry Hammond seconded the Motion and it was unanimously passed. It is noted that close coordination between STC and CEO is necessary to get STC agenda acted upon in a timely efficient manner.

E. Eastman took the (CEO) funding/pay matter to be presented to the Twp. Committee. E. Eastman suggested that if we want to make use of the Jackson Tree Ordinance, we should start action to do so. Accordingly he will obtain copies for STC review

November 5, 2009

---

before formalizing efforts to adopt the Ordinance.

Secretary will be provided with a list of trees and landscape shrubery for the Township property. Bids must be in by Nov. 1, to take advantage of dormant planting and to use available funds.

**Meeting Adjourned** @ 8:46 PM - Motioned by Ben O'Neill,  
Seconded by Jen. Axelrod.



Respectfully Submitted, Al Reed, STC Secretary