

April 2, 2009

---

# ***Township of Colts Neck***

## **Shade Tree Commission**

**April 2, 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** – Edward Eastman, Julie McGowan, Al Reed Sec.

**Staff Absent** – None

**Township Committee Liaison Report** – Edward Eastman proposes that two (2) alternates each have a vote the same as the person the alternate is replacing.

#### **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

April 2, 2009

---

deduced that an attendance policy should consist of the following. "Three (3) consecutive missed meetings" to be considered as a resignation if the 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 This April 2, 2009 regular STC Meeting.

The proposed attendance policy of "Three (3) consecutive missed meetings" to be considered a resignation if the absence is unexcused, was again discussed and debated. The resulting wording of 3 consecutive unexcused missed meetings and/or a total of four unexcused missed meetings in a calendar year will in affect, constitute a resignation.

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

The secretary is directed to write either "Excused Absence" or just "Absence" if unexcused when taking roll call.

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. Curtis 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

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 -**  
(*moved to infractions*)

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**