

INTERLAKEN SHADE TREE COMMISSION MINUTES

JULY 9, 2019

Sunshine Law Read as required

Present: Dalton, Heinz, Hughes, Insabella, Wetstein, Papp

Absent: None

Agenda:

- 1) Interlaken Borough Attorney Richard J. Shaklee, Esq. of the firm McLaughlin Stauffer & Shaklee, P.C., Wall Twp NJ attended the meeting as the invited guest of Interlaken Mayor Michael Nohilly, who was present, to discuss general provisions of NJ law and regulations related to governmental entities/commissions and the conducting of meetings and meeting records.

Mr. Shaklee described the provisions of the Open Public Meetings Act (OMA) of NJ (NJS 10:4.8(a)) which governs the requirements and standards for which governmental bodies, such as the Interlaken Shade Tree Commission (ISTC) are governed. He explained the regulatory definition of what constitutes a formal meeting of the group and the need for a quorum with representation of commission members to constitute a public meeting whereby commission members can make spending and other significant decisions affecting a public body. He explained there are limitations on email and other on-line communications which permit exchange of planning and operational information between members, but cannot be considered formal decisions by the ISTC unless the provisions of the OMA are met.

Mr. Shaklee explained email crosses over what might be considered a meeting, but without a participatory recorded quorum and acknowledgements, this could not be considered a meeting of the governmental entity. An actual meeting requires keeping minutes/formal record , including a listing of the topics discussed, and any formal action, such as approval of expenditures or selection of a contracted agent, must be part of the Commission records as described in the minutes.

The ISTC members thanked Mr. Shaklee for his presentation and indicated it would be used as a guide in ISTC records and decisions going forward. Mr. Shaklee indicated he is available for further guidance or questions going forward.

- 2) Bill Brash, certified tree arborist, contracted by the ISTC under a state grant to develop the renewal of the ISTC's Certified Community Forestry Master Plan (CFMP) was also present. Mr. Brash outlined the general requirements, including goals and objectives for the renewal of the CFMP for the next 5 year approval period (2020-2024), described the ISTC's progress in the current CFMP period, and solicited input from the Commission members on those goals. He included a description of the ISTC Budget presentation process and its relationship to the Annual Report provided to the NJ Community Forestry Agency. Certification of the CFMP by the state agency is a requirement for receiving potential state grant funding.

- 3) Interlaken Council Member Arthur Fama, and Council liaison to the ISTC, provided an update of the proposed revisions to the Interlaken Shade Tree Ordinance related to the removal of existing trees on private properties in the Borough. Mr. Fama outlined the changes suggested by the ISTC at prior meetings, including the changes to the fee structure and permitting process related to the removal of trees not on public borough property. The ISTC members were in agreement with revisions and it is expected the revised ordinance will be presented to the full Council for review and potential approval vote at a September 2019 Council meeting. The proposed changes were reviewed in draft by Council at a workshop meeting this summer with members of the ISTC present for the public session.
- 4) 2019 Tree Planting update – 9 trees have been purchased for planting from Barton Nursery, Edison NJ, in accordance with the 2019 ISTC approved budget. Site selection and resident notice is complete. One planned tree was deferred. Planting will be done by the Borough DPW in conjunction with and their regular work schedule. It is anticipated the planting should be completed by 7/23/19.
- 5) Tree Work Update- Chairperson Jodi Heinz provided an update on plans to remove a dead tree on public property which could present a potential hazard to a residential property on Grasmere Avenue. Although this tree was not part of the original 2019 ISTC tree pruning and removal plan, the ISTC members agreed its removal was warranted to prevent a hazardous situation.
- 6) J. Insabella provided an update on the status of Yard of the Month recipients for the summer months.
- 7) A letter from a resident regarding concerns about a tree not located on public property was discussed. It was agreed the resident be advised the resolution of their concerns must be resolved privately as public property or trees are not involved.
- 8) An update of the current Financial/Budget status for the ISTC related to purchasing of tree fertilizer services and Shade Tree national organizational membership fees was provided. It was agreed by the ISTC members that the Financial report will become a regular item for ongoing ISTC meetings. Information is coordinated with Bill Coy of the Interlaken Borough Finance Department.
- 9) Meeting was adjourned at 9:30 pm based on a motion by N. Wetstein, seconded by M. Dalton

The July ISTC meeting minutes were approved unanimously by the Commissioners present at the August 13, 2019 meeting.

Respectfully submitted: Peter Hughes, ISTC Treasurer