

## **Leonia Shade Tree Commission Meeting Minutes for April 9, 2025**

**Present:** Christine Healy-Sammis, Imanta Bergmanis, Mark Spiegel, Diane Scarangella (Council Liaison), Ann Sullivan, Arnold Trachtenberg, Sandi Pancrazzi, Laura Lindsey Sewell, & Charles Moren (DPW)

**Absent:** Vivian Demarco, Julie Ulbrich

### **Statement of Compliance with Sunshine Law**

**Public Portion:** Open to comments questions from Leonia residents (James Bertoni -384 Highwood Avenue)

**Minutes of March, 12, 2025** were approved

### **Discussion – James Bertoni, homeowner**

- Large overgrown ornamental Holly Tree in front of house – wants to remove.
- Just spent \$15K on new roof, squirrels nesting in tree
- Holly is NOT a shade tree. Tree exceeds 8” DBH.
- Tree is not dead, dying or diseased. Inspected by Chuck – waiver denied.
- Question of who has authority to grant waiver to remove. Section 275-6 suggests Commission has authority.
- Diane suggests that this is an issue for the Enforcement Committee (Marissa) & to be discussed by the Law & Ordinance Committee (Joann).
- Question of the appeals process, and who has ultimate decision-making authority.
- Section 275-25 – is up to Mayor & Council.
- Homeowner Fee to remove tree without a waiver would be \$3-4K
- Mayor Ziegler wants to allow private plantings in back yards. Working through issues such a “hold harmless” clauses to protect Borough from liability.
- Issues with insurance companies not underwriting insurance due to tree concerns.
- How to assess foundation & driveway damage due to tree roots – Building Engineer
- Suggested that a compromise be offered – homeowner pay cost of removal and replacement shade tree, but not charged Borough Fee.
- To discuss issue with Marissa – who determines outcome & enforces. Diane emphasizing that decision would be setting a precedent. Should this even be the LSTC role.
- After discussing, Imanta to get back to homeowner on next step/outcome.

**Council Liaison Report:** Diane Scarangella reported the following –

- Current Operating Budget reviewed & discussed
- # trees planted & cost
- 22 requests for private plantings were made.
- LSTC budget was left intact. \$3,000 + \$20,000 for operating & tree plantings.
- There is \$0 remaining in the LSTC Trust Fund. Apparently monies were being drawn down & not replaced
- Important that the LSTC “encumber” funds – get invoices to preserve budget. Invoices must be submitted before the end of the year.
- Problems in the Accounting System – using funds that we weren’t aware of.
- Leonia to impose a 7% tax increase for 2025-26. Salaries, pensions & health care costs.

**Chairperson Report:** (Christine Healy)

- DPW to take down 16 trees throughout town. Have been marked but not all taken down yet.
- Mark Moeller retired from the DPW.
- 180 Ft Lee Road developer decided NOT to take down 2 shade trees in the rear of yard. Did not request a removal waiver, and will keep the trees to avoid paying the Borough removal fees. Are healthy Pin Oaks of 28” and 35” in diameter.
- Builder must put in protections – storm & snow fence. Developer must be given specific instructions of what is required – Section 275-20 “e” has requirement language.
- Requires fence that is 10 ft from trunk or drip line of tree – whichever is greater.
- Construction Code Official to determine when fence can be removed. Should also be the one to communicate with the developer and provide documentation to ensure compliance.
- Builder also removed an underground oil storage tank.
- Cerbo & Downes to provide bids for Spring & Fall Plantings. Contract no yet awarded.
- Various community organizations are supporting the effort get Green Acres Designation for the Leonia Sculpture Garden. This would protect the land from ever being developed.
- On April 28<sup>th</sup> at 1pm there will be a hearing at the Municipal Center regarding Green Acres designation. Groups include Historical Preservation, Chamber Music, Environmental Commission, Macor, Recreation Commission and the Senior Center. Desire to maintain land as a community site for outdoor activities etc.
- Council Meeting and a Resolution are required before a Green Acres Application can be submitted.
- Sandy will attend meeting and report back

**Other:**

- Tax mailers will be sent out soon. Marissa to include same items in mailer as last year.
- 2025 Budget is “ok.”
- Laura- Lindsey has compiled a list of all of the private planting request.
- Arnold Trachtenberg – Community Garden to plant ornamental trees approximately 20ftte in from on Pine Hill Road.
- Arbor Day/Leonia Day event on May 3<sup>rd</sup>. Must coordinate set-up and booth representation from 12 noon to 4pm.
- Leonia Middle School Earth Day/Arbor Day event at 10:30 AM on April 22<sup>nd</sup>. Arnold, Christine & Julie to attend.
- ACS ordered 150 tree saplings – Maple, Tulip & Black Gum trees
- Composting at ACS – biomass to be handed out along with saplings for planting.

**District 2 Walkabout – will send out last file that we worked on**

- Tree Campus USA application
- I-Tree application
- Heritage Tree & Tree Map – Ann Sullivan. Only 3 trees to date.
- Steven Swank – 70 ft tall tulip tree
- Tree would come under town protection – must get permission to prune etc.
- 141 Chestnut Street – tree is in backyard. Circumference of approximately 118 inches and 70 feet high
- 275-8 of code
- Evergreen Tree on Ft Lee Road would require State Tree designation.
  
- **END OF MEETING - Adjourned**

*Minutes Submitted by Mark D. Spiegel*