



# State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE  
Governor

LISA P. JACKSON  
Commissioner

Division of Parks and Forestry  
New Jersey Forest Service  
501 E. State Street  
P.O. Box 404  
Trenton, NJ 08625  
Tel. # 609-292-2532  
FAX# 609-984-0378

Gene Cracovia  
Shade Tree Management Board  
Hartley Dodge Memorial  
Madison, NJ 07940

January 17, 2008

Dear Gene Cracovia:

Congratulations! I am pleased to advise you that after our review, the New Jersey Forest Service has concluded that Madison Borough's second 5 year Community Forestry Management Plan meets the standards set forth by the State and New Jersey Community Forestry Council and is approved for 2008 through the 2012 calendar year.

The major goal of the state's Community Forestry Program is to educate all municipalities and counties in the state about the benefits of developing their own distinctive community forestry management plan. As these plans develop, the health of the tree cover will improve, the number of trees will increase and the awareness of our state's residents will rise.

As you know, a management plan is an essential guide to successfully achieving a healthy and safe community forest. The approval of this your second 5 year Community Forestry Management Plan is a great accomplishment, and a testament to the growth and sustainability to your shade tree program. We look forward to continuing this partnership with you and your community, and your continued success.

If you are a participant of the Forest Service grant program, the next step would be to submit your expenditure report and financial documentation for reimbursement within 30 days. Enclosed please find a certificate of approval and a signed certification by the State Forester within your management plan.

Sincerely,

Michael V. D'Errico  
State Coordinator  
Community Forestry

Attachment  
c: file, Mayor

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Parks and Forestry  
Forest Service

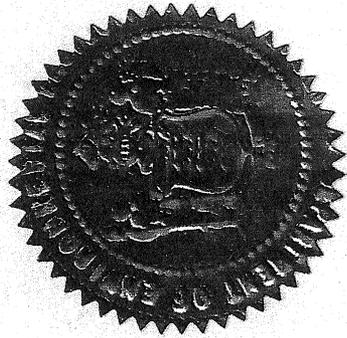
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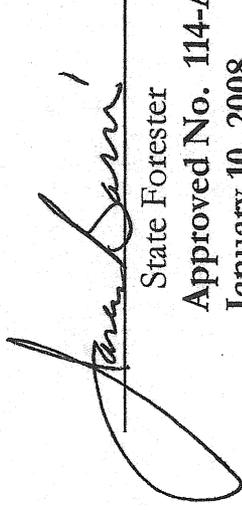
# *Certificate of Approval*

awarded to

## *Madison Borough*

*For the successful completion of an approved  
2<sup>nd</sup> 5-year Community Forestry Management Plan in accordance with the  
New Jersey Shade Tree and Community Forestry Assistance Act,  
P.L. 1996, Chapter 135.*



  
State Forester

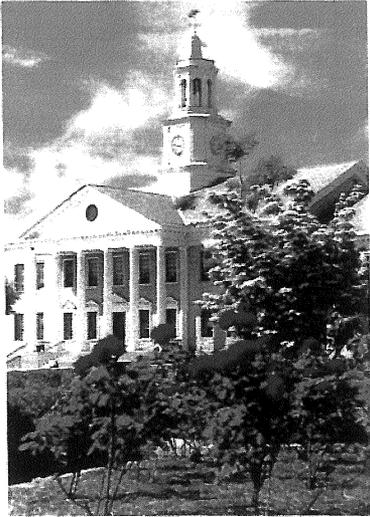
Approved No. 114-A  
January 10, 2008

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AUTHOR'S ALTERATIONS/CP&D'S

JAN / 8 2008

APPROVED COPY  
SIGNATURE BELOW

*Rm*



*Photo by Judi Whiting*

**2008 - 2013**

# **Community Forestry Management Plan**

**Borough of Madison**

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# 2008 – 2013 COMMUNITY FORESTRY MANAGEMENT PLAN

## Borough of Madison Morris County New Jersey

### **Mayor & Council**

Ellwood R. Kerkeslager, Mayor  
John Elias, Council President  
Astri J. Baillie  
Donald J. Bowen  
Robert Conley  
Mary-Anna Holden  
Carmela Vitale, Public Works & Engineering Committee Chair,  
Shade Tree Management Board  
& Parks Advisory Committee Liaison

### **Borough Administrator**

Raymond Codey

### **Shade Tree Management Board**

Gene Cracovia, Chairman  
Vince Licari, Vice Chairman & Arborist  
Stephen Miller, Treasurer  
Janet Baker, Secretary  
Nancy Bruce  
Penny Garman  
Mike Kopas, Arborist  
David Maines, DPW Liaison  
Paul Allocca, Parks Liaison

### **Superintendent of Public Works**

David Maines

**December 31, 2007**



SHADE TREE MANAGEMENT BOARD



TREE CITY USA



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Municipal / County Information Form

MUNICIPALITY	Borough of Madison
COUNTY	Morris
ADDRESS	Hartley Dodge Memorial Madison, NJ 07940
CONTACT	Gene Cracovia, Chairman
PHONE	(973 )301-9139
FAX & EMAIL	(973 )301-9139 genecracovia@msn.com
ORGANIZATION	Shade Tree Management Board
MAYOR'S SIGNATURE	
	<small>* I Certify that this Community Forestry Management Plan was developed specifically and exclusively for the Borough of Madison.</small>
DATE SUBMITTED	December 31, 2007
TIME PERIOD	April 2008 – March 2013
CSIP PRACTICES IDENTIFIED IN PLAN	Community Stewardship Incentive Program Compliance
	<input checked="" type="checkbox"/> CSIP #1 Plan Preparation.....p. 37 <input checked="" type="checkbox"/> CSIP #2 Training.....p. 16 <input checked="" type="checkbox"/> CSIP #3 Public Education & Awareness.....p. 20 <input checked="" type="checkbox"/> CSIP #4 Arbor Day Activities.....p. 20 <input checked="" type="checkbox"/> CSIP #5 Assessment/Inventory.....p. 25 <input checked="" type="checkbox"/> CSIP #6 Tree Hazard Identification Plan.....p. 28 <input checked="" type="checkbox"/> CSIP #7 Tree Planting.....p. 29 <input checked="" type="checkbox"/> CSIP #8 Tree Maintenance.....p. 32 <input checked="" type="checkbox"/> CSIP #9 Tree Recycling.....p. 35 <input checked="" type="checkbox"/> CSIP #10 Ordinance Establishment.....p. 12 <input checked="" type="checkbox"/> CSIP #11 Tree Care Disaster Plan.....p. 36 <input checked="" type="checkbox"/> CSIP #12 Insect & Disease Management.....p. 31, 33, 36 <input checked="" type="checkbox"/> CSIP #13 Other.....various sections

**Official Use Only Certification**

The above named municipality has made formal application to the New Jersey Forest Service. I am pleased to advise you that after our review, the NJ Forest Service has concluded that this plan meets the standards set forth by the State and the NJ Community Forestry Council and is approved for the period covered.

Signed \_\_\_\_\_ State Forester

Approved Date \_\_\_\_\_

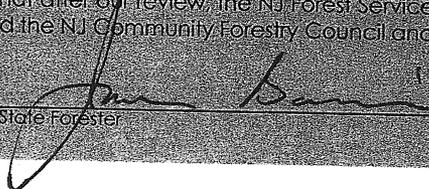
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MUNICIPALITY	Borough of Madison
COUNTY	Morris
ADDRESS	Hartley Dodge Memorial Madison, NJ 07940
CONTACT	Gene Cracovia, Chairman
PHONE	(973) 301-9139
FAX & EMAIL	(973) 301-9139 genecracovia@msn.com
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\* I Certify that this Community Forestry Management Plan was developed specifically and exclusively for the Borough of Madison.

**Official Use Only Certification**

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Signed  State Forester 1-19-08  
Approved Date



### SCOPE

The following sections outline programs and procedures for managing public shade tree resources within the Borough of Madison during the period April 2003 – March 2008.

Recognizing that trees help improve the quality of urban and suburban life, the Borough has developed this Community Forestry Management Plan in accordance with statewide efforts to preserve and promote sustainable community forest resources and the goals and objectives of its Master Plan.

This second five-year Plan focuses primarily on solidifying and expanding existing programs for managing Borough-owned street trees as well as trees on other public properties. In addition, it is expected that elements of this Plan will help stimulate the planting and proper care of trees on private property.

### MISSION STATEMENT

*To proactively develop and promote a sustainable community forest and shade tree resource for the Borough of Madison and its residents' physical health and economic, environmental, and social well-being.*

### GOALS AND OBJECTIVES

The New Jersey Community Forestry Council has identified twelve Community Stewardship Incentive Program (CSIP) practices that together comprise a complete and comprehensive community forestry program.

Within each of the plan elements that follow, existing Borough programs, policies and procedures are described, intermediate and element-specific goals are established, and CSIP-based objectives for the 2008 – 2013 management period are set.

Systematic fulfillment of these CSIP-specific goals and objectives will continue to move Madison's Shade Tree Management Program toward its overall program goals, which are established as follows:

1. Develop and perpetuate beneficial shade tree and community forest resources.
2. Maximize the benefits of trees to the community.
3. Maximize long-term stability and sustainability of the shade tree resource.
4. Optimize the balance between tree condition and maintenance costs, given budgetary constraints.
5. Minimize the risk of trees to public safety.
6. Minimize conflicts between trees, sidewalks and other infrastructure.
7. Improve and maintain public interest, appreciation and support for trees and public shade tree programs and encourage volunteer participation.
8. Educate the public in the benefits of trees. Encourage environmental stewardship. Promote the planting and proper care of trees on private property.
9. Preserve and protect existing woodlands and other natural areas in a manner that maintains the character of the Borough, protects environmentally sensitive lands,

maintains water quality, protects habitat, and provides scenic and recreation opportunities.

10. Meet the requirements of, and maintain eligibility for the benefits of, the NJ Shade Tree & Community Forestry Assistance Act.

## **LIABILITY STATEMENT**

As with all municipal assets, trees require maintenance and it is inevitable that potentially hazardous conditions will emerge.

Nevertheless, it is widely recognized that comprehensive and proactive community forestry programs designed to prevent, anticipate, and correct such problems will cost-effectively maximize the benefits of trees while minimizing the threat to public safety and exposure to liability. All elements of this plan are designed to optimize the balance between tree benefits and risks.

The Borough of Madison acknowledges that not all hazardous conditions can or will be predicted. It must work with limited resources spread over a large physical expanse and may not be able to meet every need immediately.

The intent of this plan is to direct available resources toward the greatest needs and systematically develop and maintain a healthy shade tree resource with a commensurate reduction in threats to public safety.

Public safety will be a primary consideration in the development and implementation of all shade tree plans and programs. This plan provides a means of identifying and systematically addressing existing tree hazards. Further, it provides a means of reducing the potential for future hazards and liability through responsible planting and preventative maintenance.



### FIVE YEARS OF PROGRESS

The Borough of Madison is a small, suburban community located in southeast Morris County. It is bordered by the Borough of Florham Park to the north and east, the Borough of Chatham to the east, Chatham Township to the south and west, and Harding and Morris Townships to the northwest.

The dominant land use is single-family housing, occupying 62% of the developed land, largely on lots less than one acre. Parks and other public lands occupy 25% of the developed land and commercial uses occupy 13%. Very little industrial land exists in the Borough.

The Madison Civic Commercial Historic District, which includes much of "downtown" as well as the Hartley Dodge Memorial Borough Hall and the train station, is listed on the National and State Register of Historic Places. The downtown business district has been very successful with little vacant commercial space available. The Shade Tree Management Board (STMB) has been active and influential in preserving Landmark trees.

In 2004, the Open Space, Recreation and Historic Preservation Advisory Committee was formed to make recommendations to the Mayor and Council as to the properties to be acquired or otherwise protected for open space preservation; natural resources preservation, including water supplies; active and passive recreation preservation; and historic preservation. Madison purchased the historic Luke Miller property which also added new park land. The Shade Tree Board provided expertise on the care of trees on this new property and will be doing similar work on a new 53 acre site the Borough is in the process of purchasing.

### CURRENT PUBLIC TREE ASSESSMENT

A detailed inventory of Madison's public trees was completed in 2007 funded by a \$25,000 grant from the New Jersey Forest Service.

Based on an extrapolation of this partial data set, the impressions of the Shade Tree Management Board and Department of Public Works, and a windshield survey conducted during the development of this Plan, the following general conclusions have been reached.

1. Madison's street tree population contains roughly 7000 trees.
2. The street tree population is relatively well stocked with more than 80% of the sites currently planted.
3. Older segments of the street tree population contain a relatively large number of Norway maples (*Acer platanoides*), sugar maples (*Acer saccharum*), red maples (*Acer rubrum*), pin oaks (*Quercus palustris*), sycamores (*Platanus x acerifolia* and *Platanus occidentalis*), and Callery pear (*Pyrus calleryana*).
4. Younger and middle-aged segments of the street tree population contain a wider variety of species, including red maple (*Acer rubrum*), red oak (*Quercus rubra*), pin oak (*Quercus palustris*), willow oak (*Quercus phellos*), elms (*Ulmus spp.*), Zelkova (*Zelkova serrata*), green ash (*Fraxinus pennsylvanica*), and littleleaf linden (*Tilia cordata*).

**MADISON'S  
SHADE TREE  
MANAGEMENT  
PROGRAM**

5. Conflicts between street trees and overhead wires, sidewalks and curbs continue to be a problem in many areas of the Borough.

Madison has enjoyed the benefits of a well established and ambitious Shade Tree Management Program for many years.

The partnerships between the Shade Tree Management Board, the Department of Public Works, the Friends of Madison Shade Trees, the Parks Advisory Committee, and the Open Space, Recreation and Historic Preservation Advisory Committee have proven effective in perpetuating the public shade tree resource and maintaining it in relatively good condition.

Nevertheless, in the process of developing this Community Forestry Management Plan, certain key issues were identified. Goals and objectives contained in this Plan are designed to meet these needs, in addition to addressing basic management needs.

1. **The Need to Manage Based on Data from the 2007 Tree Inventory:** A detailed inventory completed in 2007 will allow the Borough to make the best possible decisions regarding species selection, budgeting and budget allocation, and other matters. Further, information gathered from the inventory will improve the cost-efficiency of service request handling and day-to-day maintenance activities. STMB volunteers and DPW staff completed initial training in the use of the inventory database. Continued use will allow us to use the data to its full potential.
2. **The Need to Introduce Reforestation Projects at Appropriate Sites:** In 2004, the Borough established an Open Space, Recreation, and Historic Preservation Trust Fund. Since then, Madison has expanded Summerhill Park on Ridgedale Avenue, created Livesey Park on Kings Road, and is in the process of acquiring 53 acres on its Florham Park border. STMB has worked with both the Parks Advisory and Open Space Committees to identify existing conditions and develop horticultural plans to improve the sites for public use.
3. **The Need to Continue Educating the Public in the Purpose and Role of the Shade Tree Management Program and the Value of Community Trees:** Although the Shade Tree Management Program has had some success, many in the Borough are not fully aware of the purpose and role of the Shade Tree Management Program and the physical, economic and intangible benefits that trees provide. Efforts are needed to advertise the Program, its purpose, structure, services, and requirements and garner support. Further, it is clear that actively educating residents and encouraging them to do their small part is the most efficient way to expand the Shade Tree Program beyond the management of public trees to the entire "community forest" for the benefit of the entire Borough.
4. **The Need to Establish an Ordinance Protecting Private Trees:** The STMB has researched and written an ordinance that would protect private trees. Because it is a controversial issue in the community, the STMB must spend time and resources educating the residents about the need for an ordinance.
5. **The Need to Transition the Primary Focus from Planting to Proactive Maintenance:** Madison's Shade Tree Management Program has been very successful in replanting trees as they are lost and perpetuating relatively good public tree stocking and cover. However, efforts to provide proactive maintenance, particularly developmental pruning when the trees are young, will help extend the trees' service life expectancy, improve the cost-efficiency of maintenance efforts, minimize potentially hazardous conditions, and reduce cyclical peaks in replanting needs over the long term. Data from the 2007 Tree Inventory will now allow us to do this proactive work.

**RELATION TO  
THE  
BOROUGH'S  
MASTER PLAN**

6. **The Need to Maximize Tree Age Diversity:** Segments of Madison's street tree population are "even-aged" and reaching the end of their useful service life together. Trees have a finite life expectancy and, particularly in a street setting where safety is paramount, the end of a trees' "service life" often comes well before the end of its "biological life." To reduce cyclical peaks in removal and replacement needs in the future, replanting should follow a consistent pace based on long-term stocking goals. Over the long term, this will create a more uneven aged tree population that is more stable with annual removal and replacement needs that are more consistent and manageable over the entire cycle.
7. **The Need to Continue Maximizing Species Diversity:** The problems that place the greatest burden on municipal tree maintenance budgets are almost always species-specific. Though Madison has relatively good species diversity in its younger public trees, maples comprise a disproportionately large percentage of its older stock. Maples have been especially problematic in street tree plantings throughout northern New Jersey and the subject of much of Madison's service request work. Continuing to plant a greater diversity of species with more varied susceptibilities will help insulate the Borough from these cycles of increased demand when other unanticipated, species-specific problems emerge.

All aspects of this Community Forestry Management Plan are consistent and compatible with the goals, objectives, and general intent of the Borough's Master Plan and its Parks, Recreation & Open Space element.

All programs outlined in this Plan will be developed and implemented in a manner that will directly or indirectly satisfy or support these goals and the general intent of the Madison Master Plan and Open Space Plan.

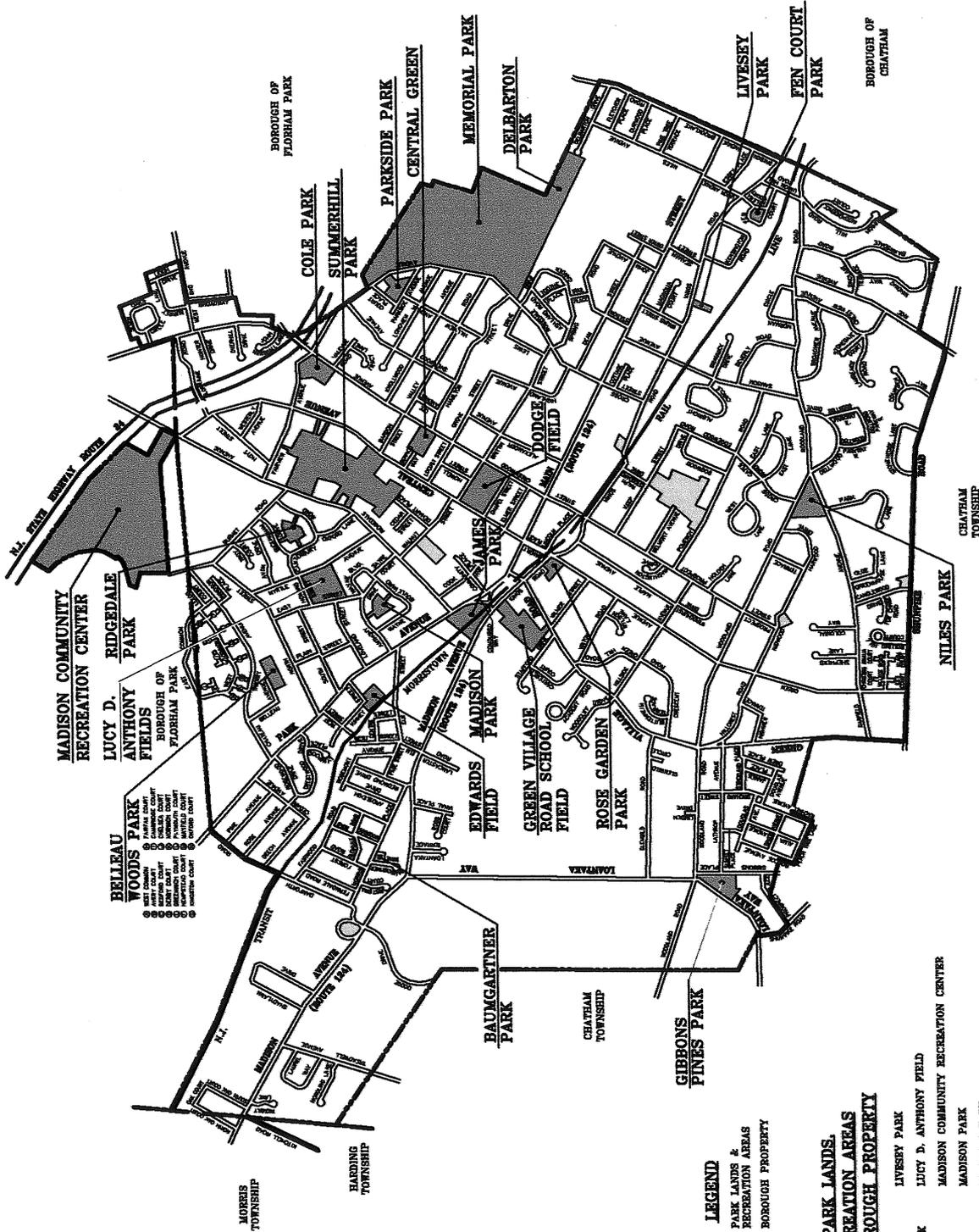
Specific Master Plan and Open Space Plan objectives supported by this Community Forestry Management Plan include:

- *To promote a balanced variety of residential, commercial, recreational, public, and conservation land uses.*
- *To promote the preservation of natural systems and environmentally sensitive areas, particularly wetlands, flood hazard, and aquifer recharge areas.*
- *To maintain and improve the downtown business district.*
- *To provide adequate community facilities and services in order to maintain the quality of life for existing and future Borough residents.*
- *To provide for additional parkland and preserve existing open spaces.*
- *To encourage the preservation of existing vegetation.*
- *To promote a desirable visual environment through creative development techniques and good civic design and arrangements.*
- *To promote the maximum practicable recovery and recycling of recyclable materials.*
- *To integrate the East and Central Business districts.*
- *To extend the use of geographic information system (GIS).*
- *To preserve and expand Madison's urban forest.*

In 2006, based on substantial input from the Shade Tree Management Board, the Madison Land Use Code was enhanced to regulate the movement of soil to protect root structure of existing private property trees.

# BOROUGH OF MADISON

NEW JERSEY



- WEST COMMON
- WINDY HOLLOW
- WINDY HOLLOW COURT
- WINDY HOLLOW DRIVE
- WINDY HOLLOW PLACE
- WINDY HOLLOW ROAD
- WINDY HOLLOW TERRACE
- WINDY HOLLOW TRAIL
- WINDY HOLLOW WALK
- WINDY HOLLOW WAY
- WINDY HOLLOW YARD
- WINDY HOLLOW YARD DRIVE
- WINDY HOLLOW YARD PLACE
- WINDY HOLLOW YARD ROAD
- WINDY HOLLOW YARD TRAIL
- WINDY HOLLOW YARD WALK
- WINDY HOLLOW YARD WAY
- WINDY HOLLOW YARD YARD

**LEGEND**  
 PARK LANDS & RECREATION AREAS  
 BOROUGH PROPERTY

**PARK LANDS, RECREATION AREAS & BOROUGH PROPERTY**

- BAUMGARTNER PARK
- BELLEAU WOODS PARK
- CENTRAL GREEN
- COLE PARK
- DODGE FIELD
- EDWARD'S FIELD
- FEN COURT PARK
- GIBBONS PINES PARK
- JAMES PARK
- LIVESSEY PARK
- LUCY D. ANTHONY FIELD
- MADISON COMMUNITY RECREATION CENTER
- MADISON PARK
- MEMORIAL PARK
- NILES PARK
- PARKSIDE PARK
- RIDGEDALE PARK
- ROSE GARDEN PARK
- SUMMERHILL PARK

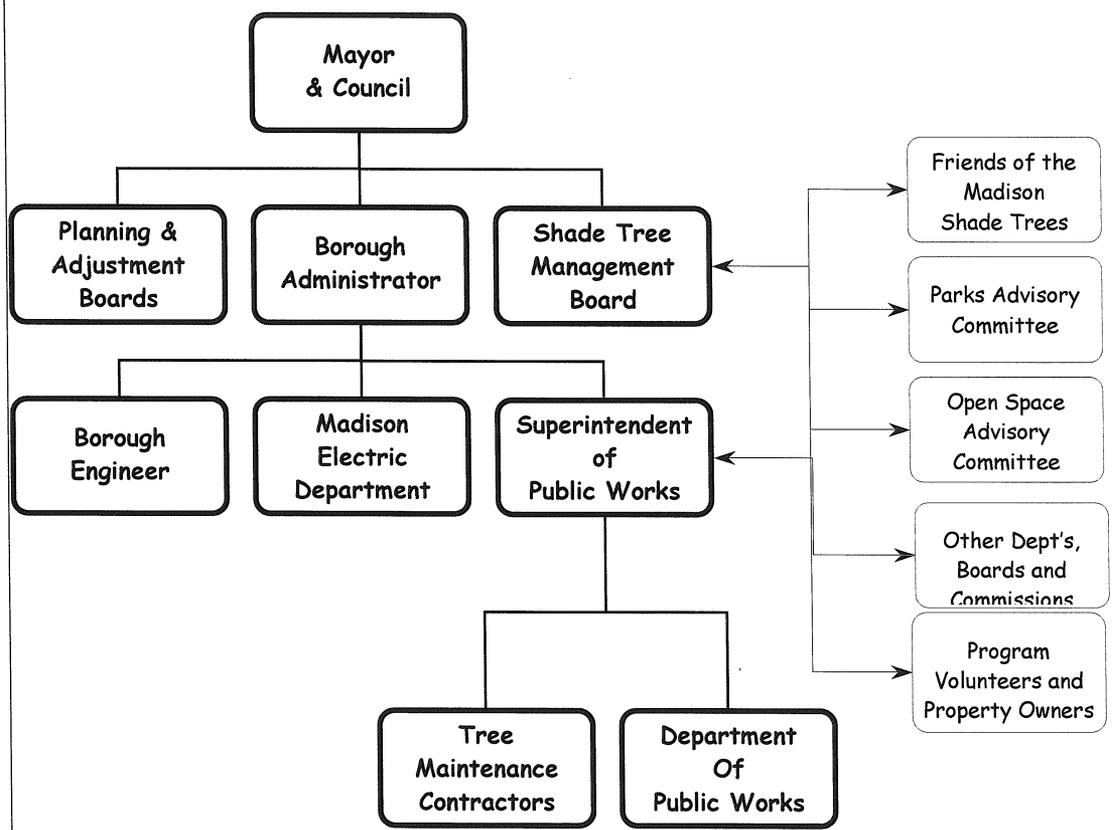


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**SHADE TREE  
MANAGEMENT  
PROGRAM  
STRUCTURE**

By ordinance, the Shade Tree Management Board of the Borough of Madison is primarily responsible for the management of the Borough's public shade tree resources, administering Madison's Shade Tree Management Program, and providing guidance to the Superintendent of Public Works on the care of the Borough's trees and shrubbery on streets, highways, and public places.

The Shade Tree Management Board leads the development and implementation of this Community Forestry Management Plan and works in concert with the Department of Public Works and other internal and external groups to comprise Madison's Shade Tree Management Program, as follows.



The Open Space, Recreation and Historic Advisory Committee has been added to this organization chart. The other listed organizations are the same as in our first 5 year plan. They appear again as an identification of the groups with which the Shade Tree Board interfaces.

**SHADE TREE  
MANAGEMENT  
PROGRAM  
RESPONSIBILITIES**

**1. Mayor & Council**

- a) The Mayor is responsible, with the advice and consent of the Borough Council, for appointing members to the Shade Tree Management Board and other Borough boards and commissions.
- b) The Borough Council has ultimate authority over the policies, procedures, and programs of the Shade Tree Program and approves the STMB budget.
- c) In addition to his or her regular duties, each Council member is responsible for:
  - i) Chairing a Standing Committee that oversees the Borough's various departments and offices.
  - ii) Serving as a Council Liaison to various Borough commissions, boards and committees.

**2. Borough Administrator**

- a) The Borough Administrator serves as the chief administrative official of the Borough.
- b) Specifically, the Borough Administrator:
  - i) Implements the policies established by the governing body.
  - ii) Manages the day-to-day operations of the Borough and assists the department heads with special projects.
  - iii) Develops and prepares the budget with the Director of Finance.
  - iv) Manages purchasing, personnel, insurance and grants.
  - v) Provides assistance to Borough volunteer committees.

**3. Shade Tree Management Board**

- a) The Shade Tree Management Board is a group of volunteers comprised of seven regular members and two alternate members.
- b) By ordinance, the Shade Tree Management Board is responsible for:
  - i) Exercising full and exclusive control over the selection, planting, and care of public shade and ornamental trees and shrubbery, including the planting, trimming, spraying, care and protection thereof.
  - ii) Controlling the use of the ground surrounding Borough trees, so far as may be necessary for their proper growth, care, and protection.
  - iii) Requiring the removal or pruning of any Borough trees, as necessary.
  - iv) Developing and maintaining a Community Forestry Management Plan in compliance with the New Jersey Shade Tree & Community Forestry Assistance Act.
  - v) Providing guidance to the Superintendent of Public Works regarding all matters pertaining to Borough trees.
  - vi) Reviewing site plans before the Planning Board or Zoning Board of Adjustment and advising on tree related issues.
  - vii) Determining the need for tree removal or pruning in conjunction with road reconstruction projects and notifying residents of associated tree removal plans.
  - viii) Locating, identifying, and selecting trees as "landmark trees."
  - ix) Encouraging and advising the Borough on the proper care of trees, public and private.

**4. Planning Board & Board of Adjustment**

- a) The responsibilities of the Boards follow the requirements of the Municipal Land

Use Law NJSA 40:55D-1 *et seq.* and the Borough Land Use Legislation Ordinance Chapter 195-1 *et seq.*

- b) The Planning Board and Board of Adjustment are responsible, with the advice of the Shade Tree Management Board, for implementing various elements of the Borough Code and Borough Master Plan that relate to site development and the protection and care of trees and other natural resources.

#### **5. Parks Advisory Committee**

- a) The Parks Advisory Committee advises the Mayor and Council on uses of the Borough's parks.
- b) The Parks Advisory Committee does some limited tree planting in Borough parks in cooperation with the Shade Tree Management Board and the Department of Public Works.

#### **6. Borough Engineer**

The Borough Engineer is responsible for:

- a) Working with the Shade Tree Management Board to review building, road, and utility construction plans and their potential impact on Borough street trees.
- b) Final review, coordination (with STMB where appropriate), and approval of all site subdivision plans approved with conditions by the land use boards.
- c) Final review, coordination (with STMB where appropriate), and approval of all individual lot grading plans on single family structures requiring a construction permit by the Building Department of the Borough of Madison.

#### **7. Department of Public Works**

The Department of Public Works operates in cooperation with the Shade Tree Management Board and is responsible for:

- a) Assisting in administering applicable regulations and policies relating to public trees.
- b) Assisting in administering applicable regulations and policies relating to public trees.
- c) Completing or supervising and assisting contractors in the completion of public tree pruning, removal and other maintenance tasks with the advice of and in cooperation with the Shade Tree Management Board.
- d) Purchasing and planting new public trees and providing post-planting maintenance with the advice of and in cooperation with the Shade Tree Management Board.
- e) Planting and maintaining trees in Borough parks in cooperation with the Parks Advisory Committee and the Shade Tree Management Board.
- f) Providing emergency response service, when appropriate

#### **8. Tree Maintenance Contractors**

- a) Private contractors are routinely hired to complete work relating to the maintenance of public trees.
- b) Contractors are, within the terms of their agreement, responsible for:
  - i) Completing all work to the specifications of the Borough in an efficient and safe manner
  - ii) Following all current and accepted arboricultural standards and practices and abiding by all current and applicable safety standards relating to tree care operations
  - iii) Reporting any tree-related hazards or other problems immediately to the

**9. Madison Electric Department**

- a) The Borough of Madison Electric Department is responsible for minimizing conflicts between trees and its facilities.
- b) While doing so, Electric Department crews and its contractors are responsible for:
  - i) Abiding by all applicable Borough ordinances, policies and procedures
  - ii) Exercising reasonable diligence in the installation and maintenance of its facilities so as to avoid damage to public and private trees
  - iii) Not removing any tree without prior approval of the Shade Tree Management Board or its private owner
  - iv) Following all current and accepted arboricultural standards and practices
  - v) Assisting Department of Public Works personnel and contractors in completing tree removal and maintenance work around their facilities, where necessary

**10. Friends of Madison Shade Trees**

- a) The Friends of the Madison Shade Trees, a private, non-profit organization, is organized for the purpose of supporting the Shade Tree Management Board. It offers volunteer services to the Shade Tree Management Board.
- b) The Friends accept monetary donations and apply for and receive grants to supplement shade tree planting projects coordinated with the Shade Tree Management Board.
- c) Friends of the Madison Shade Trees bylaws mandate that at least three of its members be current members of the Shade Tree Management Board.

**11. Program Volunteers**

- a) Members of the Shade Tree Management Board reside or work in Madison and serve on a volunteer basis.
- b) Other community groups or individuals with a direct or indirect role in the Shade Tree Management Program represent, reside, or work in Madison.

**12. Open Space, Recreation and Historic Advisory Committee**

In 2004, the Open Space, Recreation and Historic Preservation Advisory Committee was formed to make recommendations to the Mayor and the Council as to properties to be acquired or otherwise protected for:

- a) Open space preservation,
- b) Open natural resources preservation, including water supplies and
- c) Historic preservation.

**13. Other Borough Departments, Boards & Commissions**

Other departments and boards may be called upon by the Shade Tree Management Board to assist the Shade Tree Management Program by administering and implementing Borough ordinances, policies and procedures that relate to the protection and management of public and private trees.

**14. Property Owners**

Private property owners assist the Shade Tree Program to the extent that they:

- a) Notify the Borough of problems and service requests for public trees (see procedures below)

**RELATED  
ORDINANCES  
& POLICIES**

- b) Assist in irrigating and protecting new public trees planted adjacent to their properties
- c) Are encouraged to plant and properly care for trees on private property
- d) Assist in identifying tree diseases and pests on private property that may threaten the entire community forest
- e) Nominate Landmark Trees

The following authorize or relate to Madison's Shade Tree Management Program:

1. Chapter 45 of the *Code of the Borough of Madison New Jersey, Shade Tree Management Board* (Ordinance #21-2001, adopted May 30, 2001), which:
  - a) Establishes the Shade Tree Management Board.
  - b) Provides for the planting, protection and care of trees on public lands within the Borough.
  - c) Provides for the identification and designation of Landmark Trees on public and private lands within the Borough.
2. Chapter 195 of the *Code of the Borough of Madison New Jersey, Land Use*, which contains various requirements for the protection of natural resources, landscaping, soil movement, and buffers in conjunction with land development applications.
3. Written *Bylaws* of the Shade Tree Management Board of the Borough Madison, adopted in 2001, which detail programs, policies and procedures under which the Board shall operate.

**TREE  
SERVICE  
REQUEST  
PROCEDURES**

Requests for the pruning, removal, planting, or other treatment of public trees are typically initiated by adjoining property owners, but may also be initiated by Shade Tree Management Board members, Borough personnel, and other sources. All service requests are processed as follows:

1. Service requests and complaints relating to public trees are received by the Department of Public Works and forwarded to the Shade Tree Management Board.
2. Upon receiving a phone call, the DPW initiates a *Shade Tree Review* form, which includes information regarding the requester, the location and the nature of the request.
  - a) If the Department of Public Works believes the nature of the phone call is urgent, the Shade Tree Management Board's Chairman is contacted for immediate action.
  - b) Non-emergency forms are handed over to the Shade Tree Management Board on a routine schedule.
3. Trees for which service is requested are inspected by the Shade Tree Management Board to determine the validity of the request, the nature of the work necessary, and the urgency with which corrective work must be completed.
4. Adjacent property owners are informed in advance via first-class mail and a postcard left at the property whenever a tree is to be removed or planted.
5. Necessary pruning, removal or other work is prioritized and scheduled for completion by the Borough's contractor, the Department of Public Works, or County crews, as appropriate.
6. Records of inspections and public tree removal and pruning work are maintained in the 2007 Tree Inventory database by the Department of Public Works and the Shade Tree Management Board.

**2008 - 2013  
OBJECTIVES**

**1. Private Tree Ordinance Review**

Promoting the passage of this proposed Ordinance is a critical task for the Shade Tree Management Board. Development on existing private property, especially where older homes stood, is resulting in the removal of many stately old trees.

- a) Develop procedures and forms for implementation and education public on use
- b) Monitor the implementation
- c) Assess and revise as needed

**2. Technical Coordinating Committee (TCC)**

This committee supports the planning and zoning boards in reviewing and providing advice on all major site plans. The Shade Tree Board needs to utilize a professional arborist to assess how these plans impact public and private trees.

**3. Ongoing Administrative Programs**

- a) Continue implementing the administrative programs, policies and procedures already in effect.
- b) Upgrade/enhance policies

**4. Other Ordinance Reviews**

- a) Review all ordinances relating to the Borough's Shade Tree Management program.
- b) Evaluate the ordinances relative to current needs and issues, past enforcement, and the past successes and failures of the Shade Tree Management program.
- c) Propose revisions to the ordinances, if necessary, with the ongoing review and input of the Mayor and Council, all related departments and boards, the Borough Attorney, consultants, and experienced individuals from other municipalities during the revision process.
- d) Submit the revised or rewritten ordinances for approval by the Mayor and Council.

**5. Increased Interaction**

Increase presence/attend more Planning and Zoning Board Meetings



## Budget & Resources

### OVERVIEW

The following is a summary of the annual resources available to Madison's Shade Tree Management Program, on average, in recent years.

Several of the objectives contained within this Plan may require resources beyond those currently available. The Borough's ability to fully satisfy these objectives may be dependent upon its ability to secure additional funding through internal or external sources. Due to borough wide cost reduction goals, the Shade Tree Board's budget for 2008 is projected to have a 7% reduction. The goal is to stabilize the Shade Tree Board budget at the 2008 number thru 2011.

### EMPLOYEE SALARY & WAGES

Borough Administrator  
Borough Engineer  
Planning Board Secretary  
Department of Public Works Personnel  
Electric Department Personnel  
Clerical Staff

*Subtotal (total salary and benefits prorated by percent of time dedicated to the Shade Tree Management Program)*

\$436,420

### OPERATIONS

Contracted tree maintenance  
Utility line clearance  
Training & professional development  
Memberships & subscriptions  
Miscellaneous office expenses  
Other expenses

*Subtotal*

\$120,000

### BOROUGH EQUIPMENT

(2) 45-foot Aerial bucket trucks  
(1) 40-foot Aerial bucket truck  
(2) Chip trucks  
(1) Chipper  
(1) Stump grinder  
Various related small tools and other equipment

*Subtotal (estimated annual value based on value amortized over 5 – 10 year service life, plus annual maintenance, repairs, etc. and prorated by percent of time used by the Shade Tree Management Program)*

\$17,200

**TREE  
PLANTING**

Cost of trees purchased  
Cost of installation by contractors

*Subtotal*

\$17,500

**TREE WASTE  
RECYCLING**

Cost of disposal of tree wastes at outside  
recycling facilities

*Subtotal*

\$91,000

**VOLUNTEER  
SERVICES**

Shade Tree Management Board members  
Friends of Madison Shade Trees members  
Parks Advisory Committee members  
May Day project volunteers

*Subtotal (5200 hrs per year @ \$18.04)*

**\$93,808**

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**TOTALS**

***Borough Resources***

**\$682,120**

***Value of Volunteer Contributions***

**\$93,808**



## Training & Professional Development

### TRAINING & PROFESSIONAL DEVELOPMENT GOALS

1. Provide individuals within the Shade Tree Management Program with sufficient knowledge to make effective management decisions.
2. Ensure that tree inspections and evaluations follow accepted standard procedures and that the results are objective, technically correct and consistent.
3. Ensure that all tree maintenance, planting and other projects are planned and completed in accordance with the latest scientific knowledge and current industry standards.
4. Maximize the number of knowledgeable and capable "eyes and ears" available to assist in continually monitoring the tree population.
5. Ensure continuity in the overall level of knowledge and expertise as individuals leave the Shade Tree Management Program and new ones join.
6. Satisfy the training requirements of the New Jersey Shade Tree & Community Forestry Assistance Act making the Borough eligible for its benefits.
  - a) Provide CORE Training for all Shade Tree Management Board members and key Borough employees and elected officials.
  - b) Satisfy the Act's annual continuing education requirements.

### EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Training Provisions & Funding**
  - a) Training and professional development opportunities in arboriculture and urban forestry are provided by the Borough to employees and volunteers serving the Madison's Shade Tree Management Program.
  - b) These opportunities will include Continuing Education as required under the New Jersey Shade Tree & Community Forestry Assistance Act.
  - c) Training is funded by the operating budget of the attendee's respective department, committee or board.
2. **Current Expertise, Licenses & Certifications**
  - a) Two current members of the Shade Tree Management Board are professional arborists.
  - b) Individuals serving Madison's Shade Tree Management Program routinely attend seminars and training programs relating to arboriculture and urban forestry. Recently attended programs have included:
    - i) Tree Hazard Identification training.
    - ii) Ongoing safety and other training directly or indirectly related to tree care operations (Department of Public Works employees).
    - iii) Gypsy moth recognition and treatment.
    - iv) The New Jersey Shade Tree Federation Annual Meeting.
    - v) Rutgers University Master Gardener Certificate Program.
3. **NJ Community Forestry's Training Skills & Accreditation Program**

At the time this Plan was prepared, seven individuals had satisfied the CORE

Training requirements of the New Jersey Shade Tree & Community Forestry Assistance Act Training Skills & Accreditation Program including:

- a) One Borough employee (Superintendent of Public Works, also serves as STMB volunteer)
- b) Six Shade Tree Management Board members

#### 4. **Funding**

Training is funded by the operating budget of the attendee's respective department, commission, or board.

### **CURRENT TRAINING NEEDS**

The Borough has evaluated its existing programs and personnel and identified the following new or update training needs:

1. CORE Training for new Shade Tree Management Board members, Borough Administrator and Council Liaison.
2. Tree Inventory Software use for all Borough employees and STMB personnel who need to access the tree inventory database.
3. Tree planting for Shade Tree Management Board members and Department of Public Works employees.
4. Developmental pruning for young trees.
5. Planting site analysis and species selection for Shade Tree Management Board members.
6. Tree hazard identification and assessment for additional Shade Tree Management Board members and key Department of Public Works employees.
7. Tree species identification for Shade Tree Management Board members and Department of Public Works employees.
8. Legal issues relating to community forestry for Shade Tree Management Board members, Borough Council members and/or other Borough officials.
9. Tree and sidewalk conflicts and alternative repair techniques for Shade Tree Management Board members and key Department of Public Works employees.
10. Tree preservation and protection during development for Shade Tree Management Board members.
11. Insect and disease diagnosis and treatment for Shade Tree Management Board members and key Department of Public Works employees.
12. Tree pruning and rigging for Department of Public Works employees.
13. Line clearance pruning and electrical hazard awareness for Madison Electric Authority employees.
14. Tree pruning including electrical hazard awareness.
15. Planning and management of woodlands, wildlife, and watersheds for all appropriate personnel.

### **2008 – 2013 OBJECTIVES**

#### 1. **Ongoing Training Programs**

Continue all existing training programs on a regular basis.

- a) Attend training programs, in addition to the following objectives, that address the Current Training Needs listed above as appropriate programs become available.
- b) Maximize the number of different individuals who increase their level of expertise.

2. ***NJ Community Forestry's Training Skills & Accreditation Program (January – March, Annually)***
  - a) Review training needs versus upcoming training opportunities.
  - b) Ensure that the Borough will accumulate the necessary continuing education credits required under the New Jersey Shade Tree & Community Forestry Assistance Act by the end of each year.
  - c) Schedule CORE training for STMB members and key Borough employees and elected officials as necessary.
  
3. ***Revise Shade Tree Management Board Member Handbook***
  - a) *April – June 2008*
    - i) Develop an updated handbook for all Shade Tree Management Board members and associated groups. Sections requiring updates include:
      - Policies and procedures of the Shade Tree Management Board including the *Bylaws*, relevant sections of the Borough Code, etc.
      - Tree Inventory description and use.
      - Madison Landmark trees.
      - The New Jersey Shade Tree & Community Forestry Assistance Act and the New Jersey Community Forestry Program.
      - Tree species selection criteria including any new street trees recommended for New Jersey streets.
      - Member contact information.
  - b) *July – December 2008*
    - i) Distribute the Handbook to all relevant groups and individuals including the Mayor and Council, Friends of Madison Shade Trees, Department of Public Works, other volunteer groups, etc.
  
4. ***Tree Planting (April – June 2008)***

Review and update procedures for planting new trees and train at least one key Department of Public Works employee and one STMB member on new planting procedures.
  
5. ***Developmental Pruning (July – December 2008)***

Train at least one Department of Public Works employee and one STMB member on the proper pruning of young trees to promote the development of a structurally sound trunk and crown form, minimize conflicts with roads and utilities, and minimize the need for severe pruning as the trees mature.
  
6. ***Tree Hazard Evaluation***
  - a) *January – April 2009*

Train at least one additional STMB member, Department of Public Works employee and/or Electric Department employee to recognize and evaluate potential tree hazards using the latest information and techniques.
  - b) *January – December 2011*

Train at least one additional STMB member, Department of Public Works employee and/or Electric Department employee to recognize and evaluate potential tree hazards using the latest information and techniques.
  
7. ***Planting Site Analysis & Species Selection (January – December 2010)***

Provide update training for additional members of the Shade Tree Management Board in pre-planting site analysis, species selection and tree placement. Critical issues to be covered include:

- a) Evaluating soil structure and drainage
- b) Recognizing potential root zone and above ground restrictions and conflicts
- c) Selecting species whose site requirements and growth characteristics suit the existing site conditions
- d) Selecting an appropriate mix of species that will maximize long-term health and stability in the tree population while minimizing maintenance demands.

**8. Tree Inventory (September – December 2012)**

Determine need for tree inventory software and training updates and, if needed, install updates and train Borough employees and STMB members who access the tree inventory database



## Public Education, Awareness & Outreach

### PUBLIC EDUCATION, AWARENESS & OUTREACH GOALS

1. Use data from the 2007 Shade Tree Inventory to increase and maintain public interest and support for Madison's Shade Tree Management Program.
2. Educate the public about the benefits of trees to their properties and the community overall.
3. Partner with local businesses and residents to volunteer and assist in promoting and completing various projects, preserving the urban forest, and beautifying the Borough.
4. Promote and encourage the planting, protection and proper care of trees on private property for the benefit of the entire community.

### EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Arbor Day**
  - a) Arbor Day programs have been held annually in Madison since 1984.
  - b) Arbor Day programs are organized by the Shade Tree Management Board and have involved the Friends of Madison Shade Trees, the Department of Public Works, students, school administrators, elected officials, and others.
  - c) As a result of the Shade Tree Management Board's sponsorship of Arbor Day, it has become a curriculum element in Madison schools. Under the direction of teachers, elementary schoolchildren practice and perform musical selections, read poetry, and compose original poetry relating to trees and the environment. Students also design the covers of the Arbor Day program.
  - d) An Arbor Day tree, offered through Morris County, is planted each year on Borough property and noted in the Arbor Day program.
  - e) Individuals or organizations who have demonstrated outstanding stewardship of Madison's urban forest are honored and/or memorialized in the Arbor Day ceremony.
2. **May Day (Annual Borough-wide clean-up and beautification event)**
  - a) The Shade Tree Management Board works with the Downtown Development Committee to coordinate Arbor Day with the Borough's May Day celebration.
  - b) As part of the May Day celebration, the Shade Tree Management Board, the Friends of Madison Shade Trees, the Garden Club of Madison, and the Parks Advisory Committee join with other volunteers to plant, clean up, weed, and prune along public streets and parks.
3. **Tree City USA & Other Awards**
  - a) The Borough has been designated a Tree City USA by the National Arbor Day Foundation since 1985.
  - b) In 2000, the Garden Club of Madison presented FMST with a Garden Club of America Horticulture Award for its work on the beautification and reforestation of the Borough of Madison.
  - c) In 2003, Morris Township honored FMST with a McFlowers Town Award in the category of Major Roadways for improving the streetscape along Kings Road.

- d) Grants

#### **4. Landmark Tree Register**

- a) The Shade Tree Management Board updated its existing Landmark Tree list in 2007. Twelve new trees were added. Residents were asked to submit candidates with the results announced at the Arbor Day ceremony. STMB Arborists offered to assess all nominated trees.
- b) A Big Trees of Madison Contest was held in 2004. Its purpose was to foster appreciation for the importance of trees to the Madison community while helping to identify trees for inclusion in the Landmark Tree list. Residents nominated the largest trees in town. Winners received awards. All nominees were given certificates signed by the Mayor. A picture taken of a toddler hugging one of the nominated trees was used as a promotional poster and later used by the NJ Forest Service for some of its literature.

#### **5. Green Forums**

- a) The STMB sponsored the second and third Green Forums with other public and private community groups that plant and maintain green spaces in the Borough. Press releases encouraged the public to attend.
- b) In 2004, participants pushed to have a private tree ordinance developed.
- c) In 2006, participants decided to work together on reforestation projects.

#### **6. Tree Planting Education**

- a) Madison - East Main Street
  - i) With the Friends of the Madison Shade Trees implemented National Tree Trust Grant for planting 31 Redspire pear trees on East Main Street
  - ii) Produced video on "How to Plant a Tree" and distributed to all Borough schools and the Library
  - iii) Shade Tree Board augmented the plantings with an additional 20 pear trees
- b) Madison - Central Business District: planted 32 new Redspire pears along Main Street

#### **7. Media**

- a) Shade Tree Board submitted press releases to Local newspapers announcing Arbor Day events and other programs, events, and meetings.
- b) Shade Tree Board submitted various articles to Local newspapers concerning tree threats (gypsy moth, Asian Long-Horned beetle, mulch volcanoes, etc.)
- c) Information posted on the Borough's Website [www.rosenet.org/gov/](http://www.rosenet.org/gov/) and the Shade Tree Management Board's dedicated page [www.rosenet.org/gov/shadetree](http://www.rosenet.org/gov/shadetree) currently includes:
  - i) Program updates and announcements.
  - ii) Contact information
  - iii) The Shade Tree Management Board ordinance
  - iv) Current STMB meeting minutes and agendas.

#### **8. Other Awareness and Outreach Programs**

- a) A pamphlet is occasionally enclosed with electric bills mailed to all Borough residents explaining why Madison has a Shade Tree Ordinance, what the Shade Tree Management Board's duties are, and the importance of trees to the

**2008 – 2013  
OBJECTIVES**

community.

- b) The Shade Tree Management Board periodically submits letters to the editor of local newspapers to explain the STMB's purpose, policies, and procedures.
- c) The Shade Tree Management Board distributes material from the NJ Forest Service and the National Arbor Day Foundation regarding trees and tree care at community events such as Arbor Day, Bottle Hill Day, Borough Open House, Drew University Community Day, Madison High School Volunteer Career Day.
- d) Shade Tree Management Board members give presentations on Madison's tree program to community groups.
- e) The Shade Tree Management Board in partnership with the Friends of the Madison Shade Trees (FMST) sponsors tree-related workshops and talks for the community, including a presentation of NJ Big Trees, workshop on how to prune trees, deer survey.
- f) STMB has donated books to the Madison Public Library.

**1. Ongoing Public Awareness**

- a) Continue all existing public education, awareness and outreach programs on a regular basis.
- b) Use the 2007 Shade Tree Inventory
  - i) Plan a Stewardship index.
  - ii) Extend to include all Borough parks.
  - iii) Educate public on their community urban forest.
- c) Continue "windshield surveys" to monitor Borough street trees and alert residents of potential problems
- d) Work with the Borough Engineering Department
  - i) Enforce existing tree ordinances.
  - ii) Implement and enforce a new Private Tree Ordinance if it passes.
  - iii) Coordinate road construction as it impacts Borough trees.
- e) Partner with the staff at Drew University to capitalize on their knowledge.
  - i) Instruct on ways to help protect/better understand the special forest within the Drew Campus.
  - ii) Create mini-courses for the Madison Public Library Program when appropriate
  - iii) Conduct walking tours to educate on native plantings.
  - iv) Educate on sustainable Green initiatives.
- f) Educate the public on the need for a Private Tree Ordinance.
- g) Working with other Borough boards/committees, educate the public on the need to preserve and expand Madison's diminishing urban forest through reforestation projects i.e., Livesey Park, the Exxon Property and other park properties

**2. Annual Arbor Day Programs (January through April, annually)**

Continue conducting annual Arbor Day celebrations.

- a) Seek assistance from local civic groups, the Board of Education, local businesses, and others to help spread the workload and to maximize visibility and attendance at the programs.
- b) Vary the location, activities, target audience, etc. to help increase interest and support for the Borough's Shade Tree Management Program.

- c) Pay tribute to individuals or organizations demonstrating outstanding stewardship of Madison's urban forest.

**3. Tree City USA(October – December, annually)**

- a) Prepare and submit the annual application for continued designation as a Tree City USA through the National Arbor Day Foundation's recognition program.
- b) Prepare and submit the application for the Tree City USA Growth Award after eligibility requirements have been met.
- c) Work with Borough Electric Department to meet requirements of Tree City Line Utility.
- d) Advertise the designation by displaying the program's promotional materials throughout the Borough and in other public relations materials (road signs, plaques, truck decals, stationary logo, etc.).

**4. Educational Articles**

- a) Issue at least two articles per year that are dedicated to educational and general interest subjects, rather than program announcements, to help increase public awareness, interest and support for tree planting and preservation in general.
- b) These articles may be reprints of articles from various sources or produced in-house and published via local newspapers, the Borough website, direct mail enclosures with other Borough mailings, or other means.
- c) Applicable subjects may include, among others:
  - i) The environmental, social and economic benefits of trees to property values and the community in general
  - ii) Timely tree health issues (drought, maple decline, Asian Long Horned Beetle, bacterial leaf scorch, hemlock woolly adelgid, Gypsy Moth, etc.) and recommendations for preventative care
  - iii) General tree maintenance tips
  - iv) Selecting and planting trees on private property
  - v) Proper mulching and avoiding root collar damage
  - vi) Measures for protecting trees during construction
  - vii) The hazards of root cutting during sidewalk repair and alternative methods to consider
  - viii) Causes and remedies for root intrusion into sewers
  - ix) Listing of recommended native trees
  - x) Borough Landmark Tree list

**5. Promotional Events**

- a) Continue the Landmark Tree promotion
  - i) Specify criteria that nominated trees must meet to be considered as a Landmark tree (age, cultural or historic significance, distinctive form, condition, and/or aesthetic distinction to their neighborhoods).
  - ii) Develop and implement a system for receiving and confirming nominations. This may include the production of nomination forms to be distributed and field checking the species and size of nominated trees.
  - iii) Advertise the contest and request the involvement of residents, schools, businesses, civic groups, and others in locating and reporting candidate trees. This may require the production of promotional materials to be

distributed.

- iv)** Include university campuses and business parks.
  - v)** Determine how to recognize the successful candidates.
  - vi)** Publish and distribute a brochure listing Landmark Trees with locations, photos and general information about each tree.
- 
- b)** Partner with the Rose City Steppers to create and implement a walking tour of community trees. Arrange publicity of the event with the Steppers and invite the public to participate. During the walk, identify tree species, significant historical properties and landscapes, etc. Provide handouts to participants about New Jersey street trees.
  - c)** Continue to schedule speaking engagement at least two times per year. Audiences should include schools, senior citizens, and other community groups.
  - d)** Develop and implement urban forestry displays to educate the public. Target public spaces such as the Madison Public Library, the YMCA, downtown storefront windows, etc. Include material to educate the public about the need for trees, proper tree selection, protecting and replacing hardwood trees on private property, tree planting and pruning techniques, etc.
  - e)** Organize Policy chapter in Handbook/Develop a standards and specification document.



## Tree Inventory & Implementation

### TREE INVENTORY & IMPLEMENTATION GOALS

1. Provide accurate and updateable baseline data from which comprehensive, long-term street tree management strategies and proactive management programs can be established, implemented and evaluated.
2. Provide a means of monitoring and evaluating trends in the tree resources and evaluating the impact of management efforts over time.
3. Improve the efficiency of day-to-day tree management activities by identifying, prioritizing and scheduling planting, replanting, maintenance, and hazard abatement needs.
4. Track management activities and evaluate their long-term impact on the tree population and progress toward the overall goals and objectives of the Shade Tree Program.
5. Maintain records of maintenance for individual trees.

### EXISTING PROGRAMS, POLICIES & PROCEDURES

#### 1. **Existing Tree Inventory**

A detailed computerized inventory of Madison's public trees was completed in 2007.

#### 2. **Current Tree Assessment**

Based on the computer inventory data, the following general conclusions have been reached:

- a) Madison's street tree population contains approximately 7000 trees.
- b) The street tree population is relatively well stocked and the tree inventory has listed the potential planting sites.
- c) The older segments of the street tree population contain a relatively large number of maples:  

11% Norway maple (*Acer platanoides*), 11% sugar maple (*Acer saccharum*), and 5% Crimson King maple (*Acer platanoides* "Crimson King"). Other varieties of species include red oak (*Quercus rubra*), pin oak (*Quercus palustris*), willow oak (*Quercus phellos*), elm (*Ulmus spp.*), Zelkova (*Zelkova serrata*), green ash (*Fraxinus pennsylvanica*), and littleleaf linden (*Tilia cordata*).
- d) According to the tree inventory data, the height of the trees falls into the following categories:

0-15 feet	24%
15-30 feet	30%
30-45 feet	26%
45-60 feet	15%
60+ feet	5%
- e) Approximately 75% of the trees surveyed in the tree inventory are above 15 feet. Of that number, around one half reach electric wires which necessitates a yearly wire pruning contract set up by the Borough Electric Department in partnership with the Shade Tree Management Board.

**3. Tree Inventory Assessment and Utilization Report**

- a) Begin integrating the inventory into ongoing planning decisions and daily management activities (January – June 2008)
- b) Complete removal of trees which the tree inventory indicated should be removed in the next 1-2 years (April 2008 – April 2009)
- c) Windshield survey – a once per year (August) drive-by of all Borough street trees to check for tree problems and to look for new planting sites
- d) At the end of this 5 year planning window, evaluate the need for a major inventory update.

**4. Landmark Trees**

- a) By ordinance, the Shade Tree Management Board is responsible for locating, identifying and selecting "Landmark Trees" in the Borough of Madison.
- b) A tree qualifies as a "Landmark Tree" if it:
  - i) Is a rare species.
  - ii) Is greater than 100 years old.
  - iii) Is connected with a historical event.
  - iv) Has an outstanding trunk diameter or a crown size for its species.
  - v) Has outstanding tree foliage quality.
  - vi) Is especially important and beneficial to the Borough and its residents.
- c) Trees selected as "Landmark Trees" are included in the official Borough register.

**1. Complete Inventory of Park trees by 2013**

**a) July – September 2011**

Develop plans to conduct an inventory and assessment of Madison's park trees. In developing these plans, consideration must be given to:

- The level of inventory that is necessary and appropriate – a complete, self-updating computerized inventory of every individual tree and available planting site, a less expensive, but non-updateable sample-based inventory, or a simple, one time survey designed to identify general trends and needs and potentially hazardous trees that require immediate attention.
- Whether to include all trees in Borough parks and on Borough properties in addition to street trees.
- If trees other than street trees are to be inventoried, when, to what extent and by what means.
- Whether to collect inventory data with in-house employees and volunteers, a contracted consultant or a combination of the two.
- The data parameters to be collected and criteria to be used.
- If a computerized inventory is selected, who will maintain and update the computerized data and how it will be used.
- Sources of funding for completing the inventory including existing budgets, grants, "creative" sources such as packaging the tree inventory with a bond issue for a sidewalk repair or a hazard mitigation program, etc.

**b) October – December 2011**

If a complete, computerized inventory is selected, investigate computer systems for storing and using the inventory data. Primary considerations in selecting a system will be its ability to:

- Store and handle records for 15,000+ trees and their maintenance histories.

- Integrate the park tree inventory into the data base created from the 2007 Shade Tree Inventory in order to record, prioritize and schedule service requests and maintain records of the work completed.
- Produce a variety of data summaries at any time in the future so that effective management decisions can be based on current and sound information and so that progress toward the Overall Program Goals of this Plan can be routinely monitored and evaluated.
- Track, analyze, and, report on miscellaneous items such as sidewalk damage, the success of sidewalk damage prevention techniques, the difference in long-term maintenance needs and costs between various species and cultivars, etc.
- Improve the overall efficiency and effectiveness of the Shade Tree Management Program.

**c) *January – March 2012***

- i)** Develop procedures and criteria for collecting data in a manner that is appropriate for the type of inventory selected. In addition to the standard parameters (tree location, species, diameter, condition, etc.), the inventory should also include:
  - Identification of existing tree hazards and prioritized pruning and removal needs.
  - An inventory of vacant planting sites.
  - An inventory of damaged sidewalks and curbs.
- ii)** Mobilize a force of in-house employees and volunteers or hire a consultant (depending upon plans developed in #1a above) to complete data collection. This will require preparing procedures, data collection forms, training, etc. if in-house employees and volunteers are used.

**d) *April – June 2012***

- i)** If a computerized inventory is selected, purchase, install, and setup the selected computer system and software and train the appropriate people to use it.

**e) *July – December 2012***

- i)** Complete data collection. Adjust timing if employees and volunteers are used versus a hired consultant.
- ii)** Complete data entry concurrently, if appropriate.

**2. *Tree Inventory & Assessment Report & Utilization (January –March 2013)***

- a)** Produce appropriate charts and reports to summarize and document the current state of the tree population. Use this report as a baseline to which future reports can be compared and upon which the impact of management activities can be evaluated.
- b)** Begin integrating the inventory into ongoing planning decisions and daily management activities.



## TREE HAZARD MANAGEMENT GOALS

1. Minimize the risk of trees to public safety.

## EXISTING PROGRAMS, POLICIES & PROCEDURES

### 1. *Tree Hazard Identification*

Hazardous tree conditions are generally identified via:

- a) 2007 Shade Tree Inventory
- b) Service requests from adjacent property owners
- c) An Annual Windshield Survey performed by members of the Shade Tree Management Board that identifies tree hazards as well as potential planting sites.
- d) Ongoing observations by the Department of Public Works, other Borough employees, and the STMB during the course of their daily activities.

### 2. *Tree Hazard Abatement Procedures*

- a) The Shade Tree Management Board inspects all trees for which potential problems have been identified and determines needs for pruning, removal or other treatments to correct the hazards identified.
- b) In cooperation with the Superintendent of Public Works, work orders and contract lists are created, prioritized and completed immediately, when time and available resources permit, or at the appropriate time in the future, based upon the degree of hazard potential.

### 3. *Record-Keeping*

Records of inspections and public tree removal work are maintained by the Department of Public Works and the Shade Tree Management Board in the Tree Inventory.

## 2008 – 2013 OBJECTIVES

### 1. *Ongoing Tree Hazard Management Programs*

- a) Continue all existing tree hazard management programs.
- b) Continue to address hazard abatement needs as they are identified in order of priority.

### 2. *Tree Hazard Evaluation Training*

see *Training & Professional Development, Objective #6*

## TREE PLANTING GOALS

1. Achieve and perpetuate the public tree population at maximum practical stocking (the total number of shade trees that is appropriate and which the Borough can effectively manage, given available resources).
2. Maximize stability in the tree population by optimizing species and age diversity based on data from the 2007 Shade Tree Inventory.
3. Minimize future maintenance needs and costs.
4. Minimize future tree hazards through appropriate species selection and tree placement.
5. Minimize conflicts between trees and sidewalks, utilities and other public and private fixtures.
6. Improve aesthetic appeal, seasonal variation and physical benefits to adjacent properties and the Borough overall.
7. Minimize the establishment and spread of undesirable invasive species.
8. Plant appropriate native trees.

## EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Planting Jurisdiction**
  - a) The Borough currently plants trees:
    - i) Within Borough rights-of-way.
    - ii) On Borough-owned properties.
    - iii) In Borough parks.
  - b) The Borough does not plant trees on private property.
2. **Planting vs. Removal Ratio**
  - a) The ratio of trees planted versus removed over the past several years has resulted in a net decrease in the public tree population.
    - i) In recent years, the Borough has planted an average of 119 trees per year in Borough rights-of-way and parks.
    - ii) In recent years, the Borough has removed approximately 148 public trees per year, primarily along Borough streets.
3. **Planting Location & Tree Placement**
  - a) Planting locations are identified via:
    - i) The 2007 Shade Tree Inventory
    - ii) An annual windshield survey of available planting sites by the Shade Tree Management Board.
    - iii) A list of planting vacancies created by the removal of dead or hazardous trees.
    - iv) Requests for street trees by adjacent property owners.
    - v) Plans developed by the Friends of Madison Shade Trees for Borough

properties.

- b) Trees are placed:
  - i) Within the right-of-way in the case of street trees – trees are not currently planted outside the right-of-way on private property – or in accordance with the design of special projects.
  - ii) In a manner that is appropriate for the design and intended use of the area.
  - iii) In a manner that will minimize future conflicts with above and belowground utilities, structures, hardscape fixtures, and traffic. The presence of sidewalks and wires is specifically noted on the Annual Windshield Survey form.

#### **4. Species Selection**

- a) Species are selected:
  - i) By the Shade Tree Management Board.
  - ii) By the Shade Tree Management Board in cooperation with the Friends of Madison Shade Trees on Friends of Madison Shade Trees projects.
- b) Species are selected with consideration to:
  - i) Existing soil conditions, available growing space and above and belowground restrictions at each site.
  - ii) Goals for increasing species diversity.
  - iii) Insect and disease resistance.
  - iv) Availability of species and cultivars native to New Jersey.

#### **5. Tree Supply & Installation**

- a) Most of the trees planted each year are purchased by the Shade Tree Management Board and planted by the Department of Public Works. Additional trees are purchased by the Parks Advisory Committee in consultation with the Shade Tree Management Board and planted by the Department of Public Works.
- b) Trees for special planting projects are typically purchased by the Friends of Madison Shade Trees and planted by the Department of Public Works or outside contractors.

#### **6. Post-Planting Care**

Post-planting maintenance includes:

- a) Irrigation and care of new street trees by adjacent property owners
- b) Education of property owners on the proper care of new trees
- c) Irrigation by the Department of Public Works for one year
- d) Stake removal (if used) by the Department of Public Works after one year

#### **7. Funding & Sources**

The cost of trees supplied and installed by the Department of Public Works is funded by:

- a) The Shade Tree Management Board budget
- b) The Borough Capital Improvement budget
- c) Grants applied for and received by the Friends of the Madison Shade Trees for special projects
- d) Private contributions received by the Friends of the Madison Shades Trees for special projects
- e) The Parks Advisory Committee budget

**1. Ongoing Tree Planting Programs**

Continue implementing all existing tree planting programs where appropriate and with changes dictated by the following objectives

**2. Vacant Planting Site Prioritization (January – March annually)**

- a) Prioritize the 2007 Shade Tree Inventory listing of vacant planting sites based on the level of tree coverage in the area, the condition and life expectancy of existing trees, number of requests from residents, etc.
- b) Utilize Windshield Survey data to identify additional vacant sites.
- c) Incorporate this list into existing planting programs and schedules.

**3. Street Tree Stocking (April – June annually)**

- a) Madison has a mature urban forest and has most of its sites planted. STMB will adjust its stocking levels based upon tree losses.
- b) Using 2007 Shade Tree Inventory data, calculate “maximum practical stocking” i.e., the maximum number of public trees that the Borough can effectively manage in accordance with all elements of this Plan, given available resources.
- c) Calculate the number of trees that must be planted each year to achieve maximum practical stocking with realistic allowances for existing tree mortality, transplant mortality, etc.

**4. Species Composition Adjustment**

**a) April – June annually**

- i) Using 2007 Shade Tree Inventory data, establish a long-term goal for an optimum species mix that provides sufficient genus and species diversity, provides insect and disease resistance, etc. Typically,
  - No single genus should comprise more than 10%-20% of the street tree population.
  - No single species should comprise more than 5%-10% of the street tree population.
  - A variety of improved, insect and disease resistant cultivars should be favored over historically problematic species.
- ii) Establish intermediate progress goals for altering the existing species composition by the end of each five-year management period (e.g. reducing maples to under 30% by 2013 through elimination or replacement as necessary etc.) to help maintain consistent progress toward the long-term goal.

**b) July – September annually**

- i) Begin designing and completing all future planting projects in accordance with the species composition goals set.
- ii) Vary the species planted from year to year to provide species diversity over all age classes.



## TREE MAINTENANCE GOALS

1. Use 2007 Shade Tree Inventory data to improve and maintain the long-term health and structural condition of the tree population at a level that is appropriate and reasonable for the intended use of each area.
2. Maximize the service life of existing trees.
3. Implement maintenance programs to reduce the development of structural defects in young trees and to provide ongoing proactive care for mature trees.
4. Maximize the cost-efficiency of tree maintenance activities.
5. Optimize the benefits that trees provide to the community relative to the cost of maintaining them.
6. Minimize the time required to respond to and resolve service requests and complaints.
7. Identify and obtain additional funding to assist in annual and extraordinary tree maintenance expenses.

## EXISTING PROGRAMS, POLICIES & PROCEDURES

### 1. *In-House Crews*

- a) The Borough currently does not have an in-house crew dedicated to tree maintenance.
- b) Borough personnel periodically perform tree maintenance work including approximately:
  - i) 5% of all tree removal work
  - ii) 5% of all tree pruning work
  - iii) 5% of all stump removal work
  - iv) 20% of all emergency tree work
- c) Madison Electric Department crews complete whole-tree pruning in conjunction with their line clearance operations.
- d) The Department of Public Works is currently equipped with:
  - i) (2) 45-foot Aerial bucket trucks
  - ii) (1) 40-foot Aerial bucket truck
  - iii) (2) Chip trucks
  - iv) (1) Chipper
  - v) (1) Stump grinder
  - vi) Various related small tools and other equipment

### 2. *Private Contractors*

- a) Private tree maintenance firms are hired annually through the Morris County Cooperative contract to complete tree removal work.
- b) Private tree maintenance firms are hired annually by the Borough to complete tree pruning work.
- c) Contractors currently complete approximately:

- i) 90% of all tree removal work
- ii) 95% of all tree pruning work
- iii) 90% of all stump removal work
- iv) 20% of all emergency tree work

### **3. Systematic Maintenance Programs**

- a) To the extent that time and resources permit, the Borough conducts systematic, whole-street pruning on a rotating basis.
- b) The STMB goal is to prune 100% of the Borough trees over one 10-year period.

### **4. Work Identification, Prioritization, Scheduling & Record-Keeping**

- a) Maintenance needs are identified via:
  - i) The Tree Inventory
  - ii) Service requests from adjacent property owners.
  - iii) An annual windshield survey performed by the Shade Tree Management Board that identifies tree maintenance needs and potential planting sites.
  - iv) Ongoing observations by Department of Public Works, Borough employees, and members of the Shade Tree Management Board.
- b) All work needs are scheduled and completed in order of priority.
- c) Records of the work completed are maintained for individual trees in the Shade Tree Inventory database through Department of Public Works work orders and contractor records.

### **5. Tree Removal**

- a) It is the Borough's policy not to remove live public trees unless they are damaged or diseased and pose a threat to public safety.
- b) However, some live trees may be removed in conjunction with whole street Capital Improvement reconstruction projects where a case-by-case evaluation determines that construction will cause unavoidable and irreparable damage.
- c) In recent years, the Borough has removed approximately 148 public trees per year.

### **6. Plant Health Care & Specialty Treatments**

- a) Generally, insect and disease controls are not performed on public trees.
- b) Certain public Landmark Trees in the Borough are provided periodic fertilizer treatments and cabling and bracing, where appropriate.
- c) Public trees may be provided fertilization, cabling and bracing, or other treatments under special circumstances, such as to mitigate road reconstruction impacts.

### **7. Sidewalk Maintenance**

- a) The presence of a Borough tree near an uneven sidewalk does not change a property owner's liability with respect to the sidewalk. The property owner is at all times responsible to notify the Borough until the offending condition of the sidewalk is actually isolated or repaired.
- b) If a tree in the Borough right-of-way causes the sidewalk to heave, the Borough will repair the sidewalk by lifting the affected slab(s), pruning the offending roots, and resetting the slabs, at the Borough's cost.
- c) The Borough attempts to select species and place street trees in a manner that will minimize future conflicts between trees and sidewalks.

**2008 - 2013  
OBJECTIVES**

**8. Funding**

- a) The Shade Tree Management Board budget covers the cost of public tree maintenance work completed by private contractors.
- b) The Department of Public Works operating budget typically covers the cost of tree maintenance work completed by its crews.
- c) The Electric Department operating budget typically covers the cost of tree pruning completed by its crews.
- d) The Friends of the Madison Shade Trees will fund special maintenance projects at its discretion and with concurrence of the STMB.

**1. Ongoing Tree Maintenance Programs**

- a) Continue implementing all existing tree maintenance programs, policies and procedures on a regular basis.
- b) Continue systematic, area-wide pruning programs as time and resources permit.

**2. Developmental Pruning Project for Young Trees**

The primary purpose of this pruning will be to promote the development of a structurally sound trunk and crown form, minimize conflicts with roads and utilities, and minimize the need for severe pruning as the trees mature.

- a) Develop plans to provide developmental pruning for existing 4" to 8" in diameter street trees.
- b) Utilize suitable specifications in accordance with ANSI standards.
- c) Complete the developmental pruning project.



## TREE WASTE RECYCLING GOALS

1. Minimize the cost of tree waste disposal to the Borough.
2. Provide beneficial recycled products to Borough residents and for use on Borough properties.
3. Research the feasibility of converting Borough leaves into compost and making them available to residents.

## EXISTING PROGRAMS, POLICIES & PROCEDURES

### 1. **Material Processing, Use & Distribution**

#### a) *Leaves*

- i) Leaves and yard waste are collected by the Department of Public Works and delivered to a commercial recycling facility for composting at cost to the Borough.
- ii) The resulting compost is sold by the facility to various markets for use as a soil conditioner or component of manufactured topsoil.

#### b) *Wood Chips*

- i) Wood chips are stockpiled and used as mulch on public properties and for trail bedding on Green Acres properties.
- ii) Excess wood chips are periodically delivered to the Morris County recycling facility.
- iii) If there is an over-abundance of wood chips, they are made available to residents.

#### c) *Bulk Wood*

- i) Bulk wood generated by Borough-contracted crews is left at job sites, if requested by the resident else it is recycled by the contractor.
- ii) Bulk wood generated by Borough employees is left at the site if requested by the resident; sent to the Borough skating rink to be used as firewood; or removed and recycled by a contractor.

### 2. **Recycling Income**

Currently, no income is generated from the sale of tree waste and recycled products.

## 2008 – 2013 OBJECTIVES

### 1. **Ongoing Tree Waste Recycling Programs**

- a) Continue implementing all existing tree waste recycling programs, policies and procedures.
- b) Educate homeowners on the value of home composting of leaves.



## TREE CARE DISASTER PLAN GOALS

1. Minimize the risk of widespread tree damage and losses caused by storms and other forces via technically sound and responsible planting, preventive maintenance and hazard identification and abatement programs.
2. Provide the Borough with a viable plan and the resources necessary to repair or replace widespread tree damage or losses.
3. Ensure that the Borough is prepared to respond immediately to tree-related emergencies and disasters in a prompt and effective manner.

## EXISTING PROGRAMS, POLICIES & PROCEDURES

1. **Tree Emergency & Disaster Threats**
  - a) Severe weather is currently considered the most serious threat to the Borough's tree population.
  - b) Widespread structural failures during severe weather also pose a serious threat to electrical service, communications, and the Borough's ability to provide critical emergency services.
  - c) The risk of widespread damage and losses to biotic threats is currently considered manageable through increased species diversity and cultivar selection. However, the potential threat of Asian longhorn beetle, bacterial leaf scorch and gypsy moths are growing concerns throughout New Jersey.
2. **Existing Emergency & Disaster Plans**
  - a) The Borough Office of Emergency Management's Emergency Operations Plan outlines procedures for vital services and cooperative efforts between all Borough departments during an emergency or disaster.
  - b) The Borough currently lacks a formal plan specific to the repair and replacement of widespread tree damage and losses beyond initial emergency response efforts. However, it is believed that technically sound and responsible planting, preventive maintenance and hazard identification and abatement efforts described elsewhere in this Plan will, over the long term, help mitigate the Borough against catastrophic losses.
3. **Emergency Response**
  - a) The Department of Public Works, in cooperation with Electric Department and contractors, is responsible for clearing trees and debris to open roadways and permit restoration of electrical service and communications.
  - b) The Department of Public Works and a private tree maintenance contractor remain on 24-hour call to respond to tree-related emergencies.

## 2008 – 2013 OBJECTIVES

1. **Ongoing Programs**
  - a) Continue implementing existing programs, policies and procedures.
  - b) Implement/expand technically sound, responsible planting, preventative maintenance and hazard identification/abatement programs, to reduce the

risk of future tree failures and losses.

- c) Use 2007 Tree Inventory to identify, monitor, and eliminate dangerous trees.



## Plan Preparation & Evaluation

### PLAN PREPARATION & EVALUATION GOALS

1. Ensure that Madison's Shade Tree Management Program continues to follow a well-defined, consistent and efficient course of action toward its overall goals and objectives.
2. Provide a means of continually evaluating the success of past programs and activities and making adjustments to address changing conditions and needs.
3. Remain in compliance with and eligible for the benefits of the New Jersey Shade Tree & Community Forestry Assistance Act.

### EXISTING PROGRAMS, POLICIES & PROCEDURES

1. Preparation of this second five-year Community Forestry Management Plan was the cooperative effort of the Borough of Madison Shade Tree Management Board "in-kind" volunteer hours and the Department of Public Works.

### 2008 – 2013 OBJECTIVES

1. **Annual Program Evaluation (October – March, Annually)**
  - a) Evaluate the success of the year's activities and accomplishments relative to the goals and objectives contained within this Plan.
  - b) Adjust programs, as necessary, based upon the evaluation.
  - c) Prepare and submit the Annual Accomplishment Report to the New Jersey Forest Service in accordance with the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act.
2. **Five-Year Evaluation (May – September 2013)**
  - a) Evaluate the success of all objectives completed to date.
  - b) Evaluate progress toward the overall goals of the Shade Tree Management Program.
  - c) Begin formulating new objectives and/or adjustments to existing policies, programs, and procedures, if necessary, to address changing needs, for the 2013-2018 management period.
3. **2013 – 2018 Management Plan Development**
  - a) *October – December 2013*
    - i) Finalize new objectives and/or adjustments to existing policies, programs and procedures for the 2013 – 2018 management period.
    - ii) Prepare and submit a Community Forestry Management Plan for the 2013 – 2018 management period.
  - b) *January – March 2013*
    - i) Obtain Plan approval from the New Jersey Community Forestry Council.



# Summary of 2008 – 2013 Objectives

Objectives / Tasks	2008	2009	2010	2011	2012	2013
<b>PROGRAM ADMINISTRATION</b>						
1. <i>Private Tree Ordinance Review (p. 13)</i>						
<input type="checkbox"/> Develop procedures and forms for implementation and educate public on use						
<input type="checkbox"/> Monitor implementation						
<input type="checkbox"/> Assess and revise as needed						
2. <i>Technical Coordinating Committee (p.13)</i>						
<input type="checkbox"/> Utilize professional arborist						
3. <i>Ongoing Administrative Programs (p. 13)</i>						
<input type="checkbox"/> Continue implementing programs already in effect						
<input type="checkbox"/> Upgrade/enhance policies						
4. <i>Other Ordinance Reviews (p.13)</i>						
<input type="checkbox"/> Review all ordinances relating to STMB						
<input type="checkbox"/> Evaluate relative to current needs/past performance						
<input type="checkbox"/> Propose revisions						
<input type="checkbox"/> Submit for approval						
5. <i>Increased Interaction (p. 13)</i>						
<b>TRAINING &amp; PROFESSIONAL DEVELOPMENT</b>						
1. <i>Ongoing Training Programs (p. 17)</i>						
<input type="checkbox"/> Continue all existing training programs						
2. <i>NJ Community Forestry Training Skills &amp; Accreditation Program (p. 17)</i>						
<input type="checkbox"/> Review training needs and upcoming training opportunities; Ensure that NJ Community Forestry CORE and Continuing Education requirements will be met; Obtain CORE Training for key individuals						
3. <i>Revise Shade Tree Management Board Member Handbook (p. 18)</i>						
<input type="checkbox"/> Update volunteer handbook for Shade Tree Management Board members						
<input type="checkbox"/> Distribute the Handbook to all Board members and associated groups						
4. <i>Tree Planting Training (p. 18)</i>						
<input type="checkbox"/> Provide update training for at least one key Department of Public Works employee and one Shade Tree Management Board member in proper tree planting techniques						

Objectives / Tasks	2008	2009	2010	2011	2012	2013
<b>TRAINING &amp; PROFESSIONAL DEVELOPMENT (Cont'd)</b>						
5. <i>Developmental Pruning Training (p. 18)</i> <input type="checkbox"/> Train at least one Department of Public Works employee and one Shade Tree Management Board member in developmental pruning for young trees	█					
6. <i>Tree Hazard Evaluation Training (p. 18)</i> <input type="checkbox"/> Train one additional Shade Tree Board member, Department of Public Works or Electric Department employee to recognize tree hazards <input type="checkbox"/> Train one additional Shade Tree Board member, Department of Public Works employee and/or Electric Department employee to recognize tree hazards		█			█	
7. <i>Planting Site Analysis &amp; Species Selection Training (p. 18)</i> <input type="checkbox"/> Provide update training for additional members of the Shade Tree Board members to evaluate planting sites and select appropriate species for planting			█			
8. <i>Tree Inventory Training (p.19)</i> <input type="checkbox"/> Determine need and provide update training to members of the Shade Tree Board and borough employees who need to access tree inventory					█	
<b>PUBLIC EDUCATION, AWARENESS &amp; OUTREACH</b>						
1. <i>Ongoing Public Awareness (p. 22)</i> <input type="checkbox"/> Continue all existing public education, awareness and outreach programs <input type="checkbox"/> Use Tree Inventory to plan a stewardship index, extend inventory into parks and educate public on community urban forest <input type="checkbox"/> Continue Windshield Surveys <input type="checkbox"/> Work with borough engineer to force existing tree ordinances, new private tree ordinance and coordinate impact of road construction on street trees <input type="checkbox"/> Partner with Drew U. on education of the Drew Forest, creation of arboriculture mini courses, education and walking tours of native plantings and education on sustainable Green initiatives <input type="checkbox"/> Educate public on Private Tree Ordinance <input type="checkbox"/> Work with Borough on preserving and expanding open space	█	█	█	█	█	█
2. <i>Annual Arbor Day Programs (p. 22)</i> <input type="checkbox"/> Continue conducting annual Arbor Day	█	█	█	█	█	█

Objectives / Tasks	2008	2009	2010	2011	2012	2013
programs						
3. <i>Tree City USA (p. 23)</i>						
<input type="checkbox"/> Prepare and submit the annual application for continued designation as a Tree City USA;	■	■	■	■	■	
<input type="checkbox"/> Prepare and submit the application for Tree City USA Growth Awards after eligibility requirements have been met;	■	■	■	■	■	
<input type="checkbox"/> Work with Borough Electric Department for Tree City Line Award	■	■	■	■	■	
<input type="checkbox"/> Advertise the designation by displaying the program's promotional materials	■	■	■	■	■	
4. <i>Educational Articles (p. 23)</i>						
<input type="checkbox"/> Issue at least two articles per year that are dedicated to general interest and educational subjects relating to urban forestry and arboriculture						
5. <i>Promotional Events (p. 23)</i>						
<input type="checkbox"/> Continue Landmark Tree promotion						
<input type="checkbox"/> Partner with the Rose City Steppers to create and implement a walking tour of community trees						
<input type="checkbox"/> Continue to schedule speaking engagements at least two times per year						
<input type="checkbox"/> Develop and implement urban forestry displays to educate the public						
<input type="checkbox"/> Organize a tree Policy chapter and develop a standards and specification document						
<b>TREE INVENTORY &amp; ASSESSMENT</b>						
1. <i>Complete Inventory of Park Trees by 2013 (p. 26)</i>						
<input type="checkbox"/> Develop plans to extend tree inventory and assessment of Madison's park trees				■		
<input type="checkbox"/> If a complete, computerized inventory is selected, investigate computer systems for storing and using the inventory					■	
<input type="checkbox"/> Develop procedures and criteria for collecting data; Mobilize a force of in-house employees and volunteers or hire a consultant to complete data collection						■
<input type="checkbox"/> If appropriate, extend or purchase, install, and setup the selected computer system and software and train the appropriate people to use it						■
<input type="checkbox"/> Complete field data collection and data entry						■
2. <i>Tree Inventory &amp; Assessment Report &amp; Utilization (p. 27)</i>						
<input type="checkbox"/> Produce appropriate charts and reports to summarize and document the current state of the tree population; Begin integrating the inventory into planning and daily management activities						■
<b>TREE HAZARD MANAGEMENT</b>						



Objectives / Tasks	2008	2009	2010	2011	2012	2013
<input type="checkbox"/> Continue all existing tree waste recycling programs, policies and procedures <input type="checkbox"/> Educate homeowners on the value of home composting of leaves						
<b>TREE CARE DISASTER PLAN</b>						
1. <i>Ongoing Programs (p. 36)</i> <input type="checkbox"/> Continue all existing programs, policies and procedures and continually strive to reduce risks via other elements of this Plan						
<b>PLAN PREPARATION &amp; EVALUATION</b>						
1. <i>Annual Program Evaluation (p. 37)</i> <input type="checkbox"/> Evaluate prior year's accomplishments and adjust programs, as necessary; Prepare and submit the <i>Annual Accomplishment Report</i> to NJFS						
2. <i>Five-Year Evaluation (p. 37)</i> <input type="checkbox"/> Evaluate the success of all objectives completed to date; Evaluate progress toward the overall goals of the Program; Begin formulating new objectives and program adjustments for the 2013 – 2018 management period						
3. <i>2013 – 2018 Plan Development (p. 37)</i> <input type="checkbox"/> Finalize new objectives and program adjustments; Prepare and submit a Plan for the 2013 – 2018 management period <input type="checkbox"/> Obtain State approval for the 2013 – 2018 Plan						



## RELATED ORDINANCES & POLICIES

1. Chapter 45 of the *Code of the Borough of Madison New Jersey, Shade Tree Management Board* (Ordinance #21-2001, adopted May 30, 2001), which:
  - a) Establishes the Shade Tree Management Board.
  - b) Provides for the planting, protection and care of trees on public lands within the Borough.
  - c) Provides for the identification and designation of Landmark Trees on public and private lands within the Borough.
2. Chapter 195 of the *Code of the Borough of Madison New Jersey, Land Use*, which contains various requirements for the protection of natural resources, landscaping and buffers in conjunction with land development applications.
3. Written Bylaws of the Shade Tree Management Board of the Borough Madison, adopted in 2001, which detail programs, policies and procedures under which the Board shall operate.

## Chapter 45: SHADE TREE MANAGEMENT BOARD

[HISTORY: Adopted by the Mayor and Council of the Borough of Madison 2-15-1984 by Ord. No. 1-84; amended in its entirety 5-30-2001 by Ord. No. 21-2001. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Parks — See Ch. 136.

Streets and sidewalks — See Ch. 166.

### § 45-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADVISE THE SUPERINTENDENT OF PUBLIC WORKS — Wherever this chapter refers to the Shade Tree Management Board acting with the advice of the Superintendent of Public Works, it shall mean that the Shade Tree Management Board shall notify the Superintendent of Public Works so that the Superintendent may coordinate the work and inform the Shade Tree Management Board as to:

- A. Date.
- B. Time.
- C. Workload of the Department of Public Works.
- D. Such other factors as the Superintendent determines could affect the planting, pruning or removal of trees and shrubs.
- E. Proper notification to affected property owners and/or utilities in the case of planned removals or pruning of trees or shrubs that have an impact on private property.

BOROUGH — Borough of Madison, New Jersey.

BOROUGH COUNCIL — The Borough Council of the Borough of Madison.

BOROUGH SHRUB — A shrub located on land owned by the Borough or which is otherwise located on a street, highway, public place, right-of-way, Borough easement, park or parkway or within the sidewalk lines.

BOROUGH TREE — A tree located on land owned by the Borough or which is located on a street, highway, public place, right-of-way, Borough easement, park or parkway or within the sidewalk lines.

BUILDING — A combination of materials to form a construction adapted to permanent, temporary or continuous occupancy and having a roof.

DRIP LINE — A line connecting the tips of the outermost branches of a tree projected vertically onto the ground.

EMERGENCY — An event or events, disease or condition which has damaged or destroyed a tree or trees, such that the continued presence of such damaged or destroyed tree or trees imminently threatens life or property in proximity thereto.

LANDMARK TREE — Any tree designated and identified as such by the Shade Tree Management Board pursuant to the standards set forth herein.

NONBOROUGH TREE — Any tree other than a Borough tree as heretofore defined.

PERSON — Any individual, partnership, corporation, agency or other entity.

PROTECTIVE BARRIER — A barrier constructed to protect the root system or trunk of a tree from damage during construction or from equipment or soil or material deposits.

ROOT SYSTEM — Tree roots within the drip line perimeter.

SHRUB — A woody plant that does not have a center trunk and does not grow over 10 feet high.

TREE — Any living, woody perennial plant having a diameter greater than four inches measured at a point four feet above the ground.

§ 45-2. Establishment; membership.

A Shade Tree Management Board is hereby established, to be known as the "Shade Tree Management Board of the Borough of Madison." The Management Board shall consist of seven members, and may include not more than two additional alternate members. The members and alternate members shall be appointed by the Mayor with the advice and consent of the Council. In the event that the Mayor fails to make a nomination at least 15 days prior to the date of the second regular public meeting of the Council after a position becomes vacant or the Borough Council fails to confirm a nomination, then the appointment shall be made by the Borough Council by the vote of a majority of the members present at the meeting, provided that at least three affirmative votes shall be required, with the Mayor to have no vote thereon except in case of a tie.

§ 45-3. Terms of office.

The first Shade Tree Management Board members shall be appointed within 60 days after the effective date of this chapter, and their terms of office shall commence upon the day of their appointment and be for the respective periods of one, two, three, four and five years. The initial terms of the sixth and seventh members of the Management Board shall be such that they expire simultaneously with the expiration of the initial terms of the fourth and fifth members of the Management Board respectively. The term of each appointee shall be designated in his appointment. All subsequent appointments, except to fill vacancies, shall be for the full five-year term, to take effect on January 1 next succeeding such appointment. If the ordinance provides

for the appointment of two alternate members, the terms of each alternate member shall be five years commencing on January 1 of the year of appointment; provided, however, that in the event that two alternate members are appointed, the initial term of "Alternate No. 1" shall be five years, and the initial term of "Alternate No. 2" shall be four years. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

#### § 45-4. Organization.

The Management Board shall organize within 30 days after the appointment of its total membership for the remainder of the then calendar year and thereafter annually by the election of one of its members as Chairman and the appointment of a secretary, who need not be a member. The salary of the secretary, who may be compensated even if a member of the Management Board, shall be fixed by the Madison Borough Council.

#### § 45-5. Vacancies.

Any vacancy occurring by reason of the death, resignation or removal of any member shall be filled for the unexpired term by the Mayor with advice and consent of the Council.

#### § 45-6. Powers and duties.

A. The selection, planting, care and control of shade and ornamental trees and shrubbery upon and in the streets, highways and public places of the Borough of Madison, except state highways and except county highways, parks and parkways, shall be exercised by the Shade Tree Management Board with advice to the Superintendent of Public Works. The powers of the Shade Tree Management Board shall include:

- (1) Exercise full and exclusive control over the selection, planting and care of shade and ornamental trees and shrubbery, including the planting, trimming, spraying, care and protection thereof.
- (2) Control the use of the ground surrounding the same, so far as may be necessary for their proper growth, care and protection.
- (3) Move or require the removal of any Borough trees or shrubs or part thereof under the conditions set forth herein.

B. The duties of the Shade Tree Management Board shall include:

- (1) Develop and maintain a community Forestry Management Plan in compliance with the New Jersey Shade Tree and Community Forestry Assistance Act. Editor's Note: See N.J.S.A. 13:1L-17.1 through 13:1L-17.9.
- (2) Encourage arboriculture.

C. The Management Board shall develop any plans and specifications needed to solicit bids for planting, care or removal of Borough shade trees. Bids for such work, when required, shall be let by the Borough according to the applicable statutes, ordinances and regulations. Nothing in this section shall be construed to delegate to the Management Board the power to solicit bids directly for planting, care or removal of Borough shade trees.

#### § 45-7. Maintenance and removal of Borough trees and shrubs.

A. All Borough trees and Borough shrubs located on property owned by the Borough or on a street, highway, right-of-way, park or parkway or within the sidewalk lines of any street shall be maintained by the Shade Tree Management Board.

B. No Borough trees, as heretofore defined, shall be removed except by order of the Shade Tree Management Board, who shall advise the Superintendent of Public Works unless otherwise

provided in this section. The Shade Tree Management Board may remove such Borough tree if, but only if:

(1) Such tree is so diseased or so infested so as to be a danger to other trees in the Borough or surrounding communities.

(2) Such tree is dead or dying and its presence would cause hardship or endanger the public or an adjoining property owner.

(3) Such a tree or shrub is a hazard to the public safety because it obstructs the view of motor vehicle operators or otherwise interferes with traffic or pedestrian safety. In the event that the full removal of the tree or shrub is not required, it may be pruned pursuant to § 45-8.

(4) Such a tree, if the Shade Tree Management Board determines for other reasons, is necessary to be removed.

(5) In the case of construction on Borough property as provided in Subsection C below:

(a) The presence of such tree would cause hardship or endanger the public or an adjoining property owner.

(b) Such tree is located in an area to be occupied by buildings, driveways, recreation areas or other construction or within a distance of 15 feet around the perimeter of such construction, depending on tree species and conditions to be determined by the Shade Tree Management Board.

(c) Such tree is located in an area to have a cut or fill of land deemed injurious or dangerous to such tree. The determination of the Shade Tree Management Board in this respect shall depend on the species of trees and degree of injury.

C. If the Borough Council directs the construction of any building, driveway, recreation area or anything else upon the property owned by the Borough, such construction shall be located to the extent practicable so as to conserve a maximum number of trees consistent with the appropriate and practical use and enjoyment of the land in question. The Shade Tree Management Board shall be advised prior to the start of such work and shall advise the Borough or other party performing the work how the work can be accomplished, minimizing the number of trees to be removed and the damage done to remaining trees. To prevent damage to remaining trees, no material, machinery or temporary soil deposits shall be placed within the drip line of any existing tree, and proximity of said construction shall be established to prevent damage to such tree during construction.

D. The electric utility of the Borough of Madison shall have the right to remove trees, without the prior approval of the Management Board, when an emergency as defined herein exists and when obtaining the prior approval of the Management Board is not practical. At all times, the electric utility shall have the right to trim trees which reasonably are required to be trimmed for the purpose of ensuring continuous electric utility service or to avoid danger to the public or electric utility personnel or equipment.

E. In the event that the governing body has reason to believe that the removal of a Borough tree at the direction of the Shade Tree Management Board, or otherwise, does not meet the criteria set forth in this section or will be detrimental to the welfare of the Borough, the Council may stay the removal of said tree pending a report on the reasons for removal, which report shall be submitted promptly by the Shade Tree Management Board. After consideration of the Shade Tree Management Board's report and such other information as is pertinent to the decision to remove the tree, the Council shall either approve or disapprove the removal of the tree.

F. In the event that the governing body has reason to believe that the Shade Tree Management Board's refusal to agree to a requested removal of a Borough tree is inconsistent with the criteria of this chapter or will be detrimental to the welfare of the Borough, the Council may order the Shade Tree Management Board to submit a report explaining its reason for refusing to remove the tree, which report shall be promptly submitted by the Management Board. After consideration of the Shade Tree Management Board's report and such other information as is pertinent to the decision of whether or not to remove the tree, the Council shall

either approve the Shade Tree Management Board's refusal to remove the tree or order the removal of the tree, which the Shade Tree Management Board shall promptly do.

§ 45-8. Permission required for certain actions.

A. It shall be unlawful to commit any of the following acts with respect to Borough trees without the prior written consent of the Shade Tree Management Board:

(1) Cut, prune, break, injure, alter or remove any tree; or cut, unduly disturb or interfere in any way with any root of a tree or trees, except as provided in § 45-7.

(2) Fasten any object, rope, wire, sign, insulator or other device to a tree or trees or to any guard about such a tree or trees in any public street or park.

(3) Install, remove or injure any guard or device placed to protect trees.

(4) Close or obstruct any open spaces provided about the base of a tree or trees to permit the access of air, water and fertilizer to the roots of such tree or trees.

(5) Cut any tree roots within 10 feet of any trunk or any roots four inches in diameter.

(6) String or bury wires or lines through a public park.

B. The Shade Tree Management Board shall grant such written permission if the activity for which such permission is requested is in the public interest and is not likely to injure any Borough tree. The Shade Tree Management Board will notify the Superintendent of Public Works if written permission is granted for any of the above so that the terms of the consent are followed.

C. Any person or persons who cause damage to any Borough tree or Borough trees by machines, autos, etc., shall be held liable for damages to said tree or trees. Damages shall be corrected or repaired and the liable person or persons billed for the damages.

D. Any and every person having or maintaining any electric, telephone, telegraph or other wires or lines running through a public street or park shall securely fasten and maintain such wires and lines in such a manner as will safeguard Borough trees against any damage therefrom and shall make periodic adjustments whenever necessary to prevent damage to Borough trees and Borough shrubs.

E. When necessary to prune or remove any Borough tree or Borough trees along a public street, any person having any wires or lines running through or along said public street shall temporarily remove such wires or lines within 24 hours after the serving upon the owner of said wires or lines, or his agent, of a written notice from the Superintendent of Public Works.

F. Any person except the Madison electric utility having line clearance operations (tree trimming) done for them by any other person or persons shall first obtain the written approval of the Shade Tree Management Board.

G. No person shall move or cause to be moved any building or large object along any street without having first obtained a valid permit from the Borough Engineer, which, if the Borough Engineer deems necessary, may require the mover to furnish a bond or cash deposit in an amount sufficient to cover any damage to or destruction of Borough trees on such street or streets as a result of such moving operations.

H. No person shall operate, place or maintain, within the drip line of any Borough tree, any machinery, equipment, heavy object, stone, rocks, cement, earth, soil or other substance which may harmfully affect such Borough trees by unduly compressing the earth or otherwise impeding or preventing the access of water or air to the roots of such tree or excavate around to remove earth or soil from or cause any water to flow upon the roots of any tree. The Borough Engineer may waive, in whole or in part, such provisions, but only to the extent absolutely necessary to alleviate undue hardship in the appropriate use and enjoyment of property.

§ 45-9. Non-Borough trees.

The Management Board shall not exercise any of the powers granted to it herein over care and planting of trees or shrubbery located on private property. In the following circumstances, the Management Board shall notify the owner of the tree of the existence of the danger or disease

and report to the Council the need for action with respect to non-Borough trees, and the Council may direct such action as is necessary to protect the public safety and welfare:

- A. Where any non-Borough trees, whose drip line is partly within the area of any property owned by the Borough or within the area of any street, highway, public place, right-of-way, park or parkway or within the sidewalk lines of any street, endanger the public safety, interfere with public travel or traffic on sidewalks, streets, highways or the right-of-way or interfere with the lighting of sidewalks, streets, highways or the right-of-way.
- B. Where any tree is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the Borough.

§ 45-10. Advisory services.

A. The Management Board will provide assistance to any Borough resident on the planting, treatment and care of non-Borough trees, including but not limited to:

- (1) Advice on the species of trees most appropriate for the owner's location and purpose.
- (2) Advice on minimizing or eliminating adverse impact on existing trees due to proposed construction.
- (3) Advice on whether tree removal is necessary and how best to effect removal.

B. Advisory work with Planning Board.

(1) One copy of all plans for major and minor subdivisions and site plans submitted to the Madison Planning Board or Board of Adjustment shall be forwarded by the Planning Board/Board of Adjustment Secretary at the same time such plans are distributed to Planning Board/ Board of Adjustment members to the Chairman of the Management Board for his or her review. The Shade Tree Management Board, in appropriate cases, shall submit to the Planning Board/Board of Adjustment and the owner written recommendations with respect to the following:

- (a) Minimizing removal of trees located on the property.
- (b) Appropriate species of trees that could be used to replace trees that must be removed because of construction and appropriate locations for the trees.
- (c) Minimizing damage that may occur during construction to trees that will not be removed.

(d) The number of shade trees, their species and variety, if any, to be placed within the Borough right-of-way at the property owner's expense.

(2) All such recommendations shall be submitted to the Planning Board or Board of Adjustment on or before the date the matter is scheduled to be heard unless a shorter or longer period is directed by the Planning Board or Board of Adjustment. Failure of the Shade Tree Management Board to approve its recommendations to the Planning Board/Board of Adjustment within the required time shall be deemed a waiver of its right to submit comment.

(3) Whenever the Planning Board or Board of Adjustment incorporates in its approval of plans the recommendation of the Shade Tree Management Board with respect to planting of trees on Borough property, it shall require each tree so planted to be nursery-grown stock, two inches to three inches in diameter, characteristic of its species, balled and burlapped and planted in accordance with American Nursery Association specifications. Each tree shall bear a two-year guaranty by the permit holder and shall be guaranteed further by a two-year maintenance bond or cash bond. If any tree so guaranteed must be replaced, a new two-year guaranty and maintenance or cash bond shall apply to the replacement. Upon acceptance, such trees shall become Borough trees. The Management Board's recommendations shall be advisory only.

§ 45-11. Landmark trees.

A. The Shade Tree Management Board shall have, as one of its duties, the location, selection and identification of any trees, which qualify as "landmark trees." A tree may qualify as a landmark tree if it meets one or more of the following criteria:

- (1) The tree species is rare.
  - (2) The tree is more than 100 years of age.
  - (3) The tree has been connected with a significant historical event.
  - (4) The tree is of an outstanding trunk diameter or drip line diameter for a tree of its species.
  - (5) The quality of the tree foliage is outstanding for a tree of its species.
  - (6) The location, shade value, fragrance, erosion control, aesthetic features or scenic enhancement of such tree is of especial importance to the Borough.
- B. All trees designated as "landmark trees" by the Shade Tree Management Board shall be shown on an official Borough Map with appropriate code marks signifying each tree's designation, number, species, age, size and other distinguishing characteristics for ready reference and periodic monitoring.
- C. If the owner or owners of the property on which a landmark tree is located consent thereto; the Shade Tree Management Board shall identify such tree as a landmark tree by the placement of a suitable marker thereon.
- D. If and when any landmark tree is removed, the Shade Tree Management Board shall arrange for the necessary changes to be made to the official landmark tree inventory records and the Borough Map.

§ 45-12. Annual appropriation.

- A. During the month of October in each year, the Shade Tree Management Board, with consultation of Superintendent of Public Works, shall certify to the Mayor of the Borough the estimated sum necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the sums estimated to be expended for the following items, namely:
- (1) Expenses of the Management Board members in discharging official duties, including expenses incident to attendance at professional meetings.
  - (2) Purchase of trees and shrubbery.
  - (3) Purchase of necessary equipment and materials and the cost of services for the prudent promotion of the work.
  - (4) Purchase of professional services.
- B. The governing body of this Borough shall annually appropriate such sums as it may deem necessary for said purposes.

§ 45-13. Public improvements affecting trees.

The laying of any sidewalk along any street within the Borough or the opening, constructing, curbing or paving of any such street or any similar act undertaken by the Borough or requiring the consent of the Borough, if done by a party other than the Borough, shall be done to the extent practicable so as to conserve a maximum number of trees consistent with the appropriate and practical construction of the public improvement. The Shade Tree Management Board shall advise the Superintendent of Public Works prior to the start of such work and the Superintendent shall advise the Borough or other party performing the work how the work can be accomplished without injury to any trees, and he shall monitor such project for the protection of any tree, consistent with the conditions set forth in § 45-7C. Nothing in this section shall be construed to prohibit or impede the construction of any public improvement.

§ 45-14. Notification of Management Board of trees and shrubs needing attention.

It is hereby declared to be the duty of all persons having knowledge thereof to immediately notify the Shade Tree Management Board or the Superintendent of Public Works of the Borough of Madison of any tree or shrub in or upon any street, highway, road, park or other property of or under the jurisdiction of the Borough of Madison which has suffered any accident or injury, is in need of attention or care or has become dangerous to the public or to the adjacent property.

This provision shall be considered as directive only and for the public good, and no penalty shall be imposed for the failure to comply with this provision.

§ 45-15. Violations and penalties. [Amended 5-8-2006 by Ord. No. 19-2006]

Any person, firm or corporation who shall violate any of the provisions of this chapter shall be liable, upon conviction thereof, to a fine of not less than \$100 nor more than \$2,000 or imprisonment in the county jail for a period not to exceed 90 days, or community service not to exceed 90 days or a combination of fine, imprisonment and/or community service in the discretion of the judge, for each violation hereof. Each 24 hours of continuous violation of any of the provisions hereof shall be considered a separate offense and shall be punishable accordingly.

§ 45-16. Application for and issuance of permits.

A. Applications for a permit, where required under this chapter, shall be made directly to the Borough Engineer pursuant to § 45-8G and H, with a copy to the Shade Tree Management Board, which application shall be filed with the office of the Borough Engineer and shall contain the name of the applicant, location of the property or street affected and, in addition thereto, the purpose for which the application is being made.

B. Within seven business days after the submission of an application for a permit, the Borough Engineer, shall review the site and the application and either grant or deny said permit or extend for an additional seven business days the period for review, by the end of which he shall grant or deny said permit. Failure of the Borough Engineer to act within the aforesaid time shall be deemed approval of the application.

C. Fees. There shall be no fee charged for the issuance of a permit by the Borough Engineer.

D. Appeal. Any applicant shall have the right to appeal the decision of the Engineer to the Borough Council by filing with the Borough Clerk of the Borough of Madison a letter requesting such appeal within 14 days from the decision of the Borough Engineer. The Council may solicit the advice of the Shade Tree Management Board, Environmental Commission or other experts and shall review the decision of the Borough Engineer. The Council shall, by resolution duly adopted by it within 45 days of the submission date of the appeal, either affirm the denial of said permit or direct the Borough Engineer to issue such permit with such conditions as may be appropriate.

§ 45-17. Minutes of Shade Tree Management Board.

The minutes of the Shade Tree Management Board's regular meetings shall be presented to the Borough Clerk as soon as possible.

§ 45-18. Severability.

If any section, subsection, paragraph, sentence, clause, phrase or word contained in this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall remain in full force and effect, and to this end the provisions of this chapter are here declared to be severable.

## **Chapter 195, LAND DEVELOPMENT**

[HISTORY: Adopted by the Mayor and Council of the Borough of Madison 3-12-1984 by Ord. No. 2-84.EN(1) Amendments noted where applicable.]

### **GENERAL REFERENCES**

**Downtown Development Commission -- See Ch. 15.**

**Environmental Commission -- See Ch. 16.**

**Building construction -- See Ch. 75.**

**Historic District Preservation -- See Ch. 112.**

**Official Map -- See Ch. 131.**

**Sewers -- See Ch. 155.**

**ARTICLE I, General Provisions [Amended 8-12-1985 by Ord. No. 36-85; 12-30-1985 by Ord. No. 50-85; 2-10-1986 by Ord. No. 1-86; 7-8-1991 by Ord. No. 20-91; 7-11-1994 by Ord. No. 21-94; 2-27-1995 by Ord. No. 3-95; 4-22-1996 by Ord. No. 8-96; 10-16-1996 by Ord. No. 19-96; 5-12-1997 by Ord. No. 14-97; 10-14-1998 by Ord. No. 35-98]**

#### **§ 195-1. Title.**

The title of this chapter shall be "A Comprehensive Ordinance Regulating and Limiting the Uses of Land and the Uses and Locations of Buildings and Structures; Regulating and Restricting the Height and Bulk of Buildings and Structures and Determining the Area of Yards and Other Open Spaces; Regulating and Restricting the Density of Population; Dividing Madison Borough into Districts for Such Purposes; Adopting a MapEN(2) of Said Borough Showing Boundaries and the Classification of Such Districts; Establishing Rules, Regulations and Standards Governing the Development of Land Within the Borough, Including Site Planning and Land Subdivision; Establishing a Planning Board and a Board of Adjustment; and Prescribing Penalties for the Violation of Its Provisions."

#### **§ 195-2. Short title.**

The short form by which this chapter may be known shall be the "Land Development Ordinance of the Borough of Madison."

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#### **§ 195-27. Construction requirements.**

A. Borough standards. All standards and specifications of the Borough as now or hereafter adopted, if any, shall govern the design, construction and installation of all required improvements. Failure of the developer, his contractor or agent to conform to said specifications shall be just cause for the suspension of the work being performed. No developer shall have the right to demand or claim damages from the Borough, its officers, agents or servants by reason of said suspension.

B. Other standards. In the event that the Borough has not adopted standards for a specific type of improvement, then generally accepted engineering standards, as set forth in current engineering and construction manuals as may be approved and modified by the Borough

Engineer for a specific situation, shall be used.

C. Grades. All construction stakes and grades shall be set by or under the supervision of a licensed land surveyor. One copy of all cut sheets shall be filed with the Borough Engineer prior to the commencement of any construction.

D. Approved plans. Prior to commencement of construction of required improvements, the Borough Engineer shall have received and approved the complete plans and profiles of all improvements to be installed or constructed. No improvements shall be accepted by the governing body and no performance guaranties released until the Borough Engineer has received and approved drawings showing the plans, grades and profiles of all improvements as finally constructed.

E. Site conditions. During construction, the site shall be maintained and left each day in a safe, clean and orderly manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer or upon an order by the Construction Official or other authorized personnel.

F. Disposal of dead trees, litter and building materials. All stumps, litter, rubbish, brush, weeds, dead and dying trees, debris and excess or scrap building materials shall be removed or destroyed immediately upon the request of and to the satisfaction of the Construction Official prior to issuing an occupancy permit. No such refuse shall be buried on the site.

G. Changes in elevation.

(1) No change shall be made in the elevation or contour of any lot or site by the removal of earth to another lot or site other than as shown on an approved preliminary plan.

(2) Minimal changes in elevation or contours necessitated by field conditions may be made only after approval by the Borough Engineer. All said changes shall be shown on the final plan and indicated as a change from the preliminary, or if final approval has been granted, all changes shall be shown on the as-built plans.

H. Excavations. No excavation shall be created or maintained, except when required for the foundations of structures or in connection with and during the installation of facilities for permitted uses. Such excavation shall be used for the intended purpose or shall be refilled to the average surrounding ground level, in such a manner as to prevent the collection of water, erosion of earth or collapse or sliding of banks, within six months from the date of commencement of such excavation. All open excavations of greater than four feet in depth shall be fully encircled with durable and stable four-foot-high construction fence (or six-foot-high chain link fence if required elsewhere in the Code due to excavation depth or proximity to public facilities).

***Topsoils must have an approved stockpile location. Subsoils cannot function as screened, well-graded organic topsoils. Subsoils can only be used for structural backfills where suitable engineered properties can be demonstrated. Tree root systems must be protected from grading cuts and fills. Excess excavation subsoils must be removed from the site entirely in conjunction with soil movement ordinances. Individual lot grading plans are required wherever new grades are to be established on a property.***

***[Amended 10-23-2006 by Ord. No. 50-2006]***

I. Topsoil removal. The applicant shall obtain all necessary permits.

J. Preconstruction meeting. Prior to the commencement of construction, the developer shall

arrange for and attend a preconstruction meeting in conformance with the requirements of the Borough Engineer.

**SHADE TREE MANAGEMENT BOARD OF THE BOROUGH  
OF MADISON**

**BYLAWS**

ARTICLE I: Purpose of the Shade Tree Management Board (Management Board)

The purpose of the Shade Tree Management Board (referred to hereafter as the "Management Board"), as established by Chapter 45 of the Borough of Madison Code, shall be to promote a sustainable and productive community forest and shade tree resource for the Borough of Madison and its residents' physical health and economic, environmental and social well being.

The Management Board will work to improve and enhance public open space areas in Madison with plantings; promote general tree stewardship among the citizens; educate the public about tree benefits; reduce tree/sidewalk conflicts; develop a no-net-loss policy and practice; develop a natural disaster plan for the tree resource; and develop a comprehensive tree inventory and management plan in accordance with the New Jersey Shade Tree and Community Assistance Act of 1996.

Specific duties and powers of the Management Board are detailed in Chapter 45 of the Borough of Madison Code.

ARTICLE II: Membership of the Shade Tree Management Board

1. General Membership. Number of Members and Classification of Members. The membership of the Management Board shall be constituted of those persons appointed and classified by Ordinance. The Management Board shall consist of seven (7) general members and up to two (2) alternate members. (Chapter 45, Borough Code)

The Management Board shall seek broad membership, involving representatives of government entities, institutions, businesses and residents involved in and interested in community forestry matters in New Jersey. The Management Board shall also seek members with a range of experience and expertise, including forestry, business, finance, grant writing, non-profits, etc. Members shall represent, reside, or work in Madison or adjoining communities.

The expectations of members are to attend all meetings of the Management Board, to vote upon questions that are considered by the Management Board, and to serve on committees and/or task forces established by the Management Board. General members and alternate members have the same expectations and rights with the exception of voting (see Article III: Voting Powers).

No member of the Management Board, other than Officers of the Board, may speak in the name of the Management Board or act on its behalf without prior authorization of the Management Board or its Officers.

2. Appointments and Terms of Office. Appointments of all regular and alternate members shall be made by the Mayor with the advice and consent of the Borough Council.

## ARTICLE IX: Conflict of Interest

1. Disclosure of Interest. No Management Board member shall have or shall acquire any interest, direct or indirect, personal or financial, in any project which the Management Board is promoting or in any contract or proposed contract related to the Management Board without forthwith making written disclosure to the Management Board of the nature and extent of the interest. Such disclosure shall be entered in writing upon the minutes of the Management Board. The Management Board will seek the guidance of the Borough Attorney on all questions relating to potential conflicts of interest.
2. Voting. No Management Board member having an interest as described in Section 1 shall vote on matters relating to such interest.

## ARTICLE X. Amendments

These bylaws may be altered, amended or repealed and new bylaws may be adopted by the Management Board after ten (10) business days' written notice of the proposed alteration, amendment or change has been given to each Management Board member, provided that no alteration, amendment or change shall be made without the affirmative vote of a majority of the total (regular and alternate) number of Management Board members.

- a) Name of resident making inquiry, date and time of inquiry
- b) Address, telephone number, tax lot number, tax block number of property (if available)
- c) Inquiry type (notification that tree needs attention; request for pruning, tree removal, tree planting; other inquiry)
- d) Shade Tree Management Board review and assessment (situation and action required) and date received
- e) Tree measurement and location (date and results of measurements taken of both location within Borough right-of-way and the size of the tree)
- f) Marking of tree if to be removed (date that tree was marked for removal by Shade Tree Management Board)
- g) Notification of planting or removal (date that notification letter was mailed to resident)
- h) Replacement information (will tree be replaced)

The Shade Tree Management Board shall routinely pick up these Shade Tree Review forms from the DPW for action by the Management Board. If the DPW determines that the request or inquiry is of an urgent nature, the DPW shall immediately contact the Management Board's Chairman or Secretary.

3. Notification. The Management Board shall notify residents of the intent to remove or plant a tree or trees on the Borough's right-of-way adjoining a resident's property. Notification shall be in the form of a post card hand delivered to the resident by the Shade Tree Management Board's representative. This shall be followed by a notification letter delivered via first class mail, and shall include a Shade Tree Management Board contact point in case of questions or concerns. Any tree that is to be removed shall also be marked by the Shade Tree Management Board in a manner clearly visible to residents at least two weeks prior to removal.
4. Department of Public Works. The Shade Tree Management Board shall work cooperatively with the Borough's Department of Public Works to carry out its duties. The Shade Tree Management Board shall establish a separate telephone line, identified as The Shade Tree Management Board, for inquiries, requests and communications from the public. This telephone line shall be administered by the DPW as the message center to receive residents' inquiries. In addition, the DPW shall perform the work requested by the Shade Tree Management Board and shall supervise the outside contractors required to perform the work directed by the Shade Tree Management Board. The Shade Tree management Board is responsible and accountable to the Borough for decisions made and actions taken regarding shade tree management.
5. Dispute Resolution. If any resident has questions or concerns about public shade tree management in Madison or about any actions taken or not taken by the Shade Tree Management Board, the resident shall first contact the Shade Tree Management Board to attempt to address the issue. The Chairman or Vice-Chairman of the Management Board shall be responsible for meeting with residents to resolve problems. Residents may also attend the Shade Tree Management Board meetings to discuss their concerns or issues. In the event that a dispute cannot be resolved between the resident and the Shade Tree Management Board, the Management Board will alert the Borough Council and provide a summary of the key issues, the Management Board's position, and the Board's understanding of the resident's position. Chapter 45 of the Borough of Madison Code (45-7 E and F) outlines actions the Council may take after consideration of the Shade Tree Management Board's report and such other information as appropriate.

meeting, the report should be submitted prior to the meeting.

#### ARTICLE VII: Meetings

1. Schedule. The Management Board shall meet twelve times a year. The schedule is established in January and posted on the Borough's web site. The time and place of the monthly meeting shall be fixed annually by resolution of the Management Board.
2. Notice. Notice of the annual schedule and any special or additional meetings shall be made to the public pursuant to the Open Public Meetings Act.
3. Open Meetings. The meetings of the Management Board shall be open to the public unless determined by a majority of its members that a closed session is required to discuss any of the following category of matters:
  - a) Any matter of pending or anticipated litigation.
  - b) Any matter of contract negotiations.
  - c) Any matter falling within the attorney/client privilege.
  - d) Any private and or sensitive personnel matters
4. Quorum. A majority of the voting members (regular members or in- their absence alternate members) of the Management Board shall constitute a quorum for the transaction of business.
5. Absence from Meetings. All members are expected to attend all meetings. The Chairman may excuse a member from attendance for unavoidable absences. Each member shall be allowed up to two (2) unexcused absences during anyone calendar year. When a member has exceeded two (2) unexcused absences, the Management Board may request the member's resignation and recommend a replacement to the Mayor for approval by the Council.
6. Rules of Order. The deliberation of the Management Board shall be governed by Roberts Rules of Order

#### ARTICLE VIII: Shade Tree Management Board Procedures

1. Management Plan and Tree Inventory and Assessment. The Management Board shall complete an annual tree assessment, detailing annual tree pruning, planting and hazardous tree removal plans. This shall form the basis for the Management Board's ongoing tree management. Longer term, the Management Board shall develop and implement a management plan for the Borough of Madison's public trees, including a comprehensive tree inventory and assessment.
2. Service Requests. In addition to the Management Board's ongoing tree management, service requests received from the public shall be handled by the Management Board, in cooperation with the Borough's Department of Public Works.

Requests from the public to the Shade Tree Management Board shall be made to a separate telephone line established for the Shade Tree Management Board and identified as such, and administered by the Department of Public Works (DPW), which shall act as the Management Board's message center. The DPW shall initiate (complete sections a, b, and c below) the Shade Tree Review form that shall be completed by the Shade Tree Management Board and shall include the following types of information:

2. Vice-Chairman. The Vice-Chairman of the Management Board shall perform the duties and exercise the functions of the Chairman in the Chairman's temporary absence or during the Chairman's temporary inability to act. The Vice-Chairman shall perform such other duties as may be assigned by the Management Board or by the Chairman of the Management Board.
3. Secretary. The Secretary shall issue notices of meetings, shall keep the minutes of all meetings, shall send out notices to residents, shall have charge of the records of the Management Board and shall make reports and perform such other duties as are incident to the office or as are required by the Management Board or the Chairman. The Secretary shall regularly forward the minutes of the Management Board meetings to the Mayor and Council and to the Management Board members. The Secretary shall ensure that a copy of the agenda, developed by the Chairman, is sent to the Mayor and Council and Management Board members prior to each meeting. The Secretary shall ensure that an annual report, developed by the Chairman and the Management Board members, is provided to the Mayor and Council and to the public.
4. Treasurer. The Treasurer shall work through the Superintendent of Public Works and the Financial Officer of the Borough of Madison for creating budgets, financial reporting, and requests for goods and services. The Treasurer, Chairman and other officers, in cooperation with the Superintendent of Public Works, shall certify to the Mayor and Council the estimated sum necessary for the proper conduct of the Management Board's work during the ensuing fiscal year, and see to it that the annual expenditures of the Management Board shall not exceed the total sum of any appropriation from the Council.
5. Members. All members and alternate members are expected to attend all meetings of the Management Board and to serve on one or more committees or task forces formed by the Management Board to fulfill its duties and responsibilities.

ARTICLE VI: Committees

1. The Management Board has established the following committees and positions:

Media Liaison  
 Technical Coordination Committee (TCC) Liaison Friends  
 of Madison Shade Trees (FMST) Liaisons Arbor Day  
 Committee  
 Tree City USA Committee  
 Landmark Trees Committee  
 Grant Development Committee  
 STMB Management Plan Committee  
 Board Development Committee

2. The Management Board may, from time to time, establish other committees, ad hoc committees, or task forces, and confer upon them such powers as it deems expedient for the conduct of the Management Board's business.
3. Actions to be taken by each committee shall be determined and reviewed by the Management Board in its monthly meetings. Each committee shall submit periodic reports to the Management Board for the inclusion on the agenda of the monthly Management Board meetings. If the responsible member is unable to be present at a Management Board

The terms of the first appointed members shall be for one (1), two (2), three (3), four (4) and five (5) years as designated by the Mayor and Council. All subsequent appointments, except to fill vacancies, shall be for the full five-year (5) term. (Chapter 45, Borough Code).

3. Vacancy. In the event of a vacancy, the Management Board will recommend a successor who may be appointed by the Mayor with the advice and consent of the Borough Council to fill the unexpired term. (Chapter 45, Borough Code)

#### ARTICLE III: Voting Powers

1. Voting Members. The voting members of the Management Board shall be all regular members.
2. Non-voting Members. The alternate members shall participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

#### ARTICLE IV: Officers

1. Number of Officers. The officers of the Management Board shall be the Chairman, Vice-Chairman, Secretary, and Treasurer.
2. Election. The Chairman, Vice-Chairman, Secretary and Treasurer shall be elected annually in the month of January by a majority vote of the Management Board and shall hold their respective offices for one (1) year or until their successors are elected.
3. Vacancies. All vacancies occurring prior to the expiration of the term of any of the offices shall be filled at the next meeting by the Management Board who shall elect an officer to fill the unexpired term.
4. Removal. Any officer elected by the Management Board may be removed by the Board whenever, in its judgment, the best interests of the Board will be served thereby.

#### ARTICLE V: Duties of Officers and Members

1. Chairman. The Chairman of the Management Board shall preside at all meetings of the Management Board at which the Chairman shall be present; set the agenda for each meeting of the Management Board and distribute it to the members in advance of the meeting; establish working committees and/or task forces and appoint members and assign duties; serve as spokesperson for the Management Board on issues where the Board has adopted positions; supervise the preparation of reports and annual budgets, all subject to approval by the full Management Board. The Chairman and other officers shall make an annual report to the Borough Council detailing the operations and results during the preceding twelve months. The Chairman shall be the chief executive officer and perform other duties as are incident to the office or as are properly required by the Management Board.