

Shade Tree Commission

Committee Name: Shade Tree Commission

Type: Advisory Committee that shall advise the governing body

Purpose: The Shade Tree Commission shall advise the Mayor and Council concerning the proper planting, care, ground maintenance, removal as well as possible administering of treatment to shade and ornamental trees and shrubbery.

Membership:

WHEREAS, under Borough of Highlands Code 2-21 empowers the Mayor to establish a Shade Tree Commission, (ADVISORY) which states there shall be an advisory committee in the Borough consisting of five members. All appointments shall be for one year and members shall serve until their respective successors are appointed and qualified.

WHEREAS, in accordance with yearly Resolutions, members will be appointed by the Mayor.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Highlands that the named persons via Resolution hereby appointed to the Shade Tree Commission for a one-year term to expire December 31 of each year.

Meeting arrangements: Committee will meet once per month on the third Tuesday of the month. The committee will do much work via email/phone and gather as a group to share findings.

Reporting:

The Shade Tree Commission is responsible in advising and reporting to the governing body by providing a monthly report and working with the Council Liaison.

Resources and budget:

Any advice submitted to Council should be within the current Shade Tree budget.

Deliverables:

The Shade Tree Commission shall advise the Mayor and Council concerning the proper planting, care, ground maintenance, removal as well as possible administering of treatment to shade and ornamental trees and shrubbery.

Review:

Annually with each new appointed Commission roster.

~~Communication Committee~~ Shade Tree Commission ~~(Advisory)~~ Board By-Laws

ARTICLE I - NAME AND AUTHORIZATION

NAME: The name of the ~~Commissiontee~~, as of code 2-21 of the Borough of Highlands, shall be known as the Shade Tree Commission, herein after referred to as the "Commission".

AUTHORIZATION: The Commission exists by the authority of the Borough of Highlands Governing Body and may be modified or abolished by action of the Borough of Highlands Governing Body.

ARTICLE II - PURPOSE AND FUNCTION

PURPOSE The Commission shall serve as advisors to the Borough of Highlands Governing Body on issues presented to the Commission related to the field of Shade Trees and shrubbery.

FUNCTION The functions of the ~~Commissiontee~~ shall be:

Those enumerated in ordinance 2-21.2 which are

The shade tree commission shall advise the mayor and council concerning:

a. The planting and care of shade and ornamental trees and shrubbery now located, or which may hereafter be planted in any public highway, park or parkway.

b. The regulation and control of the use of the ground surrounding the same so far as may be necessary for their proper growth, care and protection.

c. The moving or requiring the removal of any tree or part thereof dangerous to public safety.

d. The caring for and controlling such parks and parkways; encouraging arboriculture and the making, altering, amending and repealing any and all ordinances necessary or proper for carrying out the provisions hereof.

e. Administering treatment to or removing any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring health trees in the care of the borough and entering upon private property for that purpose, with the consent of the owner providing the suspected condition is first confirmed by certificate issued by or on behalf of the Department of Agriculture.

In addition, the Commission will seek to

~~to~~ encourage citizen participation in planting of site appropriate shade trees and shrubbery ~~to and from~~ within the Borough;

~~to~~ present or discuss policies and processes affecting shade trees and shrubbery within the Borough;

~~to~~ study current and future issues regarding how and what is planted;

~~to~~ provide input on goals and objectives; develop planting plans; and

obtain expert opinion from a certified tree expert when necessary

~~to~~ contribute to continuous feedback; and make recommendations to the Borough of Highlands Governing Body for overall quality and service deliveries.

ARTICLE III - MEMBERSHIP

MEMBERS The Commission shall be comprised of ~~five~~ nine members appointed by the Borough of Highlands Governing Body. Committee members will be selected based on their qualifications and willingness to serve. Members will be selected without regard to race, creed, national origin, age, sex or the presence of a disability. As much as possible, the Commission will be made up of an equitable representation town residents based on race and sex according to the demographic ratio of the Borough. ~~Residency requirements are needed.~~ In consideration of the Americans with Disabilities Act, efforts should be made to include members with disabilities.

ELIGIBILITY

Members of the Commission shall be Highland's residents, ~~property owners, or utility customers.~~

~~Members who are not town residents shall be appointed to provide appropriate representation, expertise or when deemed in the best interest of the Commission.~~

The members of the Commission shall ~~be selected from~~ include the following classifications:

- a. At least one member of the Commission will be a professional in a field complimentary to the Committee-Commission 's scope. To be qualified as a professional, the member should be a certified tree expert or landscape architect, or have completed postsecondary coursework in forestry, arboriculture, or the biological sciences.
- b. At least one member of the Commission will be a member of the Governing Body.
- c. One member will be the Shade Tree Commissioner
- d. Other members appointed by the mayor with the approval of the governing body in accordance with ordinance 2-21.

APPOINTMENTS

All appointments shall be for one year and members shall serve until their respective successors are appointed and qualified. It is the responsibility of the Borough of Highlands Governing Body to insure an appointment is made within thirty (30) days of notification of a vacancy. If an appointment is not made within thirty (30) days by the Borough of Highlands Governing Body, the Commission shall have the authority to request an appointment be agendaed for the next available Council meeting.

VACANCIES

A member's position shall become vacant when:

- a. member is absent from 33% of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused. All absences will be duly recorded in the meeting minutes. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences. Special exceptions on the removal of members for absences may be made by the Chairperson of the Commission when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the Committee to maintain a quorum, or b. when a member no longer meets the membership requirements, or c. when a member's term expires, or d. when a member resigns.

The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Treasurer-Clerk. Should a resignation be submitted to staff, they will immediately notify the Chair and the Borough Office.

ARTICLE IV - ORGANIZATION

OFFICERS

A The Commission shall elect a Chair, Vice-Chair and Secretary. The members shall perform the duties as prescribed by the parliamentary authority adopted by the Commission. These members were voted from the quorum of the Commission.

B QUORUM A majority of the Commission shall constitute a quorum to hold a meeting or take any action.

C VOTING RIGHTS Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted. Proxy votes and absentee ballots shall not be permitted. Members shall only abstain from a vote when there is a valid conflict of interest addressed to the Commission.

ARTICLE V – MEMBERS AND DUTIES

MEMBERS

It is the Chair's responsibility to ensure compliance with the Bylaws. The Chair will notify members of removal from the committee for noncompliance. Specific questions of conflict of interest will be addressed by the Borough Attorney or designee. The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Council. The Chair may approve special exceptions on the removal of members for absences at regularly scheduled meetings when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the Commission to maintain a quorum. The Vice-Chair shall perform the duties in the absence of the Chair.

REMOVAL When a member has been absent or has not performed the duties of that office for three consecutive meetings, that officer-member may be removed from office by the Commission with a majority vote at a regularly scheduled meeting.

ARTICLE VI – COMMISSION OPERATIONS

A The Commission shall have no authority other than as stipulated by the Bylaws and approved by the Borough of Highlands Governing Body.

B Commission will meet once per month. The Commission will do much work via email/phone and gather as a group to share findings.

C Copies of the minutes shall be distributed to the Borough of Highlands Governing Council

D All meetings are open to the public

ARTICLE VII - BYLAWS AND EFFECTIVE DATE

Any changes to the Bylaws will be reviewed and approved by the Commission and the Borough of Highlands Governing Council and filed with the borough's Clerk's Office. These Bylaws shall become effective upon adoption by the Shade Tree Commission and the Borough of Highlands Governing Body. These Bylaws may be amended at any regular meeting by a majority vote of the membership provided that the amendments(s) has(have) been submitted in writing at the previous regular meeting.

These Bylaws have been approved By the Shade Tree Commission and submitted to the Borough of Highlands Governing Body, dated this XX day of XX, 2017.