



THE MAYOR AND BOROUGH COUNCIL
of the
BOROUGH OF GLEN RIDGE
County of Essex
State of New Jersey

Monday, February 14, 2022

RESOLUTION NO. 47-22

Offered by Councilor **HUGHES**
Seconded by Councilor

WHEREAS, Glen Ridge Borough Code 12.28.060 entitled “Removal of dangerous privately owned trees; notification of owner” provides:

“The borough arborist may move or require the removal of any tree, shrub or plant or part thereof dangerous to public safety at the expense of the owner of such tree, shrub or plant, upon first serving written notice to the owner of said tree, shrub or plant that same will be removed unless the owner removes same within one week from the date of said notice or as determined by the shade tree commission or its designee.”

WHEREAS, on December 20, 2021, the Glen Ridge Borough Arborist (the “**Arborist**”) submitted a letter (the “**Report**”) via certified mail to the property owner (the “**Owner**”) of 150 Ridgewood Avenue (the “**Property**”), designated as Lot 20 in Block 35 on Borough tax maps, and via hand delivery to the Glen Ridge Borough Code Enforcement Office and Construction Official finding that numerous dead and broken branches on the private trees located at the Property present a hazard and a threat to the public health, safety and general welfare.

WHEREAS, Glen Ridge Mayor and Council have received and accepted the findings of the Report.

WHEREAS, the hazardous condition as found in the Report remains unabated.

WHEREAS, Glen Ridge Borough Code 8.28.010 (as part of Chapter 8.28 entitled “Removal of Hazardous Weeds, Trees and debris from Private Property”) provides that:

“In any case where the governing body of the borough shall by resolution determine that it is necessary and expedient for the preservation of the public health, safety, general welfare or to eliminate a fire hazard to remove or have removed from any lands lying within the limits of the borough, brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, the work of such removal shall be done by or at the expense of the owner or tenant of such lands, and shall be done under the supervision of the superintendent of public works of the borough.”

NOW THEREFORE BE IT RESOLVED, that based upon the Report and under the authority given under Glen Ridge Borough Code 8.28.010, the Mayor and Council determine that numerous dead and broken branches on the privately owned trees located at the Property and identified in the Report present a threat to the public health, safety and general welfare and that it is necessary and expedient for the preservation of the public health, safety, and general welfare for said dead and broken branches, and to the extent necessary trees, to be removed from the Property as set forth in the Report; and

BE IT FURTHER RESOLVED that the Glen Ridge Borough Clerk immediately after the passage of these Resolutions or as soon thereafter as is practicable shall cause a copy of these Resolutions and a notice in writing (the "**Demand**") to be served upon the Property Owner demanding that said dead and broken branches, and to the extent necessary trees, identified in the Report be removed within 10 days after the service of these Resolutions and the Demand; and

BE IT FURTHER RESOLVED that these Resolutions and the Demand be served upon the Property Owner in the manner provided in N.J.S.A. 40:65-3 -- i.e., personally or if the Property Owner is a nonresident of Glen Ridge, the Demand and copy of these Resolutions may be served upon the Property Owner (both by certified mail, return receipt requested and also by regular mail, postage prepaid) at the Property Owner's last known post-office address; and

BE IT FURTHER RESOLVED under the authority of Glen Ridge Borough Code 8.28.040 that if the Property Owner does not remove from the Property said dead and broken branches, and to the extent necessary trees, identified in the Report within 10 days after the service of these Resolutions and the Demand upon the Property Owner, then the Glen Ridge Borough superintendent of public works (the "**Superintendent**") is hereby directed to cause the required work to be done at the cost of the Property Owner; and

BE IT FURTHER RESOLVED that in the event that the removal from the Property of said dead and broken branches, and to the extent necessary trees, is effected by the Superintendent as aforesaid, the cost of same shall be paid out of moneys appropriated in the annual tax levy to the repair and maintenance of streets and roads in the same manner as other work done by the public works committee, and the cost of such work when finished shall be certified to the governing body by the Superintendent and the governing body shall examine the certification, and if found correct, shall cause the cost as shown thereon to be charged against the Property and the amount so charged shall forthwith become a lien upon the Property and shall be added to and become a part of the taxes next to be assessed and levied upon the Property for the calendar quarter immediately following the cost certification and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.