

# Urban & Community Forestry Program

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NJ COMMUNITY FORESTRY COUNCIL

## **BYLAWS**



State of New Jersey  
Department of Environmental Protection  
Forest Service

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**New Jersey Department of Environmental Protection (NJDEP)  
New Jersey Forest Service (NJFS)  
Urban and Community Forestry Program (NJUCF)**

**New Jersey Community Forestry Council  
Bylaws**

Adopted: March 16, 2017  
Updated: September 13, 2018

Amended: May 12, 2022

Resolved, that the New Jersey Community Forestry Council hereby adopts the following bylaws:

**ARTICLE I – NAME, LOCATION, AUTHORITY**

**A. Name**

As provided by N.J.A.C. 13:1L-17.5 the name of the organization shall be the New Jersey Community Forestry Council, hereinafter “the Council.”

**B. Location**

The principal mailing address of the Council shall be c/o New Jersey Department of Environmental Protection, State Forest Service – Urban and Community Forestry Program, Mail Code 501-04, PO Box 420, Trenton, NJ 08625-0420.

**C. Authority**

The Council is established pursuant to N.J.S.A. 13:1L-17.5(a) which states, “There is established in the department a Community Forestry Council, which shall consist of 20 members, appointed by the State Forester, all of whom shall be citizens with expertise or interest in trees, forestry or tree or forest management, maintenance or care.” In accordance with the Shade Tree and Community Forestry Assistance Act N.J.A.C. 13:1L-17.5, 17.6, 17.7, and the No Net Loss Reforestation Act N.J.A.C. 13:1L-14.2.

**ARTICLE II – PURPOSE, FUNCTIONS and GOALS**

**A. Purpose**

In accordance with the Shade Tree and Community Forestry Assistance Act, N.J.A.C. 13:1L-17.5(g), “[t]he Council shall advise the State Forester, the Division of Parks and Forestry now the Division of Forests, Parks & Historic Sites and the department on issues concerning community forestry and assist with such other functions as may be authorized pursuant to

P.L. 1996, c. 135 (C.13:1L17.1 et [seq] or any other law." The Council will provide advice, assistance, and recommendations to the State Forester in promoting, supporting and advancing healthy, safe and sustainable urban and community forests in New Jersey.

## **B. Functions**

1. Advise and assist the State Forester in establishing minimum standards and providing a, "training skills and accreditation program, for representatives of local governments and shade tree commissions, the content of which shall be the appropriate and approved methods for the planting, protection, care and management of trees and other related natural resources under their control." N.J.A.C. 13:1L-17.6.
2. Advise and assist the State Forester regarding educational needs and program initiatives to be considered by the Urban and Community Forestry Program.
  - a. Advise and assist the State Forester to, "develop and make available to local governments and shade tree commissions a list of guideline elements found within a comprehensive community forestry plan." N.J.A.C. 13:1L-17.7(a).
  - b. Advise and assist the State Forester to, "develop and make available to local governments and shade tree commissions a procedure for submitting for approval a comprehensive community forestry plan." N.J.A.C. 13:1L-17.7(a).
  - c. Provide review, comment, and recommendations to the State Forester on the approval of Community Forestry Management Plans." N.J.A.C. 13:1L-17.7(c).
  - d. Advise and make recommendations to the State Forester on urban and community forestry program projects and initiatives.
3. Advise and make recommendations to the State Forester on urban and community forestry program grant projects and initiatives for the development and implementation of Community Forestry Management Plans.
4. Provide review, comment, and recommendations to the State Forester on the approval of No Net Loss Reforestation Plans. N.J.A.C. 13:1L14.2(a).
  - a. Advise and assist the State Forester, "to develop and make available to State entities a list of guideline elements that shall be required in a reforestation plan." N.J.A.C. 13:1L-14.2(b).
  - b. Advise and make recommendations to the State Forester on the expenditure of No Net Loss monetary compensation in lieu of reforestation for reforestation N.J.A.C. 13:1L-14.2(c).
  - c. To advise and inform the State Forester of opportunities and challenges relating to SFS Community Forestry Program goals and objectives and to assist in working to capitalize on the opportunities and address the challenges.

5. Advise and make recommendations to the State Forester regarding the *Treasure our Trees* license plate promotion, marketing and funding of projects and programs.

### **C. Goals**

Consistent with the purpose and functions described above, the Council shall strive to meet the following goals:

1. To advance the health, safety, sustainability, vitality and resilience of urban and community forest lands and tree canopy within the state of New Jersey, and by example, throughout the nation.

2. To promote better public understanding of the management of urban and community forests, the benefits the forests and their management can provide, and how the NJUCF can provide technical and financial assistance when available.

3. To provide advice and recommendations in order to inform policies and procedures for the advancement and improvement of NJUCF operations.

4. To cooperate with other councils, boards, organizations and state agencies to promote and advance urban and community forestry in New Jersey.

## **ARTICLE III – MEMBERSHIP, TERMS, PROXIES, and COMPENSATION**

### **A. Membership**

In accordance with N.J.A.C. 13:1L-17.5(a), the Council, "shall consist of 20 members, appointed by the State Forester, all of whom shall be citizens with expertise or interest in trees, forestry or tree or forest management, maintenance or care." All twenty (20) members of Council will be voting members.

1. Standing Seats

Three (3) of the 20 appointed Council members will fill standing seats. The three (3) standing seats will be filled by the following:

- a. The Executive Director of the NJ Shade Tree Federation or their designated representative.
- b. The Executive Director of the New Jersey Tree Foundation or their designated representative.
- c. The Director of the Rutgers Urban Forestry Program or their designated representative.

2. Membership Categories

Membership should strive to be representative of the following 4 categories and number of representatives, however, appointments are ultimately at the discretion of the State Forester:

- a. Local Governments and Community Shade Tree Programs (7)
  - Volunteer working with the community forest resource, Shade Tree Commissions, Boards or Committees or the general public (3)
  - Municipal Forester, Arborist, Department of Public Works or other local government representative (3)
  - NJ Shade Tree Federation, a non-profit organization that assists those individuals and agencies entrusted with the selection, planting and care of trees. (1) – standing seat
- b. Arboriculture and Forestry Industry Professionals (7)
  - Certified/licensed tree expert consultant or business engaged in tree care, forestry, landscaping, or development of Community Forestry Management Plans with strong interest in trees, forestry or the environment (2)
  - Arboriculture and/or forestry industry professional organizations(2)
  - Public utilities (2)
  - Nursery industry professional / tree grower (1)
- c. Non-profit and non-governmental organizations (4)
  - Organizations with a strong interest and focus on work in trees, forestry, ecology/environment, sustainability, community development or other related field. (3)
  - New Jersey Tree Foundation (1) standing seat
- d. New Jersey Educational Institutions (2)
  - A university, organization or program whose primary mission is to promote and provide training and education in trees, forestry, ecology/environment, sustainability or other related field. (1)
  - Rutgers University Urban Forestry Program (1) standing seat

## **B. Terms**

1. Council members shall serve a term of three (3) years in accordance with N.J.A.C. 13:1L-17.5(a). Members may be re-appointed for one additional term of three (3) years. A Council member should serve for no more than six (6) consecutive years.
2. The members holding each of the standing seats shall be exempt from term limitation.
3. A former Council member may be eligible to be appointed again following the terms of B.1 no earlier than three years following the expiration of a previous term.
4. Terms of membership should be staggered in length to ensure that there is no more than a thirty-five (35) percent turnover annually.

5. Terms should begin on Jan 1 of the calendar year and run until Dec 31. Appointments should be completed by March first of every year. The State Forester shall on a quarterly basis provide Council members with an updated list of terms. Members with terms expiring within the next 6 months shall receive individual correspondence from the State Forester notifying them of their term expiration and if eligible, inquiring on their interest for re-appointment. Members with expiring terms shall respond to the State Forester within 60 days. If members do not respond, the State Forester shall notify the Chair and shall proceed with filling the vacancy. The State Forester has the option to allow council members to remain in place for an additional term as long as they are within the By-Laws, term limit and are in good standing. Members need to confirm this "remain in place decision" at the next scheduled council meeting.

6. Members will be responsible for recommending qualified candidate(s) as replacement appointments to the State Forester at least 90 days prior to the expiration of any expiring terms.

7. The State Forester may solicit recommendations for qualified candidate from the Council as well as through a publicly advertised open nomination process.

8. All vacancies, except those created through the expiration of term shall be filled for the unexpired term only.

9. Members may be removed by the Commissioner or State Forester for cause.

### **C. Proxies**

No alternates or proxies for members of the Council shall be allowed.

### **D. Compensation**

In accordance with N.J.A.C. 13:1L-17.5(c), members of the Council shall serve without compensation, but may be reimbursed for expenses necessarily incurred in the discharge of their official duties.

## **Article IV - RESPONSIBILITIES, OFFICERS, and STAFF SUPPORT**

### **A. Member responsibilities**

Council members agree to:

1. Work in the best interest of the State's urban and community forest resource and the NJUCF.
2. Participate fully in the Council and committee meetings. Members must attend all meetings or provide notification to be excused prior to each meeting. Unexcused absences to 25% of the meetings in a given year, or excused absences for 50% or more of the meetings in a given year will result in being asked to either

increase attendance or to step aside to provide the needed representation on the Council to conduct business, and may be cause for removal from Council.

3. Volunteer for and willingly accept assignments and complete them thoroughly and on time.
4. Prepare for meetings and stay abreast of urban and community forestry program and Council activities.
5. Contribute to meetings with objective thinking, review and comment on minutes and reports, show willingness for open discussion and building a collegial working relationship that contributes to consensus and an acceptance of decisions made by vote.
6. Contribute special talents including scientific knowledge, regulatory or, organizational management, or other experience useful to Council.
7. Acknowledge constructive, topical public input during Council meetings.
8. Recuse himself/herself from all Council business concerning programs or funding for projects with which he or she or any affiliation he or she has is directly involved, and declare any potential conflict of interest at each Council meeting. This declaration/recusal will be recorded in the minutes and will include refraining from voting on matters pertaining to the proposal or contract in question. Irreconcilable conflict of interest may be cause for removal from Council.
9. Comply with the State's Uniform Ethics Code (UEC). Members of boards are considered Special State Officers (SSOs) and are subject to the States UEC.
10. Enhance the public image of the NJUCF and promote the program's goals and activities.

## **B. Officers**

1. In accordance with N.J.A.C. 13:1L-17.5(d), "[t]he State Forester shall appoint a Chairperson and a Vice-Chairperson, and the council may elect such other officers as may be necessary."

- a. Appointments shall be made at the last regular meeting of the calendar year in the year which each respective term is expiring. Officers shall assume office at the first regular meeting of the succeeding calendar year. The terms of office for the Chairperson and Vice-Chairperson shall be three (3) years, or for the duration of the term of appointment. Officers shall not be able to serve more than two (2) consecutive terms.



- b. In the event of resignation or incapacity of the Chairperson, the Vice-Chairperson shall become the Chairperson for the unexpired portion of the term.
- c. Vacancies in the office of Vice-Chairperson shall be filled for the unexpired term by State Forester appointment.

2. Duties of Officers:

- a. The Chairperson shall:
  - i. Preside at all meetings.
  - ii. Represent Council and collaborate with the public to increase and maintain the Council's visibility.
  - iii. Set a collaborative leadership example that will encourage cooperation and good working relationships among Council members and the NJUCF.
  - iv. Serve as an ex-officio member of Council committees and attend their meetings when invited.
  - v. Ensure the Council's advisory role to the State Forester regarding the functions and goals defined in Article 1.
  - vi. Confer with the State Forester and/or the Urban and Community Forestry Program Coordinator to establish an agenda for each Council meeting.
  - vii. Appoint committees and ad-hoc workgroups.
  - viii. Draft and sign correspondence as directed by the Council or when otherwise appropriate.
  - ix. Evaluate the performance of the Council in achieving its mission as well as the attendance and effectiveness of members annually.
  - x. Guide and mediate Council actions with respect to organizational priorities and governance concerns.
  - xi. Perform other duties as assigned by the Council.
- b. The Vice-Chairperson shall:
  - i. Assist the Chairperson in directing the affairs of the Council.

ii. Assume all duties of the Chairperson whenever the Chairperson is absent or otherwise unable to fulfill their duties.

iii. Performs other responsibilities as assigned by the Council.

### **C. Staff Support and Duties**

1. In accordance with N.J.A.C. 13:1L-17.5(d), "[t]he council may appoint such staff or hire such experts as it may require within limits of appropriations made for these purposes." And, in accordance with N.J.A.C. 13:1L-17.5(e), "[t]he council may call to its assistance such employees as are necessary and made available to it from any agency or department of the State or its political subdivisions."

2. Secretarial duties should be performed by employees designated by the State Forester. It shall be their duty to function as the recording and corresponding secretary, as assigned by the State Forester. Included among these duties shall be:

- a. Give public notice of the meetings for the Council.
- b. Transmit notices and agendas to the membership.
- c. Record Council minutes and keep a permanent file of the minutes of the meetings of the Council.
- d. Distribute copies of draft minutes to the Council for review and approval, and makes available copies of approved minutes.
- e. Maintain correspondence and records of the Council and ensure effective management of organization's correspondence and records.
- f. Contact members in advance of regularly scheduled meetings to confirm attendance and determine if a quorum will be present.
- g. Provide the State Forester and the Chairperson with a current list of members and the term status of each member at the last meeting of each calendar year.
- h. Perform other duties as may be reasonably requested by Council.

3. Staff of the Forest Service shall assist the Council by:

a. Providing verbal and/or written reports to the Council on the Urban and Community Forestry Program, the No Net Loss Reforestation Program, and other Forest Service activities as reasonably requested.

- b. Assisting with the development of Council meeting agendas.

## **ARTICLE V – COMMITTEES and WORKGROUPS**

### **A. Committees**

1. The Chairperson of the Community Forestry Council may establish such committees as may be necessary to expedite functions of the Council and shall appoint committee members and the chairperson of such committees. The following standing committees shall report at each meeting of the council:

- a. **Community Forest Management Plan** – This committee will receive and provide review, comment, and recommendations on Community Forest Management Plans to provide an advisory recommendation for approval, or to request amendments to plans submitted to the State Forester through the NJ SFS Urban and Community Forestry Program in compliance of the NJ Shade Tree and Community Forestry Assistance Act N.J.A.C. 13:1L-17.7(c), and associated Guidelines.
- b. **No Net Loss**- This committee will receive, review and provide comment on NNL Reforestation Plans to provide an advisory recommendation for approval, or to request amendments to plans submitted to the State Forester in compliance with the NJ No Net Loss Act (N.J.A.C. 13:1L14.2(a) and associated Guidelines.

2. Members of committees shall consist of a majority of members of the Council, and may include members of DEP staff and/or the public, especially those with particular expertise beneficial to the purpose or assignments of the Committee. Committee members shall be appointed by the Council Chairperson with the consent of the majority of the Council.

3. Any such committee shall be considered to be in existence until such time as a motion passed by the majority of the council dissolves it.

4. Committees shall report to the Council.

5. All members of the Council shall be invited to attend all committee meetings.

6. The duties of a committee chairperson include:

- a. Set the tone for the committee work.
- b. Ensure that members have the information needed to do their jobs.
- c. Oversee the logistics of committee operations.
- d. Report to the Council Chairperson.

- e. Report to the full Council on committee's decisions/recommendations.
- f. Assign work to the committee members, set the committee meeting agenda, run the committee meetings.
- g. Initiate and lead the committee's annual evaluation. Provide the State Forester (and), the Chairperson and Council members with a current list of members and the term status of each member at least quarterly during the calendar year.

### **B. Ad Hoc Workgroups**

1. The Chairperson may establish and appoint Ad Hoc Workgroups with the consent of the Council members to assist the Council in their duties.
2. Such Ad Hoc workgroups may include members of DEP staff and/or the public, especially those with particular expertise beneficial to the purpose or assignments of the Ad Hoc Workgroup. In addition, Ad Hoc workgroups shall include at least one Council member who shall serve as Chair of the Ad Hoc workgroup.
3. Each such Ad Hoc Workgroup will be assigned specific tasks when it is formed. Ad Hoc Workgroups shall report to the Council.
4. All members of the Council shall be invited to attend all Ad Hoc Workgroup meetings.

## **ARTICLE VI – MEETINGS**

### **A. Meeting Date, Time, Location and correspondence**

1. The Community Forestry Council will hold regular meetings periodically as posted and advertised within the scope of public meetings laws and notifications.
2. The dates, times and location of regular meetings for the forthcoming year shall be determined by the State Forester with Council at the last meeting of the preceding year and shall be provided to the appropriate Forest Service staff for the purpose of public meeting notice requirements, including publication on the Forest Service website.
3. Changes to meeting location or time can be made during the course of the calendar year by the Chairperson with the consent of the majority of Council members and the State Forester, provided that such changes are made with sufficient time to provide notice of such changes.

4. Special meetings may be called by the Council chairperson and committee chairpersons at such times as are found necessary with the consent of the majority of Council members and the State Forester.

5. Electronic notice of regular meetings will be provided to all Council members via e-mail. For special meetings, notification shall be given not less than five (5) days before the date of the special meeting. The notice of a special meeting shall include the purpose of the meeting.

## **B. Quorum**

Pursuant to N.J.A.C. 13:1L-17.7(b), “[a] majority of the membership of the Council shall constitute a quorum for the transaction of Council business.”

## **C. Voting**

1. All questions presented for a vote of the Council shall be decided by a simple majority of quorum.

2. The Chairperson shall be allowed to vote on all issues, however the Chairperson shall vote last.

3. A quorum must be present at the meeting for a vote for any formal Council action to be taken.

## **D. Order of Business**

1. The order of business for regular meetings may be as follows:

- Call to Order
- Roll Call
- Approval of Minutes
- State Forester’s Report
- Chairperson’s Report
- New Business
  - a. State Forestry services program reports
  - b. Council committee and committee Reports
- Unfinished Business
- Public Comment
- Adjournment

2. The order of business at any meeting may be altered at the discretion of the Chairperson or presiding officer.

## **E. Meeting Conduct and Public Participation**

1. Robert's Rules of Order, Newly Revised shall govern the parliamentary procedure of the Council in all cases to which they are applicable and in which they are not inconsistent with these by-laws.
2. Public participation and input is critical to the purpose of the Council and each meeting shall include opportunity for public participation.
3. The Chairperson may solicit input from members of the public present at any Council meeting and Council members may request that the Chairperson seek such input.

#### **F. Attendance**

1. Members are urged to attend all regular meetings and shall confirm their attendance with the chairperson and secretary in advance of meetings.
2. Extended absence or frequent absence from regular meetings shall constitute cause for the Chairperson, and/or members to recommend to the State Forester for dismissal or against the re-appointment of said Council member, in accordance with Article IV of these bylaws.

### **ARTICLE VII – COUNCIL POSITIONS AND COMMENT TO THE DEPARTMENT**

#### **A. Adopting Official Council Positions**

1. Official positions of the Council or recommendations to the State Forester on any issue or topic shall be adopted by resolution or statement of position affirmed by vote.
2. A record of any resolution or position statements adopted by the Council shall be inscribed in the minutes and kept on file in the Trenton offices of the Forest Service – Urban and Community Forestry Program.

### **ARTICLE VIII – AMENDMENTS**

After notice to the membership, the members of the Council must, by a majority vote of quorum, amend or revoke these bylaws at any regular or special meeting duly convened. The bylaws shall be reviewed every five years by an appropriate committee and if necessary, recommend revisions to the Council.