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PUBLIC HEARING  
OF THE  
BOARD OF TRUSTEES  
OF  
EAST HILLS

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PRESENT:                   MICHAEL R. KOBLLENZ, Mayor  
                              EMANUEL ZUCKERMAN, Deputy Mayor  
                              GARY LEVENTHAL, Trustee  
                              CLARA POMERANTZ, Trustee  
                              PETER ZUCKERMAN, Trustee

DATE:                       April 30, 2012

TIME:                       8:00 p.m.

PLACE:                     VILLAGE HALL  
                              209 Harbor Hill Road  
                              East Hills, New York 11576

COUNSEL  
REPRESENTING  
VILLAGE OF  
EAST HILLS:                WILLIAM C. BURTON, ESQ.

REPORTED BY:              JOANNE HORROCKS, CSR

1 THE MAYOR: The purpose tonight is a public  
2 hearing, phase one, relating to the tree law, Chapter  
3 186 which has been on the website, and copies were  
4 available tonight which some of you have picked up.  
5 And the purpose is to hear from residents as to areas  
6 of the tree preservation law tonight, which is Chapter  
7 186 as to changes or recommendations or suggestions to  
8 that law.

9 Persons speaking will identify themselves by  
10 their name and their address. They will have three  
11 minutes to present their case, and the record will  
12 remain open two weeks after tonight. And anyone who  
13 feels they want to say more things or someone who  
14 wasn't here who would like to say more things can do so  
15 merely by submitting it in writing. It will be part of  
16 the record before the record is closed.

17 Okay, I have one letter that needs to be read  
18 into the record, and then the first witness can be  
19 called. This is from Hilda Yohalem, 76 Great Oaks  
20 Road, East Hills, New York. "Dear Mayor Koblenz and  
21 Village Trustees, as I will be out of the country, I  
22 ask that these written comments be included in the  
23 record of the public hearing on April 30th regarding  
24 tree protection laws.

25 "I urge the Village to revise the tree

1           protections laws to better protect East Hills and in  
2           particular Norgate's beautiful mature trees. In the  
3           meantime, I agree that a moratorium is needed until the  
4           laws are improved.

5                        "I have been the president of the Norgate  
6           Civic Association for many years. I was a member of  
7           the Architectural Review Board and part of the  
8           committee that created the Architectural Review Laws as  
9           well as the tree protection laws.

10                      "As you know, I have resigned from the ARB  
11           because I was opposed to the way the tree protection  
12           laws were being applied. As I told the ARB again on  
13           April 2nd, the tree protection laws wee supposed to  
14           prevent healthy trees from being removed in order to  
15           protect the tree canopy for current and future  
16           generations as stated in the Village Code.

17                      "At 37 Laurel Lane behind my home, two  
18           healthy trees were recently removed with the approval  
19           of the ARB. One was a beech tree about 50 feet in  
20           height, and one was an oak tree over 100 feet in  
21           height. Both were healthy and sound. They were  
22           removed only because the builder wanted a new home to  
23           occupy their space, and the ARB approved:

24                      "I'm very disappointed this happened. I  
25           believe the law should be amended or whatever it takes

1 to prevent this from happening over and over again  
2 throughout the Village.

3 "Until that happens, no more trees should be  
4 removed unless they are clearly sick or dead. I  
5 appreciate your attention to this. Sincerely, Hilda  
6 Yohalem."

7 That will be part of the record.

8 Okay, first person wishing to address the  
9 Board?

10 MR. KANIS: Good evening, Mayor Koblenz,  
11 Board of Trustees and citizens.

12 THE MAYOR: You've got to identify yourself.

13 MR. KANIS: My name is Spencer Kanis. I  
14 reside at 105 Andover Road.

15 I am here tonight as a 30-year resident. I  
16 am also here as the current chairman of the  
17 Architectural Review Board which has responsibility for  
18 the Tree Review Board.

19 I'm here not as an architect. I am not here  
20 as an arborist. I'm here to state the facts. I have  
21 been an active member of the Architectural Review Board  
22 for over six years. I was here with some of the  
23 founding coworkers, and we put together the statute for  
24 the review board and also for the Tree Review Board.  
25 So I'm here to state the facts based upon my actual

1 experiences which can be verified by the colleagues  
2 that are sitting here.

3 There are two areas of responsibility for  
4 some of the tree issues that have faced this Village.  
5 One is current homeowners, and the other is new home  
6 construction. They are two different responsibilities  
7 that have had a serious impact on the tree canopy and  
8 should be addressed this evening.

9 Some of the key issues that face us are the  
10 environmental, the economic and the safety. The  
11 environmental, I don't believe there's anybody in this  
12 room that disagrees with the environmental impact of  
13 trees. We understand about mother nature, how it  
14 works. We understand about the organisms. We  
15 understand how it purifies the air. Economics,  
16 everybody's in agreement, trees are one of the most  
17 valuable as assets that this community has and must be  
18 maintained and protected. There is no qualm when it  
19 comes to the first two.

20 Amazingly enough, the third one, safety,  
21 never comes up in any of the conversations, never comes  
22 up in the Roslyn News in all the editorials that come  
23 out when safety is one of the major issues that the  
24 Architectural Review Board and the Tree Review Board  
25 review whenever it comes before us on a permit on a

1 tree. And safety of the tree comes from taking care of  
2 it, maintaining it, feeding it and making sure that its  
3 healthy.

4 All of us were amazed last August and  
5 September when one of the major storms came up the  
6 coast and came across Long Island, and we were amazed  
7 by the devastation that a tree can do to personal  
8 property, to wires, the electricity, the inconvenience.  
9 And fortunately, fortunately we have not had any  
10 serious injuries, at least that I know about, from the  
11 falling trees. But safety is a major element that this  
12 Village must address and does address.

13 The Architectural Review Board in the six  
14 years that I've been on it, safety is the number one  
15 reason for removal of a tree, and neglect is the number  
16 one cause of that tree being removed. The homeowner  
17 responsibilities, and a lot of people, believe it or  
18 not, do not really know how to take care of their  
19 trees. They do not understand pruning, deep root  
20 feeding, cabling, everything that is required to make  
21 sure that a tree is maintained. There's also poor  
22 quality of maintenance, and there's a lot of reasons  
23 for this. And I have some resolutions at the end that  
24 I'd like to present. Some of them are the cost  
25 involved in maintaining the trees.

1           Also there our so-called arborists and  
2 landscapers in the community that are not as  
3 professional as they should be. I have photographs  
4 that I have a given you of trees that were supposedly  
5 pruned, and they were totally done unprofessionally to  
6 the point of hurting the trees, hurting their beauty,  
7 and people were paying for this type of work to be  
8 done.

9           There's also an apathy. I have heard many  
10 times mother nature is at fault. If mother nature put  
11 the tree there, mother nature will take care of it, and  
12 if mother nature decides that the tree shall die, so be  
13 it.

14           We have heard that leaves, pine needles are  
15 all reasons for trees to come down. We've heard the  
16 whole spectrum. And one of the ones that always stays  
17 in my mind, although I am not making light of it, a  
18 gentleman wanted a tree removed because the acorns were  
19 falling down on his Ferrari. Needless to say we did  
20 not approve it.

21           We've are going to hear about the  
22 responsibility for new home construction. The role of  
23 the Architectural Review Board is key in that because  
24 we review the plans, and we also review the landscape  
25 plan. Every house that is being designed or changed

1 has a landscape plan. That landscape plan is reviewed  
2 in detail by the trees being removed. It is inspected  
3 personally by every one of us. We know what it's being  
4 replaced with, the size and the type.

5 But what people have to understand is I've  
6 heard a lot where people say, Well, let's move the  
7 house 10 inches to the left, 10 inches back, 10 inches  
8 to the right, and we'll save trees. Anybody who hears  
9 that, it may sound totally plausible, it's totally  
10 illogical. It's also unreasonable. Just ask any  
11 builder in this community.

12 A lot of the trees that have been put into  
13 question over the past couple of months have been in  
14 the Norgate region in particular where the lots are 100  
15 by 110. Everybody knows that there are zoning  
16 requirements, setbacks on side yards, backyard and  
17 front yards, and these are very important to the  
18 community. They should remain, and there are no issues  
19 with the zoning requirements. The zoning requirements  
20 not only set the setbacks but also the slope of the  
21 roof so that the sunshine can come down and hit the  
22 ground.

23 If you have 100 by 110 lot and you're putting  
24 a new home up and you put in a foundation, it is  
25 required that the foundation, the digging of the



1 foundation is usually two feet out of the perimeter  
2 outside of this new foundation. When you do that and  
3 you have a tree that's 20 or 30 years old, remember the  
4 canopy of the tree is the size of the roots. That  
5 means you will hit the roots. You will damage roots.  
6 By damaging the roots, you can damage the tree. Many  
7 times it is required to remove the tree so that the  
8 construction can take place, because if you leave the  
9 tree up, it will be dangerous, it will fall down during  
10 a storm, it will cause damage to people and property.  
11 And that is all acknowledged in how we act.

12 I've heard other things such as let's replace  
13 it with bigger trees. It sounds nice. Personally I'm  
14 putting a white birch in my front yard now, and it's  
15 only 14 feet in height, and the cost is \$1,500.

16 The one word that we hear in the  
17 Architectural Review Board consistently is the word  
18 budget. Everybody who works on their house has a  
19 budget. If you increase the size and mandate 20-foot  
20 trees, there will be in my opinion unintended  
21 consequences. Everybody does a budget. If you spend  
22 more on trees that have to be taller, there's less they  
23 are going to put on flowering bushes, and we allow the  
24 people the way the Architectural Review Board to pick  
25 and choose how they wish to spend the money. But we do

1           require replacement of trees, but we do not do it in  
2           such a way that it becomes exorbitant or a burden in  
3           the budgeting in the process.

4                       Also I heard of a moratorium being read into  
5           the minutes. I'm very much against a moratorium at  
6           this point in time. We are coming into the hurricane  
7           season. There is a lot we have to do.

8                       I know the Board is actively pursuing the  
9           services of an arborist. I would like to pursue that  
10          and an allow the arborist to review whether a  
11          moratorium is needed or not, because there's a lot of  
12          work that needs to be done. If we waste time and we  
13          call the moratorium, we will find ourselves into July  
14          right before the hurricane season when trees need to be  
15          pruned, they need to be cabled, they need to be deep  
16          root fed to protect our properties.

17                      So my suggestions are that we proceed with  
18          the acquisition of the services of an arborist. It  
19          also would help the Architectural Review Board because  
20          when we have tree permits, we do require that an  
21          arborist, a certified arborist do a letter to us  
22          telling us their opinion whether the tree is ill and  
23          why it's ill and what can be done about it. However,  
24          we cannot verify his credibility or his credentials.  
25          We have our own arborist. We know where he comes from,

1 and we know we can rely on what he says.

2 Education is key. Like I said, a lot of  
3 people as they come before us really don't know how to  
4 take care of trees. There is an excellent newsletter  
5 that's put out periodically. The Village of East Hills  
6 puts out a newsletter. There's no reason there can't  
7 be a section in there by the arborist how to take care  
8 of the trees in the summertime, what to do in the  
9 wintertime and what to do before the storm comes on so  
10 that if you want to talk about cabling.

11 The other thing that we can do is also  
12 sponsor services. We can have an arbor day event, an  
13 earth day event where people can come and speak to the  
14 arborist and talk about what the problems are on their  
15 property. They can also from possibly a nominal fee  
16 have the arborist visit their house and talk about what  
17 are the key issues facing that property and the danger.

18 We also should have a publish -- we should  
19 also publish the suggested tree list. There is a  
20 publication with a suggested tree list for this  
21 community that when you take out a tree, it be replaced  
22 with a certain type. Because of environmental issues  
23 that we face today, many of the trees that we have will  
24 die, and I have a heard that from a number of arborists  
25 they cannot be saved. And when you replace them, you

1 should replace them with certain trees that are doing  
2 well and adapting to the new environment, and that  
3 should be published.

4 Penalties, I am for a review of penalties. I  
5 think they are on the low side. I think when somebody  
6 spends \$150,000 on landscaping, a \$1,000 penalty for  
7 not listening to the Architectural Review Board becomes  
8 meaningless. So I think that is another alternative to  
9 review.

10 In conclusion, this is not about a crisis. I  
11 can assure you. What it's about is a major amount of  
12 misinformation by less than a handful of people.

13 THE MAYOR: Thank you. Just for the record,  
14 now that we've authorized the hiring of that arborist  
15 that you have suggested from Garden City --

16 MR. KANIS: Fantastic. Thank you.

17 THE MAYOR: -- what we need to do is bring  
18 him in and set him down. It's the same guy that you  
19 suggested.

20 Okay, next person who wishes to address the  
21 Board on the tree preservation law? Nobody? Yes, sir?  
22 Step up.

23 MR. SCHEINBAUM: Charles Scheinbaum, 260  
24 Revere Road. I have been a resident of East Hills for  
25 45 years. I never argue with success. What we have is

1 a lot of failure. The number of trees that have been  
2 removed seems excessive. There can't be that many sick  
3 trees.

4 With respect to the building code, I'm not an  
5 expert on building codes. I just see that too many  
6 trees are being removed.

7 THE MAYOR: Thank you. Anyone else? Yes,  
8 please stand up, identify yourself and your address.

9 MS. BRUMMELL: Sheila Brummell, 15 Laurel  
10 Lane. I'm reading your replacement. This is number  
11 186-6. Whenever a tree is removed, a replacement tree  
12 shall be with a caliber of not less than three inches?  
13 I mean this is three inches? Is this how trees are  
14 replaced? Simply a question.

15 THE MAYOR: Do you have a recommendation?

16 MS. BRUMMELL: Yes. I recommend that when a  
17 substantial tree is taken out, something substantial  
18 should be --

19 THE MAYOR: When you say substantial,  
20 residents have to take on the burden of replacing the  
21 tree. What is the suggestion for the size of the  
22 replacement?

23 MS. BRUMMELL: Certainly not more than a  
24 twig.

25 THE MAYOR: Okay. But you don't have any

1 other suggestion in terms of the size, right?

2 MS. BRUMMELL: A foot.

3 THE MAYOR: Now I got it out of you finally.  
4 Thank you. No cross discussion, please, please.

5 MR. DRISTOLL: Very quickly. My name is Ken  
6 Dristoll, 66 Oakdale lane. I have been a resident for  
7 23 years.

8 I just replaced two trees in the last week.  
9 A three-inch caliber tree -- and this is from -- it can  
10 be from the Cornell Extension. This is North Carolina  
11 State, their Forestry Department. The average height  
12 is 15 feet for a three-inch caliber tree.

13 Were you aware of that?

14 MS. BRUMMELL: No, I'm not.

15 MR. DRISTOLL: Do you know what the root ball  
16 weighs? It weighs 500 pounds. Do you know what a  
17 20-foot tree, what the weight of the ball is? Almost a  
18 ton.

19 In order to dig that hole, you need 15 feet  
20 of circumference and six feet down. Six feet is kind  
21 of a weird number to pick. But in order to do that,  
22 you have to get involved with cesspools. You have to  
23 get involved with the building code of how far it has  
24 to be from foundation, and you're talking about the  
25 inability of a normal landscaper to replace that tree.

1 That requires a winch and a crane.

2 I think when you say three-inch caliber and  
3 it sounds bad, go to Martin Viette. Go to Hick's. I  
4 think we all know those two establishments. And they  
5 may be expensive, but they do a good job, and that's  
6 who I use. And they explain to you that in Matinecock  
7 and Locust Valley and to recommended a tree in Old  
8 Brookville, to replace a fallen tree is a three-inch  
9 caliber tree. And the reason is the size is  
10 appropriate for weathering storms and for survival.  
11 The chance of a three-inch caliber tree surviving to  
12 adulthood is about 90 percent with proper simple care.  
13 Once you go above that, every inch in caliber, the  
14 survival rate of that tree falls. And what you have to  
15 do is monitor that on a yearly basis which is hugely  
16 expensive.

17 We have one arborist coming on board?

18 THE MAYOR: Yes.

19 MR. DRISTOLL: So when you say only three  
20 inches, like everybody else in this room who thinks  
21 this way, make an effort to learn what it is.

22 MS. BRUMMELL: Thank you very much.

23 THE MAYOR: Anyone else who wishes to address  
24 us? Anyone? Yes, ma'am? Step up.

25 MS. PACE: Judy Pace, 105 Magnolia Lane. I

1 have been a resident for 25 years. I have several  
2 trees on my property, and I'm a very avid gardener. I  
3 grow fruits, vegetables, herbs organically. I do my  
4 own composting. I'm very user echo friendly.

5 What I don't understand of the replacement is  
6 that I have three trees that have been deemed diseased  
7 and dead. I have gotten estimates from six to \$8,000  
8 to have them taken down. My big question is these are  
9 trees that shouldn't be where they are in the first  
10 place. They are too close to the street. And what I  
11 am wondering if I do take them down, do I have to put  
12 the tree in the same place? Because it doesn't make  
13 sense to me that these trees were ever put there to  
14 begin with.

15 THE MAYOR: You don't.

16 DEPUTY MAYOR E. ZUCKERMAN: No.

17 MS. PACE: And what about the expense? I  
18 asked this many years ago. Is there any way that the  
19 Village with this arborist could work something? I  
20 mean who has \$8,000 to spend taking down trees, and  
21 then you have to buy three more trees?

22 THE MAYOR: Well, the Village doesn't have  
23 the capability of providing that service. It just  
24 doesn't. We don't have the equipment. We don't have  
25 the men that know what to do.



1 All of us have retained tree people who come  
2 in with trucks and cranes and everything else, because  
3 that's what you need. We just don't have the  
4 capability.

5 MS. PACE: And I think there are so many dead  
6 and diseased trees. First the Norweigan maples which  
7 is the majority of the trees in our neighborhood, they  
8 are only supposed to live 50 to 60 years, and they are  
9 way past that. They are even older than me. But  
10 that's the problem.

11 People have many, many dead trees on their  
12 property, and they just say I can't afford to spend the  
13 money on something like this. It isn't a matter of  
14 being negligent. But it's a lot of money to put out on  
15 something -- it's not like you get a return. It's not  
16 like an addition to your house. And I know it's  
17 about --

18 THE MAYOR: The same is said about cesspools,  
19 my dear.

20 MS. PACE: I know.

21 THE MAYOR: There's no return.

22 MS. PACE: Well, there is a return. But  
23 anyway, so I just wanted to say that there are many  
24 people who in their hearts want to do the right thing  
25 by taking down the dead trees.

1 vague in this Village. Isn't a resident somebody that  
2 has just a mailing address in this Village and sleeps  
3 in someone's house two nights a month, or a resident is  
4 someone who lives here at least six months out of the  
5 year?

6 THE MAYOR: Right.

7 MR. LEVENTHAL: Mineola?

8 THE MAYOR: I understand that, but that's not  
9 the purpose of this hearing. It's restricted to the  
10 tree statute.

11 MR. EMOUNA: I understand. I'm on a little  
12 tangent. The other thing is one of my dearest friend's  
13 mother passed away about 17 years ago in Village of  
14 Great Neck. A big tree fell on her car as she was  
15 driving by. It did not touch her steering wheel. It  
16 exactly landed on the car and killed her.

17 Now, the fact that some people want to make  
18 the tree law more strict, you know, when a tree falls  
19 -- if a tree is on your house and they are saying you  
20 have to give all sorts of permits to remove a tree,  
21 what happens if a tree falls on people's cars or like  
22 Mr. Spencer brought up, the safety of the people? If a  
23 tree falls on someone's car or falls on somebody, who  
24 is at risk over here? All the residents are at risk  
25 over here. I believe if you have a tree law saying

1 that a tree law saying that the tree, certain tree  
2 should come down and not come down, by the same time  
3 you should have a tree warden reporting to the Village  
4 to have certain trees cut down because go down on  
5 Chestnut Drive, go down Harbor Hill Road. There is a  
6 lot of trees. Wait until we get the next hurricane.  
7 You are going to see, we are all going to be -- it's --  
8 the road is all going to be closed off. It may fall on  
9 someone's head or someone's car. Whose fault is that?

10 THE MAYOR: Thank you. Anyone else wish to  
11 speak on the tree statute? Yes, ma'am?

12 MS. MANDELBAUM: Mina, M-I-N-A, Mandelbaum.  
13 I have a question not so much to help the outcome here.  
14 But what percent would you say is just arbitrary taking  
15 down versus that really need to come down?

16 THE MAYOR: Well, it's a good question. I  
17 have not personally seen people just -- who live here,  
18 I am not talking about developers, just taking trees  
19 down for the sake of taking trees down. I have seen  
20 people taking trees down for safety reasons because the  
21 tree was too close to the house. It was destroying the  
22 roof because of the leaves and everything. When that  
23 happens, you can rot out your roof. If a tree is too  
24 close, if the branches are too high, it can affect your  
25 buyers, can affect everything else.

1           But I have not observed, quote, residents,  
2 not people that are just coming in, just wiping out the  
3 trees in the place, taking out trees that they felt  
4 were unnecessary. So I mean that's what I have seen.

5           And with my own neighbors, they got approval  
6 from the ARB to remove trees. They put in whole  
7 beautiful landscaping. They easily spend \$50,000 with  
8 trees and everything else, and they are not gigantic  
9 trees, but they are trees, and they will grow in a few  
10 years. You would be surprised how fast trees grow.

11           I have five trees that are five years old  
12 that I planted from twigs, because I belong to the  
13 National Arbor Association and --

14           MEMBER OF AUDIENCE: I get those all the  
15 time.

16           THE MAYOR: But they work. And they have  
17 grown to major trees. So people can do that. I mean I  
18 have six now that are incubating. I call them  
19 incubating. It's being done. I mean I haven't seen  
20 the abuse.

21           I have seen abuses where developers come in,  
22 that's why they have to go to the ARB where properties  
23 are decimated, and that's a different story. You know,  
24 we are taking under advisement the issue of the fines  
25 and to what level to increase them.

1           You've got to balance that with the resident  
2           and what they -- what they are being faced with and the  
3           burden on them and financially. Our economy, if anyone  
4           hasn't noticed, hasn't gotten any better. So we have  
5           to take that into consideration as well.

6           Walter? Identify yourself. I know who you  
7           are.

8           MR. REID: You think I can remember? Walter  
9           Reid, 25 Primrose lane. And to respond to this  
10          gentleman here, I've been here more than 15,000 days.

11          The question that I have, I'm not sure, I've  
12          glanced through this. What happens when a tree is  
13          blown over like in Irene? You need a permit to remove  
14          it?

15          THE MAYOR: No. They are emergencies.

16          MR. REID: The other question is I have been  
17          fortunate in that trees have sprung up on my property,  
18          and, you know, sometimes they are saplings, and  
19          somebody mentioned they had a three-inch thing. I  
20          think I have a foot tree. In fact, I remember that  
21          when my daughter was 16, the tree didn't exist. It's  
22          now a massive tree, and it's from its own.

23          I have another tree, that pine tree that from  
24          the little seedling I planted. Now, am I responsible  
25          for getting a permit to take down that tree if it

1 becomes a nuisance?

2 THE MAYOR: It's your tree. No matter how it  
3 happens, it's your tree.

4 Anyone else who hasn't been heard?

5 MS. GOLDENBERG: Janet Goldenberg, 90 Oak  
6 Drive. I want to talk about fines. I know that  
7 somebody has discussed about raising fines. I am  
8 opposed to raising fines for the reasoning being that  
9 it's not going to bring the trees back. I mean people  
10 are going to cut down the trees because they think that  
11 they are above it all or whatever. Raising fines will  
12 not do anything to bring back the trees. To make them  
13 replant trees and make it a big deal about them putting  
14 back the trees, that's one thing we should do, not  
15 raising fines because we live in an affluent community  
16 is a reason to be raising fines.

17 So I'm very opposed to raising the fines.  
18 What is that going to do? I understand, yes, it will  
19 bring more money to the Village. We are not holding a  
20 lottery. We are not going to be planting more trees so  
21 that the lines will come down from LIPA. I mean it  
22 makes no sense to me. So in all honesty to raise the  
23 fines is not going to deter a builder from knocking  
24 down more trees because they want to knock down the  
25 trees when they build a house. So I am totally opposed

1 to that.

2 The other thing I have to say is talking when  
3 Mr. Brummell talked about him looking at some of those  
4 tree permits, I know for a fact being the tree chairman  
5 of the ARB, there are landscape plans that go along  
6 with those tree permits that are not attached because  
7 it's part of the ARB, and we are very cognizant to know  
8 that we do make trees be put up in place of those trees  
9 that are being taken down.

10 So, you know, facts have to be known before  
11 people speak about things, because I do my due  
12 diligence, and I just don't say to somebody,  
13 absolutely, take down a tree. Go right ahead. Because  
14 we get people that come to the ARB, and they'll say,  
15 and we've had this, I'd like to take down 40 trees, and  
16 we've all gone as a group. But it's not trees they are  
17 taking down. They are literal sticks in the ground  
18 that are not -- it's not a tree. So it's not 40 trees  
19 that are coming down. It's 40 sticks in the ground  
20 that they still need approvals of. So if you are going  
21 to count that as a tree, that's not a tree.

22 So, you know, people really have to  
23 understand what is really going on here before they can  
24 speak. You can go through boxes at the Village and  
25 think you're reading through things and you think you

1 are reading through a tree permit and you think you are  
2 understanding what's going on. I do my homework. I am  
3 at that Village every day, okay? I know what's going  
4 on. I don't do it -- I don't get paid. I do my  
5 research. I do my homework. So if everybody wants to  
6 do their research and do their homework and know what's  
7 going on, then we have every reason to say what should  
8 be going on. But if you don't do your research and  
9 don't do your homework, then you can't speak. That's  
10 what I have to say.

11 THE MAYOR: Anyone else who has not been  
12 heard? This is not a debate. I told you you can  
13 submit whatever you want in writing on the record.

14 MR. BRUMMELL: I would like to add to my  
15 comments.

16 THE MAYOR: No. You're done. We're waiting  
17 for anyone else who wishes to speak.

18 MR. BRUMMELL: If you received information  
19 that contradicts my statement --

20 THE MAYOR: You can. The record is open for  
21 two weeks. You can submit whatever you want for two  
22 weeks. That's more than adequate.

23 MR. BRUMMELL: I would like to speak that you  
24 know without having to read the record.

25 THE MAYOR: I will read the record.



1 MR. BRUMMELL: I will state into the record  
2 so everybody actually hears it. I think I should have  
3 a right. If my words were contradicted, I should have  
4 a right --

5 THE MAYOR: This is not trial. This is not a  
6 debate.

7 MR. BRUMMELL: It's a public hearing to take  
8 facts.

9 THE MAYOR: If you have something you wish to  
10 submit, I'm more than happy to receive it. But we have  
11 the rest of the meeting to do, and if no one else wants  
12 to speak on it, we have asked people to write -- we've  
13 asked people to write amendments if they wish to the  
14 current statute. We've asked them to submit in writing  
15 whatever they want. Anyone who isn't here can submit  
16 in writing their views on the tree statute. That's  
17 more than adequate. We are going to move forward.

18 MR. BRUMMELL: I am not sure you are actually  
19 going to read through the record.

20 THE MAYOR: We do, and I certainly read it.  
21 Okay? So we are going to move. On unless someone else  
22 has anything to say, we want to move on with the  
23 regular hearing.

24 Anyone else who hasn't been heard wish to  
25 address the Board on the tree statute? Okay.

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So what we're doing is we are going to keep the record open for two weeks, and we will receive written comments from anyone who wishes to submit them. And we will analyze it, and then we will reconvene again. And we will make certain decisions and based on the recommendations we receive tonight, okay?

MR. LEVENTHAL: So moved.

THE MAYOR: Second?

DEPUTY MAYOR E. ZUCKERMAN: Second.

THE MAYOR: All in favor?

MR. LEVENTHAL: Aye.

MS. POMERANTZ: Aye.

MR. P. ZUCKERMAN: Aye.

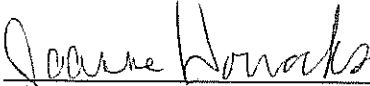
DEPUTY MAYOR ZUCKERMAN: Aye.

THE MAYOR: Aye. Thank you.

(Time noted: 9:15 p.m.)

\* \* \* \* \*

This is certified to be a true and accurate transcript of my stenographic notes taken in the above-captioned matter.

  
\_\_\_\_\_  
Joanne Horrocks, CSR  
Official Court Reporter