



**MIDDLE TOWNSHIP ANIMAL ADVISORY BOARD  
MINUTES OF APRIL 13, 2017**

Meeting called to order at 5:00 PM

**Reading of Open Public Meetings Act Statement**

I hereby declare that notice has been given to the Herald Times and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

**Flag Salute**

**ATTENDANCE:** Officer Creamer, ACO Candell; Rick Eufrazio, Tarin Mason, Jen Modica; Monica Sopuch; Madelyn McCarroll Dawn Stimmel

Also in attendance, Kyle Lindholm who is in training as an ACO.

**ABSENT:** Karen Buckingham, Crystal Blackburn, Lissy Holroyd, Chuck Marriner

**MINUTES OF LAST MEETING: FEBRUARY 9, 2017**

**On Motion By:**

**2<sup>nd</sup> By:**

**Approved by all.**

**SPECIAL PRESENTATION REQUEST BY MADELYN MCCARROLL**

Spoke about her concerns of accusations presented by an Animal Advisory board member made against Animal Control of South Jersey, wherein it was stated that a letter had been sent to the various communities about this Animal Control Agency. Feeling that something about this was not right, Madelyn submitted an OPRA Request regarding this accusation. On August 2 a call was made to the state by a competing animal control agency stating that a person was working as an ACO for Dennis, Avalon, SIC, CM Point and W. Wildwood and was picking up animals and was not on the certified list. The next document that she could locate was on 8/22/16 that the CMC Board of Health informed Middle Township, and possibly other communities that uncertified people could drive vehicles, keep records....there was a whole list of things that they could do without being a Certified Animal Control Officer. Assumes that since there was a 3 week time span between the August 2<sup>nd</sup> accusation and the August 22<sup>nd</sup> letter going out that there was an investigation done and no wrong doing on the part of Animal Control of South Jersey was found and the communities were just being advised of what the law is. (Copy of Letter attached). On August 25<sup>th</sup>, a competing Animal Control Agency filed an OPRA Request at the county for all of the records for Animal Control of South Jersey from January 2014 to August 2016. It was noted by the Shelter in doing another OPRA Request by the competing Animal Control Agency that there were discrepancies. Those discrepancies were 3 hand

written reports of an animal that was dropped off did not match those of the ACO, 2 of the reports left off the ACO's name, and the wrong time on a record. These are clerical records and does not invalidate an ACO License. ACO Candell said the only things that could invalidate an ACO Certification would be an ACO being convicted of animal cruelty or some other activity, situation or in extreme cases a charge where the public could be endangered by the operation of the animal control officer. Clerical errors do not constitute an ACO losing his license. Madelyn stated that what started all of this was someone making a report to the state that someone was acting as an ACO that should not have been. Everything stated is documented and can be OPRA Requested. Animal Control of South Jersey has not had their contract renewed. When Madelyn questioned the County as to whether or not there was any validity to any of the claims made against Animal Control of South Jersey, she was told no specific validity was ever confirmed. The livelihood of a good and kind person has been deeply impacted. All of us that are trying to do good work are impacted, in her opinion, of a frivolous accusation substantiated by nothing. Also spoke about complaints made against the Township on how AC issues are handled. There is a narrative that is done for each call and people can OPRA request this info to see how a call was handled instead of believing false info put out there.

Also spoke about comments made on MTAAB FB page that she felt should be removed. Said she was told if you have a government FB page that you cannot block from it. Feels that some of the comments were incorrect according to the rules posted for the use of the FB page.

Discussion ensued regarding the MTAAB's FB page and it was decided that we would take it down until further discussion with the Solicitor.

Rick asked Madelyn if there was a written determination or exoneration of the Animal Control of South Jersey, is there something physical exonerating them? Written is the email she received from her OPRA Request. Would like a copy of her email so he can send something official back. She will talk to him on the phone regarding this. She is taking more steps regarding this. Wants to take it to a higher level.

### **OLD BUSINESS**

- THANK YOU to Tarin for the meeting minutes
- THANK YOU to the AAB for understanding last minute cancellation last month, and for condolences received.
- Congratulations Bill Candell - MT Employee of the Month, Acceptance to 10<sup>th</sup> Annual International Veterinary Forensic Sciences Association Seminar in NYC
- THANK YOU to MT Committee for approving and financing Bill's attendance to seminar
- Committee Reports: Dog park, Cat committee, anything anybody is working on?  
Cat Committee - not much done.  
Dog Park - Committeeman Donohue said he will get back to Tarin. He told Tarin that there is a comprehensive recreation plan for the Township in the works and a dog park is part of that recreation plan.

### **NEW BUSINESS**

- MTAAB FaceBook page - complaint over public comment and posts deleted. (See above)
- Herald Newspaper spoutoffs - 2, Code Blue for dog outside.
- Ready to move forward? Suggestions coupled with volunteering to promote animal welfare in our community. Have 100 suggestions - is there anything in particular we want to do. Would like to move forward in a positive manner.

Rick is going to make copies and send around. If anyone has anything in particular they would like to suggest, let him know. He wants to quit defending and start producing and moving forward in a positive manner. He is tired of all the negative postings in Spout Off and on FB and these people do not post specifics. People get outraged by what they are hearing and do not have the full side of the story. They are passionate about helping the animals as we are, and before getting the full story, they either go to Spout Off or to the MTAAB FB page. Bill said everything is written up in an incident report for all calls made.

- Earth Day tabling? Looking for volunteers and are we going to get the exposure that we want. Monica is going to see if animals are allowed at Earth Day. Rick is going to complete application for AAB to participate. Agreed to table.

Free Rabies Clinic on May 6<sup>th</sup> from 2 to 3 at the PW Garage. Needs someone to man the lines, especially for the line for shots and licensing for Middle Township residents only. Tara agreed to man the line.

Rick spoke about receiving a call from Francey Burke about partnering with the ASPCA, Burke Motors and the Shelter for the Subaru Grant. Rick called to speak with Madelyn and she said to go with the Shelter to provide the Shelter with whatever they need. Burke will be the drop off and they will provide all of the advertisement and promotion. He tried to get ahold of Judy, but she has not called him back yet. He also wanted to talk to Judy about taking possibly a dog and a cat to Earth Day, which is April 22 from 10 to 4.

### **Motion to Adjourn**

**On Motion By: Bill Candell**

**2<sup>nd</sup> By: Tarin Mason**

Meeting adjourned 6:01 PM

KRISTINE GABOR  
*Freeholder*

KEVIN L. THOMAS, M.A.  
*Health Officer*  
*Public Health Coordinator*

JOSEPH R. TORDELLA, D.O.  
*Medical Director*

CAPE MAY COUNTY  
DEPARTMENT OF HEALTH

4 Moore Road  
Cape May Court House, N.J. 08210-1601  
(609)465-1185 after hours (609) 465-1190  
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August 22, 2016

RE: Licensed Animal Control Officer

To All Municipal Clerks, Animal Control, Shelter Operators and Veterinarians,

Let this correspondence serve as notice that wildlife specialists cannot perform the duties of a certified New Jersey Animal Control Officer (ACO). A wildlife specialist can assist an ACO by performing duties not listed in the statutes, such as taking telephone calls, driving vehicles and keeping records but he cannot take dogs or other domestic animals into custody and/or impound them in a pound or shelter. Listed below are the duties of ACOS for the State Statutes below for your reference.

New Jersey Statutes.....

4:19-15.16a. The certified animal control officer appointed by the governing body of the municipality shall take into custody and impound any animal, to thereafter be euthanized or offered for adoption, as provided in this section:

(1) Any dog off the premises of the owner or of the person charged with the care of the dog, which is reasonably believed to be a stray dog;

(2) Any dog off the premises of the owner or the person charged with the care of the dog without a current registration tag on its collar or elsewhere;

(3) Any female dog in season off the premises of the owner or the person charged with the care of the dog;

(4) Any dog or other animal which is suspected to be rabid; or

(5) Any dog or other animal off the premises of the owner or the person charged with its care that is reported to, or observed by, a certified animal control officer to be ill, injured, or creating a threat to public health, safety, or welfare, or otherwise interfering with the enjoyment of property.

b. If an animal taken into custody and impounded pursuant to subsection a. of this section has a collar or harness with identification of the name and address of any person, or has a registration tag, or has a microchip with an identification number that can be traced to the owner or person charged with the care of the animal, or the owner or the person charged with the care of the animal is otherwise known, the certified animal control officer shall ascertain the name and address of the owner or the person

charged with the care of the animal, and serve to the identified person as soon as practicable, a notice in writing that the animal has been seized and will be liable to be offered for adoption or euthanized if not claimed within seven days after the service of the notice.

c. A notice required pursuant to this section may be served: (1) by delivering it to the person on whom it is to be served, or by leaving it at the person's usual or last known place of residence or the address given on the collar, harness, or microchip identification; or (2) by mailing the notice to that person at the person's usual or last known place of residence, or to the address given on the collar, harness or microchip identification.

In addition, ACOs have these powers and authorities:

4:19-15.16c A certified animal control officer authorized pursuant to section 4 of P.L.1983, c.525 (C.4:19-15.16b) shall have the power and authority, within the jurisdiction of the municipality or other entity employing, or contracting for, the animal control officer to:

a. Enforce all laws or ordinances enacted for the protection of animals, including, but not limited to, animal control, animal welfare and animal cruelty laws of the State and ordinances of the municipality;

b. Investigate and sign complaints concerning any violation of an animal control, animal welfare or animal cruelty law of the State or ordinance of the municipality; and

c. Act, by virtue of the officer's appointment or employment and in addition to any other power and authority, as an officer for the detection, apprehension and arrest of offenders against the animal control, animal welfare and animal cruelty laws of the State and ordinances of the municipality.

Upon a request for assistance by a municipality or other entity that does not employ, or contract for, the certified animal control officer, a certified animal control officer may, within the jurisdiction of that municipality or other entity making the request, exercise the powers and authority granted pursuant to this section.

I thank you in advance for your cooperation with this notice. Should you find that an unlicensed individual operating within your jurisdiction or have any questions, please contact this Department.

Sincerely,



Kevin Thomas, Health Officer