

**MINUTES OF THE
CRANBURY TOWNSHIP
BOARD OF HEALTH MEETING
May 11, 2009**

TIME AND PLACE OF MEETING

The May meeting of the Cranbury Township Board of Health was held in Town Hall on May 11, 2009, at 7:00 p.m.

CALL TO ORDER

With a quorum present, Daniel Notterman, Chairman of the Cranbury Township Board of Health, called the meeting to order and Kristen H. Hamilton acted as Recording Secretary of the meeting.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, adequate notice in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-6) was provided on December 1, 2008, of this meeting's date, time and place, and the agenda was mailed to the news media, posted on the Township bulletin board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

MEMBERS IN ATTENDANCE

Dr. Daniel Notterman, John Jackson, Mary Lou Young, Cheryl Coyle and Beverly Gerberich.

NON-MEMBERS IN ATTENDANCE

Paul Adezio, Esquire, on behalf of Kevin Van Hise, Board Attorney, and James Longo of the Middlesex County Public Health Department.

MINUTES

The April minutes were unanimously approved; motion by Mr. Jackson; seconded by Ms. Young.

PUBLIC HEALTH AND ENVIRONMENTAL REPORTS

The Environmental Report was provided for the month of March 2009.

Mr. Longo reviewed the substance of the March 2009 Health Report for the Board. Dr. Notterman asked Mr. Longo to bring a copy of the bat protocol, which was given to the Animal Control Officer, to the June meeting.

OLD BUSINESS

AED Equipment in Public Places/AED Training – The AED equipment has been received. The Board decided on a place in the hallway near the Main Office in Town Hall for the location of the equipment. Dr. Notterman spoke with Christine Smeltzer, Township Administrator, regarding training. Ms. Smeltzer will contact Charlie Smith directly to work out a training schedule.

Four Seasons – Rodent Infestation – Mr. Longo reported that he inspected the Hagerty property and no rodent activity was observed. He did see standing water and sent a letter to the owner of the property regarding same.

Mary Lou Young informed the Board that she spoke with Mr. Robert Kramer, 25 Hagerty Lane, who advised that he is seeing less rodent activity and most bird feeders have been taken down in the Four Seasons development.

Septic System Monitoring – Nothing to report. Since this is a Middlesex County issue, the matter will be taken off of the Agenda until further notice.

Rabies Clinic – The Rabies Clinic was held on April 18, 2009. A total of 51 animals were vaccinated; 37 dogs – 16 from Cranbury and 21 from out of town; 14 cats – 10 from Cranbury and 4 from out of town.

NEW BUSINESS

Drug Free Fair – Beverly Gerberich advised that Cranbury School's Drug Free Fair will be held on May 16, 2009. Volunteers are still needed.

ORDINANCE

First Reading

BOARD OF HEALTH OF THE TOWNSHIP OF CRANBURY ORDINANCE 2009-01

An Ordinance entitled "AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, UPDATING AND AMENDING CHAPTER 162 "ANIMALS" OF THE CRANBURY TOWNSHIP CODE AND REQUIRING THE ANNUAL LICENSING OF CATS" was introduced on first reading. On motion by Ms. Young, seconded by Mr. Jackson, the Ordinance was passed on first reading by vote:

Ayes: (Coyle
(Gerberich
(Jackson
(Notterman
(Young

Abstain: (None
Absent: (None

Nays: (None

Public Hearing: June 1, 2009

WHEREAS, rabies is a viral disease of mammals that targets the central nervous system and is transmitted by a bite or contact with saliva from an infected animal; and

WHEREAS, any mammal can contract rabies, including humans, domestic dogs and cats, and wildlife animals including raccoons, bats, skunks, foxes and groundhogs; and

WHEREAS, within the past few years there have been several documented cases of rabid animals being found within Middlesex County, including at least one case within Cranbury Township; and

WHEREAS, New Jersey has had a very successful mandatory dog licensing and rabies immunization program in place since the 1940s, which has effectively eliminated the canine rabies epizootic and associated transmittal of rabies from dogs to humans; and

WHEREAS, since the implementation of mandatory dog licensing and rabies immunization programs, the number of rabid cats has outnumbered the number of rabid dogs each year; and

WHEREAS, without the concurrent inclusion of mandatory cat licensing and immunization requirements, the public remains at risk from potentially rabid animals; and

WHEREAS, it is the purpose of this ordinance to protect the general public and domestic animals from the spread, and potential spread, of rabies; and

WHEREAS, the adoption of this ordinance will bring the Township into compliance with the recommendations of the New Jersey Department of Health and Senior Services, the Middlesex County Health Department, and into conformity with 23 of the 24 other municipalities located within Middlesex County that already require mandatory licensing and immunization of cats; and

WHEREAS, it is also the purpose of this ordinance to create a system whereby the Township is able to track the number of cats within the Township and to ensure that such cats have been vaccinated against rabies; and

WHEREAS, the Board also seeks to create a means by which cats found within the Township may be easily identified and returned to their owner(s); and

WHEREAS, the Board also notes that certain provisions of the dog registration and licensing requirements of the Township Code should be updated to ensure their continued consistency with State requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of Health of the Township of Cranbury, Middlesex County, State of New Jersey, that Chapter 162 of the "Code of the Township of Cranbury ("Code"), entitled "Animals", be amended as follows:

1. Section 162-4 "License and registration tag required," shall be amended as follows (deletions in [brackets]; additions underlined):

§ 162-4. License and registration tag required.

Any person who shall own, keep or harbor a dog of licensing age in Cranbury Township shall, on or before January 31 of each year, procure from the Clerk of the Township of Cranbury, or other person designated

by the Township Committee for said purpose (the "animal licensing official") a license and official metal registration tag for each such dog so owned, kept or harbored and shall place upon each such dog a collar or harness with the registration tag securely fastened thereto.

2. Section 162-5 "Fees," shall be deleted in its entirety and replaced with a new Section 162-5 to read as follows:

§ 162-5. Fees.

The fee for the license and registration of said dog shall be as set forth by the Township Committee of the Township of Cranbury, as provided for in §82-2 "Miscellaneous Fees" of Chapter 82 of this Code, entitled "Fees."

3. Section 162-6 "Inoculation against rabies; certificate; exemptions," shall be deleted in its entirety and replaced with a new Section 162-6 to read as follows:

§ 162-6. Inoculation against rabies; certificate; exemptions.

A. Except as otherwise provided in Subsection E hereof, no license or official metal registration tag shall be issued or granted for any dog unless the owner thereof provides evidence to the animal licensing official that the dog to be licensed and registered has been inoculated against rabies with a vaccine having duration of immunity which extends, pursuant to N.J.A.C. 8:23A-4.1(a), throughout at least ten of the 12 months of the licensing period. Dogs with a duration of immunity against rabies that expires prior to the tenth month of the licensing period shall be revaccinated prior to issuance of a license.

B. Pursuant to the provisions of N.J.A.C. 8:23A-4.2, and as said provisions may from time to time be amended, the following durations of immunity for dogs and cats is recognized:

(1) Rabies vaccine approved by the United States Department of Agriculture for a three-year duration of immunity:

a. Animals three months of age or older receiving their first known immunization are recognized as having one-year duration of immunity.

b. Animals over three months of age, but less than six months of age, receiving the second or subsequent booster inoculation are recognized as having a one-year duration of immunity.

c. Animals six months of age or older receiving the second or subsequent booster inoculation are

recognized as having a three-year duration of immunity.

- (2) Rabies vaccines approved by the United States Department of Agriculture for a one-year duration of immunity are recognized as having one-year duration of efficacy for immunity for all animals vaccinated at three months of age or older.
- C. The inoculation shall be made by or under the supervision of a duly licensed veterinarian of the State of New Jersey or by such other veterinarian permitted by law to make same. The vaccine used must be of a type approved by the United States Department of Agriculture and administered to the animal at the dosage and route of administration in accordance with the specifications of the product label and package insert. Each dog shall be inoculated against rabies once each year, unless the veterinarian's certificate indicates a longer period of effectiveness.
- D. Any person who shall own, keep or harbor a dog shall procure and possess a veterinarian's certificate indicating that such dog has been inoculated against rabies and setting forth the date of such inoculation and the duration of immunity. The certificate of inoculation shall be exhibited to the animal licensing official of the municipality when application for a dog license is made. Said certificate and or proof of licensing shall also be produced by any person owning, keeping, maintaining, or harboring a dog, upon the request of any Board of Health official, Police Officer, Animal Control Officer, or other person authorized by the Township or Board of Health.
- E. The animal licensing official may grant an exemption to the rabies inoculation requirement for dogs that:
- (1) Have not attained the age of seven months or which have not yet attained a set of permanent teeth;
 - (2) For any dog which the Board of Health, for a specified period of time, declares exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy the inoculation of such dog shall be deemed inadvisable; or
 - (3) For dogs in veterinary hospitals, kennels, pet shops, pounds or shelters or in transit; or
 - (4) For dogs brought into the state temporarily for the sole purpose of showing in dog shows or exhibitions.

4. Section 162-8 "License fee for kennels," shall be deleted in its entirety and replaced with a new Section 162-8 to read as follows:

§162-8. License fee for kennels.

The annual license fee for a kennel shall be as set forth by the Township Committee of the Township of Cranbury, as provided for in §82-2 "Miscellaneous Fees" of Chapter 82 of this Code, entitled "Fees."

5. Section 162-9 "Annual canvass," shall be deleted in its entirety and replaced with a new Section 162-9 to read as follows:

§162-9. Dog canvass.

Pursuant to the provisions of N.J.S.A. 4:19-15.15, as same may from time to time be amended, the Township Animal Control Officer, or other person appointed by the Township Committee of the Township of Cranbury, shall, either annually or biennially, at the direction of the Township Committee, cause a canvass to be made of all dogs owned, kept or harbored within the Township, and shall cause a report to be issued, on or before September 1 of the year in which the canvas is taken, to the Township Clerk, the Township Board of Health and the State Department of Health, the results thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring unlicensed dogs, the number of unlicensed dogs owned, kept or harbored by each of said persons, together with a complete description of each of said unlicensed dogs.

6. Existing Chapter 162, entitled "Animals", of the Code, shall be amended to add the following new Article III, to read as follows:

ARTICLE III
Cats

§ 162-20. Definitions.

As used in this Article, the following terms shall have the meanings indicated.

ANIMAL -- For the purpose of this ordinance, animal shall mean dog or cat.

ANIMAL CONTROL AUTHORITY -- Any person or agency designated or certified by the State of New Jersey to enforce the provisions of this ordinance.

CAT -- Any member of the domestic feline species; male, female, or altered.

CAT OF LICENSING AGE -- Any cat which has attained the age of seven months, or which possesses a set of permanent teeth.

CATTERY -- Shall mean any room or group of rooms, cage, or exhibition pen, not part of a kennel, wherein cats for sale are kept or displayed.

LICENSING AUTHORITY -- The agency or department of the Township of Cranbury, or any designated representative thereof, charged with administering the issuance and/or revocation of permits and licenses under the provisions of this ordinance.

NEUTERED -- Rendered permanently incapable of reproduction as certified by a licensed veterinarian.

OWNER -- When applied to the proprietorship of a cat shall include every person having a right of property (or custody) in such cat and every person who has such cat in his/her keeping, or who harbors or maintains a cat or knowingly permits a cat to remain on or about any premises occupied by that person.

PERSON -- Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.

§ 162-21. Provisions Relating to Rabies Vaccination of Cats.

- A. Vaccination and License Requirements. No person shall own, keep, harbor, or maintain any cat over seven months of age within Township, unless such cat is vaccinated and licensed.
- B. Vaccination. All cats shall be vaccinated against rabies by or under the supervision of a duly licensed veterinarian in accordance with the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization" published by the National Association of State Public Health Veterinarians.
- C. Vaccination Certificate. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the State.
- D. Exemptions: The requirements of this section shall not apply to:
 - (1) Any cat(s) held in a cattery, or those held by a state or federal licensed research facility, or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical, or other treatments, or licensed animal shelters, pounds, kennels, or pet shops.
 - (2) Any cat exempted from the requirements for a specified period of time by the Board of Health, upon the request by the owner and presentation of a veterinarian's certificate

stating that, because of an infirmity or other physical condition, or regimen of therapy, the inoculation of such cat shall be deemed inadvisable.

§ 162-22. Licensing Requirements.

- A. Cats Must Have License Number Displayed. Any person who shall own, keep, or harbor a cat of licensing age shall annually apply for and procure from the animal licensing official a license and official registration tag with license number, or a registration sleeve, for each cat so owned, kept, or harbored, and shall place upon such cat a collar, or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying license number shall include, but are not limited to, break-away or elastic collars. License tags or sleeves are not-transferable.
- B. Time for Applying for License. The owner of any newly acquired cat of licensing age, or of any cat which attains licensing age, shall make application for license tag or sleeve for such cat within ten days after such acquisition or age attainment. This requirement will not apply to a non-resident keeping a cat within Township for no longer than 90 days.
- C. Cats Brought into Jurisdiction.
 - (1) Any person who shall bring, or cause to be brought into this Township, any cat licensed in another State for the current year, and bearing registration tag or sleeve, and who shall keep such cat or permit such cat to be kept within the Township for a period of more than 90 days, shall prior to the expiration of the ninety day period provide proof of current vaccination status to the animal licensing officer or Board of Health.
 - (2) Any person who shall bring or cause to be brought into this Township any unlicensed cat, and shall keep same or permit same to be kept within the Township for a period of more than ten days, shall immediately apply for a license and registration tag or sleeve for each such cat.
- D. Application, Contents, Preservation of Information. The application shall state the breed, sex, age, color, and markings of the cat for which license and registration are sought, and whether it is of a long-or-shorthaired variety; also the name, street, and post office address of the owner, and the person who shall keep or harbor such cat.
- E. License Forms and Tags. License forms and official tags or sleeves shall be furnished by the Township and shall be

numbered serially, and shall bear the year of issuance and the name of the municipality.

- F. Evidence of Inoculation with Rabies Vaccine or Certification of Exemption; Requirement for License. No license shall be issued for any cat, unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated against rabies with a vaccine having duration of immunity which extends, pursuant to N.J.A.C. 8:23A-4.1(a), throughout at least ten of the 12 months of the licensing period. Cats with a duration of immunity against rabies that expires prior to the tenth month of the licensing period shall be revaccinated prior to issuance of a license. The inoculation shall be made by a duly licensed veterinarian of the State of New Jersey or by such other veterinarian permitted by law to make same. The vaccine used must be of a type approved by the United States Department of Agriculture and administered to the animal at the dosage and route of administration in accordance with the specifications of the product label and package insert. Each cat shall be inoculated against rabies once each year, unless the veterinarian's certificate indicates a longer period of effectiveness.
- G. Proof of Licensing: Proof of licensing shall be produced by any person owning, keeping, maintaining, or harboring a cat, upon the request of any Board of Health official, Police Officer, Animal Control Officer, or other person authorized by the Township or Board of Health.
- H. Cat Canvass. The Animal Control Officer is authorized to conduct a canvass of all cats owned, kept and harbored within the Township. Any such canvas conducted shall include the preparation of a report provided to the Township Clerk and Board of Health setting forth the names and addresses of persons owning, keeping or harboring cats that have not been licensed and/or vaccinated against rabies, and the number of such cats owned, kept or harbored by each of the persons, together with the complete description of each unlicensed or unvaccinated cat.

§ 162-23. Fees.

- A. License Fee Schedule. The fee for the license and registration of any cat required by the provisions of this Article shall be the same as the total fee due and owing for the license and registration of any dog under Article II of this Chapter.
- B. Responsibility For Payment Of License Fees; Renewal of License; Expiration Date of License; License From Another Municipality Accepted.
- (1) The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The

fee for the renewal of a license and registration tag or sleeve shall be the same as for the original, and the license, registration tag or sleeve and renewal thereof shall expire on December 31 in the following year.

- (2) Only one license and registration tag or sleeve shall be required in the licensing year for any cat in this Township. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by the Township as evidence of compliance through the end of the license year.

- C. Disposition of Fees Collected. The Board of Health recommends that the license fees and other moneys collected or received under the provisions of this Article shall be forwarded to the Township's Treasurer / Chief Financial Officer, and to the extent permitted by law, be placed in a special account separate from any of the other accounts of the Township, to be used for the following purposes only: for the local prevention and control of rabies; for collecting, keeping, identifying, and returning cats found within the Township; collecting, keeping and disposing of cats liable to seizure; for administering the provisions of this Article; and for any other activity, service or purchase of supplies or equipment to effectuate the purposes and intent of this Article.

§ 162-24. Interference prohibited.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this Article.

§ 162-25. Violations and penalties.

Any person violating the provisions of this Article shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$50.00 for each offense.

7. **Effective Date of Fee Provisions.** Section 2 of this ordinance, amending §162-5 "Fees" of the Code, and Section 4 of this ordinance, amending §162-8 "License fee for kennels" of the Code, shall not take effect until the final adoption and publication of an ordinance by the Township Committee of the Township of Cranbury establishing and setting forth the fees referenced herein.

8. **Effective Date of Cat Licensing Provisions.** Section 6 of this ordinance, adding Article III "Cat Licensing" to Chapter 162 "Animals" of the Code, shall not take effect until November 1, 2009. The Board of Health, Township Health Official, Animal Control Officer, Board Secretary, and any other person authorized by the Township or Board of Health, are hereby authorized and directed to make all reasonable efforts necessary to create a public

information campaign designed to inform and educate Township Residents and the general public of the requirements set forth herein.

9. **Repealer.** All ordinances or Code provisions, or parts thereof, inconsistent with this Article are hereby repealed to the extent of such conflict.

10. **Severability.** If any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the ordinance actually invalidated and shall not be deemed to affect the operation of any other portion thereof.

11. **Effective Date.** This ordinance shall take effect upon passage and publication, as provided for by law.

ADJOURNMENT OF MEETING

There being no further business, the meeting was thereupon adjourned at 7:45 p.m.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify, that I am the duly appointed Secretary of the Cranbury Township Board of Health, and that this document, consisting of 11 pages, constitutes a true and correct copy of the minutes of the monthly meeting held on May 11, 2009.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of June, 2009.

Kristen H. Hamilton, Secretary