

# LAW OFFICE OF DANTE DI PIRRO, LLC

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July 20, 2018

Mayor Kelly Yaede

(via regular mail and fax to clerk; and email to mayor@hamiltonnj.com)

Council President Anthony Carabelli Jr.

(via regular mail and fax to clerk; and email to ACarabelli@HamiltonNJ.com)

Council Vice President Jeffrey Martin

(via regular mail and fax to clerk; and email to JMartin@HamiltonNJ.com)

Councilwoman Ilena Schirmer

(via regular mail and fax to clerk; and email to ISchirmer@HamiltonNJ.com)

Councilman Richard Tighe

(via regular mail and fax to clerk; and email to RTighe@HamiltonNJ.com)

Councilman Ralph Mastrangelo

(via regular mail and fax to clerk; and email to RMastrangelo@HamiltonNJ.com)

Shelter Director Jeffrey J. Plunkett

(via regular mail and fax to clerk; and fax to 609-890-6093)

Shelter Veterinarian Dr. William J. Carter

(via regular mail and fax to clerk; and email to mercerville@gmail.com)

C/O Office of Municipal Clerk

Hamilton Township (Mercer County)

2090 Greenwood Avenue

P.O. Box 00150

Hamilton, NJ 08650-0150

Phone: (609) 890-3622

Fax: (609) 631-8287

Re: Hamilton Township Animal Shelter

Killing owner-surrendered animals in violation of the 7-day hold law

Dear Mayor, Council members, shelter director and shelter veterinarian:

I represent Hamilton Township residents and write concerning the killing of animals in the Hamilton Township animal shelter.

It has come to the attention of my clients that the shelter is killing owner-surrendered animals in violation of the 7-day hold law. State law mandates that with regard to an owner-surrendered animal, that the shelter "shall offer the animal for adoption for at least seven days before euthanizing it." N.J.S.A. 4: 19-15.16(e) (emphasis added). That provision exists to allow the animals an opportunity to be adopted before they are killed.

Statements made at the council meeting on Wednesday, July 18, 2018 by Shelter representatives show that they are aware of the law, refuse to follow the express and unambiguous language of the statute, and fail to comply with their non-discretionary, mandatory duty to offer each such animal for adoption for at least seven days.

The Township and Shelter must immediately cease and desist the violations of law. The violations are particularly egregious as they are creating immediate irreparable harm in derogation of the public interest.

Be advised that if the Township and Shelter do not immediately cease and desist, and notify me of same, my clients intend to file a lawsuit asking the Court to order the Township and Shelter to comply with the law.

Sincerely,

A handwritten signature in cursive script that reads "Dante Di Pirro".

Dante Di Pirro, Esq.

cc: Lindsay L. Burbage, Esq., Township Attorney  
(via regular mail and fax to clerk; and fax to 609-890-3522)  
Dave Kenny, Business Administrator  
(via regular mail and fax to clerk; and email to DKenny@HamiltonNJ.com)