

Saddle River deer hunt can proceed

Judge says animal group failed to justify objection

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SADDLE RIVER — The borough's deer hunt has been reinstated.

Judge Christine Farrington of state Superior Court in Bergen County has lifted a stay imposed Oct. 6 at the request of the Animal Protection League of New Jersey and several individual residents who had filed a complaint against the borough.

They were seeking to have the borough's August ordinance and contract with United Bowhunters of NJ voided on a variety of procedural grounds.

The hunt started Oct. 4.

In her ruling on Friday, Farrington declared that the animal group had "failed to show a reasonable probability of success on the merits of their claims," and she reinstated the contract with United Bowhunters.

"The court finds no basis in the record presently before the court to continue the restraints of the Oct. 6, 2018, Emergent Order based upon alleged Open Public Meeting Act violations," Farrington ruled.

The group had alleged a variety of violations, including whispered exchanges between council members during a public meeting, failure to provide sufficient time for public comments in a hearing that lasted three hours, and allowing a resident to testify via speaker phone when residents are usually required to be present in person to give testimony.

Farrington dismissed as "unfounded" allegations that United Bowhunters had violated its contract by failing to submit a roster of participants 30 days before the hunt began, to provide time

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Attorney Doris Lin reviews documents with Saddle River attorney Russell Huntington. MARSHA A. STOLTZ/
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Hunt

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for background checks.

"We are pleased that the court ruled in our favor, as we were confident that our case was on solid legal and factual ground," said Borough Administrator Jerry Giaimis. "This cull program passed by the governing body is consistent with all state laws regulating how municipalities are afforded the right to control of the deer population in the state of New Jersey."

Giaimis said the program is "proceeding in accordance with the contract exactly how it was prior to the injunction."

"Safety continues to be the driving force behind this program, and the borough has ensured several safety measures are in place that go above and beyond the minimum standards set forth by the state of New Jersey," Giaimis said.

Animal Protection League attorney Doris Lin wrote, "We are, of course, disappointed with the order, and are considering our next steps."

Conflicted

The borough's residents have been conflicted about what to do about the burgeoning deer population. In Novem-



Saddle River residents have been conflicted about what to do about the borough's burgeoning deer population. NORTHJERSEY.COM FILE PHOTO

ber 2016 they passed referendum measures simultaneously limiting deer controls to "non-lethal" methods (715-457) and "lethal" methods (582-544).

Residents have also objected to contract wording that allows hunters to cull fox and coyotes if they are seen during

hunts for deer. Coyotes reportedly are drawn to the area by the large deer population. About 30 residents and nonresidents attended a July 26 meeting at which the wording of an ordinance allowing deer hunting and a contract with United Bowhunters were discussed.

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Saddle River borough administrator

The ordinance and contract were approved in August.

Members of United Bowhunters are required to obtain written permission from residents to hunt on their properties, and are required to notify residents a week in advance if they anticipate hunting there.

Wounded deer that escape the subject property must be reported, but cannot be chased onto adjacent properties unless they have the neighbor's permission to do so.

No definitive numbers or goals have been given for the hunt, another subject of dispute with the Animal Protection League, which contends that quotas must be set and hunting stopped when they are reached.

The borough's animal control officer has declared that 10 deer per square mile represents a guideline for population. However, no one has produced a reliable count of the borough's deer population.