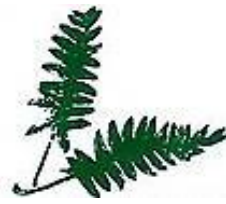


Town of Dorset, Vermont



Dorset Town Offices:
PO Box 715
112 Mad Tom Road
East Dorset, VT 05253

Dorset Town Manager's Office:
Phone: 802-362-4571 x 3
Fax: 802-362-5156
Email: townmanager@gmail.com
Website: www.dorsetvt.org

=====*Chartered 1761*=====

July 20, 2016

JULY 18, 2016 MEETING MINUTES VICIOUS DOG HEARING

Selectboard Present: Henry Chandler, Megan Thörn, Jack Stannard, Tom Smith

Others Present: Rob Gaiotti (Town Manager), Ryan Downey (Animal Control Officer), Sandy Pinsonault, Melissa Zecher, Danny Pinsonault, Mary Ann Nutzal, Laura Miller, Mary Gilgallon, Nancy Ludlam, Stephen Ludlam, Jasmine Millette, Christine Schabel, Kevin Hale.

H. Chandler called the meeting to order at 7:15pm, stating that the board was present tonight to hear evidence and receive testimony on a vicious do complaint made by Kevin Hale of Fair Haven against dogs owned by Jasmine Millette of 85 Leary Lane East Dorset, VT 05253.

H. Chandler stated that:

- The incident took place on July 1, 2016;
- Was reported to the Town of Dorset on July 5, 2016;
- Town received confirmation of the dog bite medical treatment report from the Rutland Regional Hospital on July 11, 2016.

H. Chandler then turned the floor over to Ryan Downey, Animal Control Officer. R. Downey stated that he learned about the incident after receiving a call from Town Clerk Sandy Pinsonault on July 5, 2016. R. Downey stated that it would be useful to have S. Pinsonault recount the information that was given to the Town as most all the information was given directly to her as Town Clerk through the victim or victim's family.

S. Pinsonault stated that on July 5, 2016 she was contacted by Christine Schabel, girlfriend of the victim Mr. Kevin Hale. C. Schabel explained that K. Hale was involved in a dog bite incident on July 1, 2016 involving the dogs owned by his niece J. Millette of 85 Leary Lane in East Dorset. According to K. Hale, a group of people had been hanging out at the rental home on Leary Lane when J. Millette and Alicia Kelly (co-tenants of the property) left to go to the store. K. Hale and Garth Olson were left at the home. At this point all individuals were outside the home and the dogs (Honeybee: a brown female Staffordshire terrier/lab mix, Passenger: a black male Staffordshire terrier/lab mix, and Layla: a Jack Russell mix) were left inside the home. K. Hale then decided to use the bathroom, he entered the house, walked to the bathroom and was attacked

from behind and bitten by the dogs or dog. K. Hale stated that he was not sure if it was one or both dogs that attacked. K. Hale then stated that the thought it was only Honeybee, the female brown dog that attacked him. The other dog owner and co-tenant of the property G. Olson then came to K. Hale's rescue to remove the dogs. K. Hale stated that the dogs were dangerous and he was shocked that they would attack in this manner. K. Hale stated that he had real concerns because if a child had been involved in such an attack, the child would likely have been killed. K. Hale asked the board if they would like to see the damage done to his lower leg. H. Chandler stated that pictures were included in the written evidence and they showed the dogs bites.

R. Downey then stated that he had served J. Millette with the notice of the hearing and an order to have the dogs confined to 85 Leary Lane until further notice on July 16, 2016. R. Gaiotti stated that a certified mail notice was sent July 15, 2016 with the same information. J. Millette asked for permission to tell her side of the story. J. Millette recounted that a group of people were visiting on July 1, 2016, they were all drinking and socializing. The group included her uncle K. Hale, Scot Rafus, G. Olson, J. Millette, A. Kelly and others. At one point during the night J. Millette and A. Kelly decided to leave the home for a time. Prior to leaving they stated that no one should enter the house unless G. Olson is present, as he is the only person who can calm the dogs down. J. Millette stated that the dogs are very protective of the home when no one is in the house. She also explained that she often places the dogs in a bathroom to avoid having them jump up on visitors because they get excited. J. Millette then re-stated that K. Hale was told not to enter the home without G. Olson, but did so anyway and the dogs protected the home. J. Millette stated that Honeybee was the only dog involved in the attack and that G. Olson actually had to kick the dog in the face to remove it from attacking K. Hale. After J. Millette and K. Hale returned the State Police were called and Manchester Rescue Squad. J. Millette then stated that K. Hale refused medical treatment from MRS claiming that he was OK and just shocked that the dogs had bitten. At this point K. Hale stated that he then had to have C. Schabel drive him the ER after 12 hours because the bites had not stopped bleeding. He again re-stated that he was shocked that the dog would attack him like that and that G. Olson knew he was going in the home to use the bathroom and have even told him it was OK to do so. K. Hale again re-stated that he has real concerns about Honeybee, and that he had heard the dog did in fact have a bite history. J. Millette explained that both Honeybee and Passenger are 11 years old and they have never had a bite incident in the past. J. Millette then stated that G. Olson is really the owner of Honeybee and Passenger, Layla the Jack Russell is the owned by J. Millette.

M. Thörn asked whether the dogs were licensed in Dorset and had proof of rabies vaccination. R. Downey then asked J. Millette how long she and G. Olson had been living in Dorset. She responded that they had moved down from 10 Intervale Ave Burlington to Dorset around 1.5 months ago. She also stated that the dogs were all registered in the City of Burlington and were up to date on shots. K. Hale questioned whether or not the dogs had been vaccinated as he was concerned about being bitten by dogs that are not vaccinated.

J. Millette then re-stated that the dogs have never bitten and they are always nice to visitors under the care of the owner/keeper. R. Downey then asked about who was leasing the 85 Leary Lane property and she responded that J. Millette and A. Kelly were co-tenants and that G. Olson would come down on weekends and bring the dogs with him. R. Downey asked if were possible to get in contact with G. Olson if he is the true owner of the dogs. J. Millette stated that G. Olson

was in Ludlow working and could not be reached tonight. She re-stated that she and G. Olson had been dating for 3 years and never had a problem with the dogs. J. Millette also stated that she and G. Olson were in the process of moving to southern VT from Burlington and things were up in the air about where they would live longer term. K. Hale re-stated that J. Millette and G. Olson know that the dogs are dangerous, because they have to place them in the bathroom anytime visitors come. J. Millette refuted the statement saying the dogs just get excited. R. Downey asked why she would place the dogs in a confined space if she wasn't worried about the safety of visitors entering the property with the dogs. C. Schabel re-stated that the dogs were clearly a danger and couldn't really be controlled without the owner right there. Discussion ensued with board members about who the actual owner of Honeybee was etc. J. Millette stated that the dogs are safe, she walks them around the village and has never had a problem. Further discussion ensued about possibly recessing the meeting until G. Olson could be present. R. Downey advised that the process should continue to a resolution to keep the community safe from additional problems. H. Chandler agreed that the intentions of the Selectboard were to keep the Dorset community safe from a possible threat in the future.

R. Downey then read the definition of vicious dog from the Dorset animal control ordinance. H. Chandler and M. Thörn stated that the goal of the process was to protect the community from a potentially dangerous situation. J. Stannard commented that the Town was obligated to address this issue and that the dogs should be confined until this process is over. T. Smith asked if the dogs were staying in Dorset permanently. J. Millette replied that the dogs traveled back and forth with G. Olson from Burlington, as he was still working there.

Discussion ensued about the owner having concerns about the dogs biting by placing the dogs into a bathroom anytime a visitor arrives, and telling guests that they cannot enter the home without the owner present because of the dogs. R. Downey stated that when he visited the home to give notice, he had to hold the door shut and felt fear due to the dogs being loud and aggressive behind the door. Further discussion ensued about who had jurisdiction over the dogs if they were registered in Burlington and traveling often. Additional discussion was had over who the real owner of the dogs was vs. being the keeper of the dogs. R. Downey read the definition of owner/keeper from the dog ordinance. Nancy Ludlam commented that they have seen the dogs on the leash with J. Millette and things seemed OK. K. Hale restated that he was shocked about the attack and thought again that it was only Honeybee as the attacking dog; he also stated that he did have concerns as he thought this dog had a "history".

T. Smith moved and M. Thörn seconded to close the public hearing portion of the meeting and enter into private deliberation at 8:30pm. The board requested to have R. Downey and R. Gaiotti attend the session to answer any possible questions.

The Selectboard re-opened the public portion of the meeting at 8:55pm. M. Thörn read the statement about the board's decision (attached).

There being no further business to discuss the meeting stood adjourned at 9:05pm.

Respectfully Submitted
Rob Gaiotti, Town Manager