

Select Board Meeting
Wednesday, September 29nd, 2021 at 4:30pm
Location: Town Office Meeting Room: 37 High Street Cavendish Vermont

Present: Bob Glidden, Sandra Russo, Mike Ripley, Stephen Plunkard, Brendan McNamara (Town Manager), Jen Leak (Recording Secretary) and Janet Sherer.

Absent: George Timko

1. **Call the meeting to order**

Bob Glidden, Chairman, called the meeting to order at 4:32 p.m.

2. **Select Board to review and discuss action regarding the ‘Notice of Alleged Violation’ regarding the dogs belonging to Roger and Susanne Hayes at 31 Davis Road.**

Brendan said that today’s meeting is to review a Notice of Violation of the Town Animal Control Ordinance. He said that Janet Sherer, who lives on Heald Road adjacent to 31 Davis Road, has reported several incidents with the two dogs belonging to the Hayes’. Brendan outlined some of the correspondence between himself, Janet and the Hayes’ over the last few weeks.

Brendan said that he has told the Hayes’ their dogs need to be under control but the dogs have continued to be loose and do not come back when called. He said that Mr. Hayes has built a pen but the dogs can still get out of it. Brendan said that the dogs have attacked another neighbor’s chickens, acted aggressively toward Janet and her family and her dogs and run loose into Janet’s property. Brendan said that he spoke with Mr. Hayes and advised him of this meeting.

Janet was present and said that the dogs have been a problem since July. Brendan said that there have also been possible dog issues with other property owners, and the state police and county sheriff’s have been involved. Brendan said that he will not go back to that property without a law enforcement agent to accompany him.

Janet said that she believed she was allowed to shoot these if they come into her yard again as they are dangerous and that she fully intends to do so. Bob said that the fire department has been to the Hayes’ house and the dogs were aggressive. Janet said that she did not believe the owners were able to be responsible and take care of the dogs.

Brendan said that he has issued a Notice of Violation which was sent to the Hayes’. He said that the remaining option was to impose a civil penalty of up to \$500 and issue a directive to comply. The Board discussed options that would contain the dogs, protect the neighbors and their animals and be doable by the owners. Bob asked if the dogs were

registered. Brendan said that they were not.

Brendan suggested that he will write a notice stating that as of September 20th, 2021, the Hayes' have 21 days to contain and muzzle their dogs. He said that if not done by October 10th, 2021, the dogs will be impounded until such arrangements are made. Mike suggested adding that if the situation was not remedied by October 10th then a \$500 fine could be imposed as an incentive to complying. Brendan said that he would let the sheriff and state police know.

Janet said again that she would shoot the dogs if they were in her yard going after her own dogs or her family. She also said that she was concerned about retaliation from the Hayes'. Stephen suggested that she contact the police before taking any action against the dogs. Brendan suggested that Janet could get a No Trespass Order against the dogs and their owners. Brendan added that if the dogs are aggressive and impounded they cannot be rehomed so they would be euthanized.

Mike Ripley moved that Brendan send a letter to Roger and Susanne Hayes saying that they have 21 days from September 20, 2021, to build a fence and muzzle the dogs while they are outside and keep the dogs on a leash, or they can request a hearing. Stephen Plunkard seconded. Mike added that the Select Board will impound the dogs and issue a \$500 fine if this notice is not followed. Stephen Plunkard seconded. All voted in favor.

Brendan said that he will send a copy by certified mail, and also ask the sheriff to hand deliver a copy.

Janet asked for clarification that right now the dogs need to be either in the house or on a leash. Brendan said that was correct.

3. **Adjourn**

Mike Ripley moved/Sandra Russo seconded a motion to adjourn at 5:08 p.m. All voted in favor.

Minutes Approved: _____

Date: _____