



Animal Control

Regular

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~ Minutes ~

City Clerk

Wednesday, March 13, 2024

10:00 AM

Hybrid Room 205

Call to Order

10:00 AM Meeting called to order on March 13, 2024 at Hybrid Room 205, City Hall, Springfield, MA.

Attendee Name	Title	Status	Arrived
Camile Nelson Campbell	Deputy City Clerk	Present	
Keith Fleming	Police Department	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Megan Landry	Board Member	Present	
Veronica Johns	Board Member	Present	

Dog Hearing

1. Dangerous Dog Hearing for Dog Named Malikai at 58 Daviston St Owned by Richard Pittman

COMMENTS - Current Meeting:

Read and Officer Rene Robichaud from Thomas J. O'Connor (TJO), gave a report stated, in December a dog resided at 58 Daviston St on the first floor, owned by Richard Pitman escaped the yard and attacked a small Chihuahua, named Theodore. The attacked was fatal to the dog Theodore.

Complainant

Robert Brandon Mitchell, stated he was walking his dog around the block on Daviston St toward East on Summer Ave. As he turned the corner onto Daviston St, about 100 ft, his dog was attacked. The pit bull dog came out and grab hold of his dog. He had to put the dog in a chokehold to get hold of his dog (Theodore), the pit bull final let go of his dog (Theodore) and he tried to revived his dog. He called the Police and they responded. He called his mother, the pit bull was not on a leash.

Norma Bate- Mitchell stated, her son called her and told her their dog (Theodore) was attacked and killed, she told her son to stand with her in front of their house, which is next door to 58 Daviston St. They waited about 15 minutes for the police, the first patrol car arrives, the home owner did not answer, the second patrol car arrives and all four (4) Police Officer knocked on the door and the owner answered the door. The officer spoke to the owner, then to her. The officer told her there was nothing they could do because it a first bite

Respondent

Richard Pittman stated that he usually chained up his dog in the front of the yard, but from past incidences he has been noticing that he has to keep going outside and he would have to yelled, pull your dog along or get your dog. He started to chained his dog in the back yard. He dose not think the spring went up to where the chain is put on, it did not locked all the way and can say his dog Malikai, got loosed. He did not know what had happened until the Police Officer knocked oh his door and told him that his dog just killed a dog.

Ashaneek Steves, witness for the respondent stated the dog does barked and chained. They have told Norma husband several times to come and get their dog Theodore, their dog Theodore has been loosed several times and ran in their yard. She is not making any excuses for their dog Malikai, but their dog Malikai was agitated with Norma dog Theodore on several occasions. She does agreed with Norma as for as keeping the dog vaccinated and chained, and they are sorry.

Rebuttal

Norma Barte- Mitchell stated that on the December 22 2023 the dog was loosed. The dog at times is tided up in the front yard with a chain and a rope in the ground. The dog is viciously barking at her and her granddaughter. She will not allowed her granddaughter in the driveway, she left them off in the front of the house because she don't know what the dog is going to do or if the chain is going to break.

After the 22nd of December, 2023 the dogs are rarely seen in the front, she has sent three (3) videos of the three (3) dogs loosed, they are not on a leash and running around in the yard and this is after her dog (Theodore) was killed.

She is asking the city to recognized that the dog killed her dog (Theodore), the city to fully inspect the dogs at that residence to make sure they are licensed, vaccinated, and that they have all the required paper works and are contained in an area.

Also that the pet owner be mandated to obtained an one hundred thousand liability insurance to ensure, if it get loose again the community, pet owners can take appropriate actions appropriately.

Norma stated she did not get an apology or recognition that her dog was killed, it was not until today.

Richard Pittman stated the other dog Norma stated was loosed is not the same dog, he does not let that dog (Malikai) loose. The only thing the dog(Malikai) does is used the bathroom and go back inside the house, since that accident.

Board Johns asked if the dog was up to date with it shots and neutered.

Officer Robichaud say there is no record of the dog registered in the city.

Board Johns stated they have the dog over five years and never registered the dog.

Board Johns asked Officer Robichaud, from TJO what are her recommendation(s).

Officer Robichaud says she recommend the dog to be deemed dangerous and whatever the board determines. If the yard is not fully fenced, they can't risked him(Malikai) getting loose.

Board Edwards says there is lot more to deeming a dog dangerous and at the proper time he will make a motion to deem the dog (Malikai) as dangerous.

Board Nelson Campbell asked Board Fleming if he had any thought(s) or commend(s)

Board Flemings says he just want to know if the dog was loose when the attacked happen

Board Nelson Campbell asked Board Landry if he had any thoughts or commend(s)

Board Landry says she agreed the dog should be deem dangerous. She don't believe euthanasia at this point, but strongly suggested muzzling, tethering.

Board Johns stated that the dog need to be euthanize, the dog killed another animal and at one point that was the go to, if there was a animal that was killed, that roped the law as for as the dog needs to be euthanize. That would be her recommendation

Board Decision

The board voted to deem the dog (Malikai) dangerous by the following roll call votes.

- Board Edwards yes
- Board Flemings yes
- Board Johns yes
- Board Landry yes
- Board Nelson Campbell yes 5-0

Board Johns made a motion to have the dog euthanize and was seconded by Board Edward.

- Board Edwards yes
- Board Flemings yes
- Board Johns yes
- Board Landry no
- Board Nelson Campbell yes

Motion passed by roll call votes 4-1

Euthanasia votes

- Board Edwards yes
- Board Flemings no
- Board Johns yes
- Board Landry no
- Board Nelson Campbell yes

Euthanasia passed by roll call votes 3-2

The board has voted to deem the dog as dangerous and to be Euthanize.

2. Nuisance Dog Hearing for Two Pitbulls Mixed at 40 Champlain St Owned by Grace & Mike Perez

COMMENTS - Current Meeting:

Read and Officer Rene Robichaud read the report of the complainant, said report it is attached to the agenda. Officer Robichaud stated TJO had one complaint for this affect on January 6th, 2024, the officer explained the nuisance dog hearing process to the caller and advise small claims court for the damage to the fence. The officer made contact with Randy to let him know that was going on. The dogs are barking but in every video the dogs remain in their yard.

Attorney Shewchuk asked if he can define the nuisance ordinance, and read the ordinance and says any of those can be consider as nuisance dog.

Complainant

Danielle Watts stated they have been having the issues on and off for about a year. It has progressed to where the dog trying to dig under the fence and ripping the bottom board off

the fence, to the point they can get their whole head under the fence. They have brought it to the owners attention. The owner offered to pay for half of the fence, but after seeing how the damage the fence was and the damages their new fence. They have decided to have them pay for or put the dogs in a kennel. Its no fair for the dog to damage their property.

Kyle Rodriguez stated the holes are now large enough for their dog to pass through on to their(Grace & Mike Perez) side. He had to patched the fence to prevent their dog from getting on to their side. Grace & Mike have not made any attempt to repair the fence. He fearful of his dogs and family well being.

Owner

Mike Perez stated the fence is a stockade fence that's about twenty five (25) years old, the whole fence is dried rotted. He was willing to put the fence up and suggested to pay for half, they (Danielle Watts& Kyle Rodriguez) texted him back and said no. It's their (Ms Watts& Mr Rodriguez) dog that does all of the braking. He is trying to be civil will all neighbors, the other neighbors don't have no issues with him. Mrs Perez presented Pictures of the fence and the kennel and was passed around to all the board members to view.

Rebuttal

Ms Watts says they were the one who made the contact first.

Ms Perez says she just want everyone to agree to fixing the fence, and she don't want anyone to get hurt.

Board discussions

Board Johns asked Ms Watts if she leaves their dog out all day unattended.

Ms Watts says no, they are always with their dog.

Board Johns asked Ms Watts what they do when their dog is barking, and suggested obedience training for their dog.

Councilor Edward made a motion of **No Findings**, seconded by Board Johns.

Board Edwards yes
Board Flemings yes
Board Johns yes
Board Landry yes
Board Nelson Campbell yes

Motion passed by roll called votes.

No findings votes

Board Edwards yes
Board Flemings yes
Board Johns yes
Board Landry yes
Board Nelson Campbell yes

The board voted **No Findings** by roll call votes

3. Nuisance Dog Hearing for Two Dogs Named Stella and Archie at 81 Clearbrook Dr Owned by Peter Trase and Jamie Reuling- Continuation from the March 13, 2024 - Installation of Electric Fence.**COMMENTS - Current Meeting:**

Read and Officer Rene Robichaud stated TJO requested this hearing and the owners are well aware of the issues of the dogs. The dogs keep on getting loosed,

Owner

Jamie Reuling stated that TJo explained it very well. They have done everything they can to stop the dogs from getting out. They bought an electric fence to see if it will stop them from getting out, they are very good at getting out.

Peter says their dogs gets out a lot, their yard are fully fenced in. The dogs chewed off the lead and they digged under the fence.

Rebuttal

Peter Trase says if the electric fence don't work, he will dig up his yard and installed new fencing.

Board discussions

Board Johns says the dogs are nuisance, they have gotten out more than three(3) times.

Board Johns asked if the dog gone through obedience training and recommended the dogs to be on a leash at all times.

Board Edward made a motion to deem the dogs as **Nuisance**, and to revisit the matter on the next hearing after the electric fence is installed, seconded by Board Johns.

Board Edwards yes

Board Flemings yes
 Board Johns yes
 Board Landry yes
 Board Nelson Campbell yes

Motion passed by roll called votes.

The board voted to deem the dog **Nuisance** by roll call votes and to revisit the matter on the next hearing.

4. Nuisance Dog Hearing for Dogs Named Shepherds Church, Glory and Gunner at 5 Bretton Rd Owned by Lawrence Green

COMMENTS - Current Meeting:

Read and Officer Rene Robichaud gave a report of how many times the dogs have gotten out. WNEU campus police called TJO twice.

Complainant

Bonnie Lillis, did not appeared.

Owner

Lawrence Green states lives there for a year and half and tried to engaged with his neighbor. It's very sad what goes on next door. His dog was popping on the deck and he yelled Glory no poop and the neighbor called TJO. He takes all three (3) dogs to his work. Mr Lawrence showed pictures to the board members and state that his dogs are not a nuisance and they don't bark, if he says no barking they don't bark. His dogs are well trained.

Board discussions

Councilor Edwards made a motion of **no Findings**, seconded by Board Johns.

Board Edwards yes
 Board Flemings yes
 Board Johns yes
 Board Landry yes
 Board Nelson Campbell yes

Motion passed by unanimous voice vote.

The board voted **no findings** by roll call votes