



Animal Control

Regular

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~ Minutes ~

City Clerk

Thursday, May 2, 2024

10:00 AM

City Hall -- Room 205

I. Call to Order

10:00 AM Meeting called to order on May 2, 2024 at City Hall -- Room 205, 36 Court Street, Springfield, MA.

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

Dog Hearing

1. Nuisance Dog Hearing for Dog Named Kobe at 77 Bowles St Owned by Michelle Pagan Ramos

COMMENTS - Current Meeting:

Read and Attorney Robert Shewchuk read the City of Springfield Ordinance for nuisance dog.

Officer Renee Robichaud from Thomas J. O'Connor (TJO), stated certified mail and regular mail was sent out. On March 1st, 2024, Springfield Police Department called for assistance with an aggressive dog trying to attack Ms. Greer. No bites occurred. Ms. Ramos said the dog belong to her son, who lives in New York. The dog will be returning to New York to live with her son. A citation was sent to Ms. Ramos for the dog being loosed, unvaccinated and unlicensed in the city.

Complainant

Ruth Greer stated she is the neighbor of Michelle Ramos. Ms. Greer said, on March 1st 2024, she was taking out her trash with her daughter. She looked over and noticed that Ms. Ramos open her screen door, her main door and let her dog run towards her and her daughter. Ms. Greer said she got between the dog and her daughter. Ms. Greer said she started kicking the dog. Ms. Ramos came down the stairs and said don't kick her dog.

The other incident is when she was walking her daughter to school. Again the dog was let out to poop, and began to chase her daughter. Ms. Greer said Ms. Ramos left the dog alone to go on vacation without any food.

Respondent

Michelle Pagan Ramos did not appear.

Board Member Edwards made a motion to deem the dog Nuisance the motion was seconded by Board Member Landry.

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The board voted to deem the dog a **Nuisance** by roll call votes.

The Advisory and Hearing Committee has imposed the following conditions on the animal:

1. The dog must be kept in a secured enclosure. As defined in chapter 110, section 1 of the Code of the City of Springfield Ordinance.
2. The dog must be leashed when not in his home. Leashed to and from his enclosure or leashed while being walked.

Roll call votes on the conditions

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Conditions passed by roll call votes 4-1

2. **Dangerous Dog Hearing for Dog Names Spencer at 64 Senator St Owned by Nadia Butal & Nasser Harb**

COMMENTS - Current Meeting:

Read and Attorney Shewchuk read the City of Springfield Ordinance for dangerous dog.

Officer Renee Robichaud from Thomas J. O'Connor (TJO), stated on March 25th 2024, they received a called from the Springfield Police Department regarding a dog attack, dog verses dog. Mr. Diaz was taking his dog, Luna and his trash out. Spencer, owned by Mrs. Butal and Mr. Harb, got loose and attacked Ivan's dog Luna, biting Luna multiply times and physically shaking the dog. Ultimately the dog (Luna) was euthanized at the emergency hospital that evening.

Complainant

Ivan Diaz stated he was doing his routine, he was bringing out his trash barrel with his dog. He was putting down the trash barrel, when two(2) dogs came rushing. By the time he let the trash barrel go and looked. The dogs grabbed, yanked and throwing up his dog Luna. Luna had holes every where from the attack. Mr. Diaz was escorted to West Springfield by the police to try to save his dog. The doctor said there was nothing they can do. His dog passed away. Luna was another family member.

Atty Shewchuk asked how can he identify the dog owner.

Mr. Diaz said this is the first time he saw them.

Atty Shewchuk thanked Mr. Diaz, and said he just want it to be on the record that we are talking about the right dog.

Respondent

Nadia Butal & Nasser Harb said she is sorry for what happened. She said her Spencer is not dangerous. Spencer is sweet and she raised Spencer from a baby. She knows Spencer, this is the first time in two years Spencer skipped the gate. She didn't know what had happened. If she knew Mr. Diaz's address, she would have reached out to him. She doesn't know what happened. She knows her Spencer. Spencer cannot damage anything. Spencer plays with the kids and small dogs. What happened, she don't know. Spencer is vaccinated. Registered and micro chipped.

Mr. Harb said he is really sorry for what happened to Mr. Diaz's dog. If it was him, he would be angry too. Losing a pet is like losing a part of the family. Their dogs are a part of their family. He wanted to reach out and give their condolence. But, he didn't know if it was ok or not. He didn't want to go to Mr. Diaz's house and make him feel uncomfortable in any way. Spencer plays with other dogs, small and big. None of this has ever happened before. He dosen't know what happened. Why Spencer attacked Luna? Spencer is a gentle giant. There is nothing they can say to bring Luna back.

Rebuttal

Mr. Diaz said they can say they know their dog, just like he knew his dog, Luna. But, on that day something happened. It's a hard situation for him and his family. It's not fair.

Mr. Harb said he knows it's not fair, but his dog is a part of their family as well. He wished there was something he can do.

Board Nelson Campbell asked Mr. Diaz if the dog was on a leash.

Mr. Diaz said no.

Officer Robichaud said the attack happened on Mr. Diaz's property.

Board Nelson Campbell thanked Mr. Diaz and Officer Robichaud.

Board Member Edwards made a motion to deem the dog as dangerous and was seconded by Board Member Johns.

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The board voted to deem the dog **Dangerous** by roll call votes.

The Advisory and Hearing Committee has imposed the following conditions on the animal:

1. Thomas J. O'connor (TJO) to inspect the secured enclosure. As defined in chapter 110, section 1 of the Code of the City of Springfield Ordinance.
2. Post signage on the outside fences to let neighbors know there is dog.
3. The dog must be neutered within six(6) months of the decision.
4. Only adults are allowed to bring the dog out or in to minimize any accident.

Roll call votes on the Conditions

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Conditions passed by roll call votes 4-1

3. Dangerous Dog Hearing for Dog Named Harley at 79 Larchmont St Owned by Thomas Perez

COMMENTS - Current Meeting:

Read and Officer Renee Robichaud from Thomas J. O'Connor (TJO), stated on March 22nd, 2024, officer received a called regarding a dog bite incident from the Springfield Police Department. Ms. Graziano was walking down the street, when Thomas was playing fetch with his dog, Harley off leash. Harley chased after Ms. Graziano, while she attempted to walk by Harley bit her on left buttock.

Complainant

Marisa Graziano said she was going on her morning walks. Mr. Perez was out on the street with his dog Harley. The dog was not on a leash. She was hesitant to walk, then the dog lunged at her and bit her aggressively. She stumbled into the woods on the right, then the dog was trying to attack her again. Mr. Perez watched his dog bite her. Mr. Perez didn't say sorry. She has two (2) puncture wounds that's not healing the way it should be, it hurts to run and sit. She missed one week of work, she has the doctor's note. She went to Urgent Care, and got a tetanus shot and was put on antibiotics.

Atty Shewchuk said this sounds like a civil complaint for damages. This complaint is about the dog and its dangerousness.

Ms. Graziano said that's what she wants.

Respondent

Thomas Perez said normally when he gets out of work the first thing he does is let his dog out of his kennel and play catch with him. It's a small private way, it says danger, private way. He saw Ms. Graziano walking up the hill as he's playing fetch with his dog, she looked to be afraid. Harley started to approach Ms. Graziano. Harley is a friendly dog. Mr. Perez ran over to his dog and said Harley come back, come back. As Harley approached Ms. Graziano, she turned very quickly and Harley jumped on her back. Harley did not bite Ms. Graziano, it was Harley's claws that hit her feet. He grabbed Harley, said he was sorry to Ms. Graziano and put Harley in his kennel. He sat there and waited for the Police and Animal Control to come his house, he invited them in, spoke with them and showed them the records for Harley.

Rebuttal

Ms. Graziano said she had the puncture wounds as the proof. Mr. Perez watched his dog bite and attack her.

Mr. Perez said when Harley made contact with Ms. Graziano, he grabbed Harley and put him in his kennel.

Officer Robichaud asked Mr. Perez if the city provides services for that private way or does he own it.

Board Member Edwards explained the meaning of private way. He stated that a private way does not mean you own the street, it simply means the street is not paved. The contractor didn't spend the money to pave the street when they finished building the houses.

Officer Robichaud asked Mr. Perez how tall is the kennel.

Mr. Perez said it six (6) feet.

Officer Robichaud asked if the kennel is cement based.

Mr. Perez said he is in the process of getting it done.

Board Members Edwards made a motion to deem the dog dangerous the motion was seconded by Board Member Johns.

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion failed by roll call votes 2-2-1

Board Members Edwards made a motion to deem the dog nuisance the motion was seconded by Board Johns

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The Advisory and Hearing Committee has imposed the following conditions on the animal:

1. The kennel to be cement base, to ensure the dog won't be able to dig out under the fence. Kennel must pass an inspection to ensure security of enclosure.
2. The dog to be neutered with in six months of the decision.
3. Be aware dog signage must be posted on the fences.
4. The dog must be leashed and wear a basket muzzle when off the property.

Roll call votes on the Conditions

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Conditions passed by roll call votes 4-1

4. Dangerous Dog Hearing for Five (5) Dogs at 101 Quincy St Owned by Kimberly Toote

COMMENTS - Current Meeting:

Read and Officer Renee Robichaud from Thomas J. O'Connor (TJO), stated on March 30th, 2024 TJO received a call from Ms. Reid regarding multiple dogs attacking her as she was

entering her home with her small son. Two (2) dogs jumped on her causing scratches and abrasions, Ms. Reid went to the Hospital for medical treatments. Ms. Reid call the Police Department after returning from the Hospital. TJO Officers contacted the owner and it turns out there are at least five (5) dogs at the resident which is over the limit for the city. All five (5) dogs were placed on quarantine. It appears that none of the dogs are spayed or neutered. The city has a limit for intact animals of three (3) or if they are spayed or neutered the limit would be four (4), otherwise a kennel license would need to be acquired. This property would not meet the requirements for a kennel license within the city.

Complainant

Shadel Reid said it was little after eleven in the morning (11:00 A.M) her and two children returned home. She walked up the stairs as she was heading to the inside door when Kimberly dog came running from the back yard. The biggest dog jumped on her, she tried to shield her four (4) year old. Her and her son was pushed up against the screen door, she hovered over her son the dogs were behind her scratching her. Shadel contacted her grandma, who then contacted the Police Department and TJO. Shadel's major concerns is when she reached out to Kimberly there was no remorse, empathy or nothing. The only way she was able to get the dog off of her is when her fourteen (14) year old son pushed through the screen door, once the door opened she swung her four (4) year old inside the house and still being scratched and clawed. There is no dog sign up, she saw Kimberly on her camera saying to their neighbor sorry I know I am supposed to put up the dog sign, but I didn't put it up. Shadel said Kimberly blamed her autistic son for letting out all five (5) dogs. Shadel said from her understanding, kimberly was told the big dog has to leave, two (2) of the five (5) dogs has to leave and the dogs could not be off a leash if they are outside. On April 1st, her camera caught all five (5) of her dogs outside off leash with her husband. Shadel said her son is petrified of going outside because of to the dogs, he is scared. Shadel said Kimberly son threaten to kill her, and said he will crash out for his dog.

Respondent

Kimberly Toote said she was at work when Shadel texted her. She has the text message Shadel sent her, stating she was attacked by the dog and that she was going to the hospital. She didn't know what to say. Kimberly husband, John Serru says the reason why they have five (5) dogs is because when they bought the house, at the closing it says the property would be fully empty. Mr. Serru says their son was supposed to go downstairs with his two (2) dogs. Kimberly says they already got rid of one dog. Mr Serru says the reason why they didn't have the records was because they were in a bad move and was living in a a hotel for a month and a half. Kimberly says Polie and Silver are going to get their shots and get neuter. She spoke to TJO and she's in compliance with them. Mr. Serru said the reason why the dogs was out is because he goes to work at 4:00 in the morning and he let the dogs out before he goes to work every morning, it's routine for the dogs.

Rebuttal

Shadel Reid said she understand the dog is in a routine, but the dogs were outside off leash. Kimberly was not abiding by what TJO said. It was King that attacked her and she had open abrasions.

Kimberly said Meeko and King are vaccinated. Her dogs jumped on people when they get excited. Kimberly said she did sign up for King and Polie to get fixed.

Atty Shewchuk asked if all the dogs will be fixed.

Kimberly said TJO told her she can keep the four(4) dogs as long as they are fixed

Mr. Serru said he working on getting a fence in the back.

Officer Robichaud asked if silver is spayed

Kimberly said no, he's getting spayed.

Board Member Edwards made a motion to deem the dog nuisance the motion was seconded by Board Member Landry

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The board voted to deem the dog a nuisance by roll called votes.

The Advisory and Hearing Committee has imposed the following conditions on the animal:

1. Neuter all four (4) dogs as soon as possible to be in compliance with the Code of the City of Springfield Ordinance.
2. A secure fence in a portion of the yard to enable tenants to safely enter and exit the property without being accosted by the dogs shall be installed within 1 month. Dogs shall be leashed, and walked only until the fence is installed.
3. Adults only over the age of 18 are allowed to take the dogs in or out.
4. Provide proof of neutering as soon as possible, and schedule a follow up hearing to make sure the conditions are place.

Roll call votes on the Conditions

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Conditions passed by roll call votes 4-1

5. 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 Renee Robichaud from Thomas J. Oconnor (TJO), stated they have no further incidence and it appears the electric fence is working or fear of further repercussions.

Respondent

Peter Trase and Jamie Reuling did not appear.

Board Member Edwards made a motion to close out with current condition the motion was seconded by Board Member Landry

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The Advisory and Hearing Committee has imposed the following condition on the animal:

1. Continued use of the electric fence to prevent dogs from escaping yard.

Roll call votes on the Condition

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Condition passed by roll call votes 4-1

6. Dangerous Dog Hearing for Dog Named Brick at 41 Suffolk St Owned by Miguel Gonzalez-Ortiz

COMMENTS - Current Meeting:

Read and Officer Renee Robichaud from Thomas J. O'Connor (TJO), stated both parties own dogs and resided at the same house, first floor and second floor. Blue was outside in the yard with his owner, when Brick was led out at the time. Brick latched on to Blue rare leg. Mr. Gonzalez-Ortiz brother was trying to split up the fight. Blue bit Mr. Gonzalez-Ortiz brother. This is two dogs fighting each other.

Complainant

Anna Morales and Quindell Henderson did not appear.

Respondent

Miguel Gonzalez-Ortiz appeared

Board Johns made a motion to dismiss the motion was seconded by Board Member Landry.

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The board voted to **Dismiss** by roll call votes 4-1.

7. Dangerous Dog Hearing for Two Dogs Named Chokie and Luna at 49 Girard Ave Owned by Jose Sanchez

COMMENTS - Current Meeting:

Read and Officer Renee Robichaud from Thomas J. O'Connor (TJO), Abigail had her dog Marble was leashed and tethered outside to use the bathroom, when both of Mr. Sanchez two dogs came running over Marble and began biting. Jose dogs were loosed at the time, both dogs bit Marble.

Complainant

Abigal did not appear.

Respondent

Jose Sanchez appeared

Board Member Johns made a motion to dismiss the motion was seconded by Board Member Johns.

Roll call votes on the motion

Board Member Johns	yes	
Board Member Edwards	yes	
Board Member Fleming		absent
Board Member Landry	yes	
Board Member Nelson Campbell	yes	

Motion passed by roll call votes 4-1

The board voted to **Dismiss** by roll call votes.