



Animal Control

Regular

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~ Minutes ~

Gladys Oyola-Lopez

Thursday, October 17, 2024

10:00 AM

Hybrid Room 205

Call to Order

10:00 AM Meeting called to order on October 17, 2024 at Hybrid Room 205, City Hall, Springfield, MA.

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

I. Approval of Minutes

August 15 2024

COMMENTS - Current Meeting:

Read

Board Member Edwards made a motion to accept the minutes the motion was seconded by Board Member Fleming.

Roll call votes on the motion

Board Member Edwards	Yes	
Board Member Fleming	Yes	
Board Member Johns		Absent
Board Member Landry		Absent
Board Member Nelson Campbell	Yes	

Motion passed by roll call votes 3-0

Minutes approved.

Hearing Requested

1. Dangerous Dog Hearing for Two (2) Dogs Named Waffle and Rex at 111 Berard Cir Owned by Jaymie Hession and Kristen Calkins

COMMENTS - Current Meeting:

Read.

Complainant

Priscilla Lopez stated she has concerns regarding the incident that took place at her home on September 22nd 2024. She placed the leash and harness on her dog, Honey. She opened her back deck door that leads to her back yard, she walked down the steps and noticed two dogs entering together and walking side by side in her backyard. The two (2) dogs immediately whisked her and her dog, Honey and charged at them. She tried to go back on her deck, by that time the dogs rushed past her and started to attack Honey. She tried to pull the dogs by their leash, she would pull one, the other would attack, away from her dog, Honey. At one point her dog, Honey jumped off her deck, the two (2) dogs noticed Honey and started to chased Honey to the front of the house. At one point Rex had her dog, Honey by the neck and violently shaking Honey. The dogs, despite her commands of stop, let her go and pulling them away, the dogs did not let up until Honey died. Her husband and her neighbor heard the commotions and tried to intervein, they tried get the dogs to go away, but the dogs were aggressively approaching her husband and the neighbor. Her and her son was frightening and traumatized from what she'd witnessed. There are elders, small children, there's a day care down the street and small pets. On that day, it could have been her nine (9) years old son taking Honey outside for a walk, if it was her son, it could have been a different situation. She doesn't feel safe going outside in her yard, she's on edge, her son is on edge, this has affected her entire family and the neighborhood is concern. This is not the first time the dogs have gotten out, they got out in July and Thomas J. O'Connor (TJO) was called. She doesn't know if the owners can contain the dog the way that they should. She hoped that there will be some safety measures put in place so it doesn't happen again. She didn't just lose a dog, she lost a family member, it very hurtful.

Anthony Moore, Jr stated he heard his wife saying no and some scuffles outside, he noticed two (2) dogs chasing their dog, Honey. His wife was trying to get the two (2) dogs off their dog, Honey, the two (2) dogs had his dog, Honey. He threw two (2) or three (3) flower pots at the dogs and did not budge. His neighbor was able to get one dog off his dog. He is really concern, he looked at the left every time he's leaving his house, his son doesn't want to go outside and swing on his swing set, his wife doesn't want to sit on their deck and drink coffee anymore, he feels like he has to walk them to their car every day. It has been an emotional traumatic experience for his household, his son, his wife and himself are not getting any sleep, it's playing in their heads. He would love to see the ordinance and the process revisited. He believes the dog are dangerous.

Anthony Stewart appeared and spoke in favor of the complainants, he stated that on September 22nd at about 7:24 A.M he heard yelling. He immediately

grabs his machete, by the time he reached across the street the two (2) dogs had his neighbor dog, by the tail and by the head violently shaking. He turned the machete sideways and began to beat the dog on the tail for it to let go. The dogs ran away, then they came back. He said the defendant came down the street saying, oh my god those are our dogs, please don't hurt them. He said to the defendants your dogs just killed the neighbor dog, we have been outside for ten to fifteen minutes, where were you. He asked the defendant how did the dogs get out, the defendant say to him, a friend came over and they got excited and got away from them. He said as a neighbor he's concern, he has a three (3) years old granddaughter who goes outside on Sunday mornings, his neighbor has children, there are not stray dogs running around in the neighborhood. It's a tragedy that this had to happen, but something should be done, he doesn't think they are responsible, they showed no remorse when they came. They will be another time the dog will get out. The dog died with his eyes opened in his yard on a leash and harness, a dog should feel safe on its property.

Respondent

Attorney Cohen stated he's representing the respondents. He said sorry to the complainant. He said what happened to the dog and if it was in his community, he would be saying and doing the exact same things. It's unacceptable for the them to feel this kind of discomfort every day they leave their house. He stated the respondents are extremely remorseful. Atty Cohen said Waffle has been euthanized, he's no longer a problem in the neighborhood. He stated Waffle was the leader and the alpha. The training they signed up for though Bark Busters is to have Rex recognized that they are the alpha, and he answer to a person now, not to Waffle and certainly not to himself. When Rex goes to the vet, he doesn't have to be muzzled, be on trazodone or any kind of sedatives. His goal is to preserve Rex's life and to have him deem as nuisance. He mentioned the letters from people who knew and support Rex. This was their first off leash violation. The things they have done is voluntary, they have gone to training and euthanized Waffle. They changed the gate, the latch is now on the outside instead of the inside, there is a six (6) foot fence now replaced the area where the dogs got out. When the dog is outside, he' on a run, on a long leash, within the fenced in area and a human supervising the dog. The dog will get its exercise but with a human outside with the dog. They will put up a beware sign, privacy screening fence to limit triggers and barking, engaged evaluation and training, run with in the fenced area or supervised with an extended leash, will not obtain additional dog until or unless trainer approves and seeking a dog bite liability insurance policy. Written letters of support for Rex, Jaymie and Kristen from Christian Brooks, Jessica Campbell, Kimberly O'Brien, Michelle Varela, Dr. Madison Smith and Scott Masamery from Bark Busters Home Dog Training.

Kristen read her apology letter she wrote to the complainant and has apologized. Kristen agreed with to Atty Cohen statements.

Jaymie Hession read her apology letter she wrote for the complainant and has apologized. Jaymie agreed to Atty Cohen statements.

Rebuttal

Ms. Lopez asked if there are prior incident, did they have any history with Animal Control in other states.

Mr. Stewart stated there are two dogs involved in the incident, not one, two. Both dogs are equally aggressive during the attack. Both dogs killed their (Ms. Lopez) dog.

Atty Cohen spoke on behalf of the respondents stating it was not intentionally and his clients admitted they made a mistake. This is not case where both dogs need to be killed. Every household that has two (2) dogs, there's an alpha dog.

Heather Cahillane, from Thomas J. O'Connor read their report.

Board Member Edwards made a motion to deem the dogs a Dangerous the motion was seconded by Board Member Fleming.

Roll call votes on the motion

Board Member Edwards	Yes	
Board Member Fleming	Yes	
Board Member Johns		Absent
Board Member Landry		Absent
Board Member Nelson Campbell	Yes	

Motion passed by roll call votes 3-0.

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

1. That the dog be humanely restrained. As defined in Chapter 110, Section 10-B-1 of the Code of the City of Springfield Ordinance.

2. That the dog be confined to the premises of the owner of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner; provided however, that such confinement shall comply with § [110-8](#); As defined in Chapter 110, Section 10-B-2 of the Code of the City of Springfield Ordinance.
3. That whenever the dog is removed from the premises of the owner, the dog shall be securely and humanely muzzled and restrained with a leash having a minimum tensile strength of 300 pounds and not exceeding three feet in length; As defined in Chapter 110, Section 10-B-3 of the Code of the City of Springfield Ordinance.
4. That the animal shall be surgically sterilized and microchipped with the microchip registered to the City, with all costs associated with these services to be borne by the owner; As defined in Chapter 110, Section 10-B-4 of the Code of the City of Springfield Ordinance.
5. That the owner construct, within two weeks from the date of decision, a secure enclosure to house the dog when it is in the owner's yard. The Advisory and Hearing Committee may order that, during the construction period, the dog be publicly impounded at an animal shelter or a private veterinary hospital until the secure enclosure is constructed. The effectiveness of the secure enclosure shall be subject to approval and periodic inspections by an Animal Control Officer, as deemed necessary. The fee for said inspection shall be \$75. If the owner is found violating the secure enclosure requirements, immediate public impoundment of the dog shall be done by the animal control center during the time the violation continues to exist, and the owner shall bear all cost(s) for such public impoundment. The fine for such violation shall be \$200 per day; As defined in Chapter 110, Section 10-B-5 of the Code of the City of Springfield Ordinance.
6. That ownership of the dog may not be transferred unless the transfer of ownership is to an adult residing within the same residence and said dog shall remain housed solely at that residence; As defined in Chapter 110, Section 10-B-6 of the Code of the City of Springfield Ordinance.
7. That the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance; As defined by state law in Chapter 140, Section 157-4-4. Provide proof to Thomas J. O'Connor within twenty-one (21) days and naming the City. As defined in Chapter 110, Section 10-B-9 of the Code of the City of Springfield Ordinance.

Roll call votes on the condition

Board Member Edwards	Yes	
Board Member Fleming	Yes	
Board Member Johns		Absent
Board Member Landry		Absent
Board Member Nelson Campbell	Yes	

The board voted to deem the dog a **Dangerous** by roll call votes 3-0.

Second Hearing

2. Dangerous Dog Hearing for a Dog Named Abby at 192 Harkness Ave Owned by Mark Tourangeau. Second Hearing. First Hearing Held on July 18 2024

COMMENTS - Current Meeting:

Read.

Complainant

Heather Cahillane, Acting Executive Director from Thomas J. O'Connor (TJO) and Adoption Center read their reports.

Respondent

Mark Tourangeau did not appear. This is the second hearing, the first was requested on July 18th 2024.

Rebuttal

none.

Board Member Edwards made a motion to deem the dogs as Dangerous the motion was seconded by Board Member Fleming.

Roll call votes on the motion

Board Member Edwards	Yes	
Board Member Fleming	Yes	
Board Member Johns		Absent
Board Member Landry		Absent
Board Member Nelson Campbell	Yes	

Motion passed by roll call votes 3-0

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

1. The dog to be impounded. As defined in Chapter 110, Section 10-B-7 of the Code of the City of Springfield Ordinance.
2. That the dog be humanely euthanized. As defined in Chapter 110, Section 10-B-8 of the Code of the City of Springfield Ordinance.

Roll call votes on the condition

Board Member Edwards	Yes	
Board Member Fleming	Yes	
Board Member Johns		Absent
Board Member Landry		Absent
Board Member Nelson Campbell	Yes	

The board voted to deem the dog as **Dangerous** by roll call votes 3-0.