

Town of Proctor Selectboard Special Meeting – Animal Hearing
May 17, 2011
6:10 – 6:45 P.M.

Board Members Present

Rick Anderson, Chair
Susan Feenick
Vincent Gatti

Employees Present

Steffanie Bourque, Town Administrator

Other Guests Present

Sargent Bixby, Rutland County Sheriff's Dept.
Kate Daley
Justin Hanson
Eugene Hitchcock, Dog Owner
Mark Kurtz

Agenda Items

I. Call to Order

The meeting was called to order at 6:10 p.m.

[All motions are noted as passed by majority because the full board was not present at the meeting. All members present voted affirmatively, unless otherwise noted.]

II. Statements of the Complainant

Neither the complainant, Thomas Parker, nor the victim, Clinton Pratt, were present at the hearing.

III. Review of Investigation Conducted by Animal Control Officer

Sargent Bixby provided a summary of the investigative report, prepared by Deputy Bennick, of the dog bite incident involving Clinton Pratt and the French Mastiff, owned by Eugene Hitchcock of 4 Warner Avenue (see attached).

IV. Statements from the Defendant

Eugene Hitchcock, who was not present at the time of the incident, explained the dog's general nature and disposition and what he thinks may have occurred on May 7. He was apologetic and assured the Selectboard that the dog has been well socialized since it was a puppy and he did not want there to be concerns about his dog being "vicious".

V. Statements from the Public

Mark Kurtz, a roommate at 4 Warner Avenue, was present at the time of the bite and told his recollection of the May 7, 2011 events. They were consistent with those in the investigative report.

Justin Hanson, the property owner of 4 Warner Avenue, made additional statements about the dog's general nature.

Kate Daley, a friend of the dog owner, asked the Selectboard to take into consideration the age of Mr. Pratt and how due to the fragile nature of his skin, the wound could have been the result of the dog's tooth hitting Mr. Pratt's hand and not an intentional bite.

VI. Deliberative Session

Before entering deliberative session the Selectboard questioned if both dogs residing at 4 Warner Avenue have been registered and are up to date with their vaccinations. On May 7, 2011 the French Mastiff owned by Eugene Hitchcock was not registered and the rabies vaccination has expired one (1) month prior. Hitchcock and Hanson affirmed that both dogs have been registered with the Town and are up to date with their vaccinations.

The Selectboard also questioned if the French Mastiff was being quarantined in accordance with the deputy's orders. Hitchcock affirmed the dog is being quarantined and has exhibited no signs of illness.

Vincent Gatti made the motion at 6:30 p.m. to enter deliberative session. The motion was seconded by Susan Feenick and approved by a majority. Vincent Gatti made the motion at 6:40 p.m. to resume the public meeting. The motion was seconded by Susan Feenick and approved by a majority.

VII. Statement of Findings/Issuance of Orders, if Applicable

Rick Anderson reported the Selectboard did not find, based on the facts presented, the French Mastiff owned by Eugene Hitchcock to be "vicious". The Selectboard reiterated the need for the dog owners to comply with the requirements of the Proctor Animal Control Ordinance. This incident will be on file and if a second bite occurs the decision of the Selectboard will be revisited.

VIII. Adjourn

Vincent Gatti made the motion at 6:45 p.m. to adjourn the May 17, 2011 special meeting of the Selectboard. The motion was seconded by Susan Feenick and approved by a majority.