

Wilmington Selectboard
April 26, 2012 at 5:00 pm
At Wilmington Town Office
MINUTES

Selectboard Members Present: Thomas Consolino, Margaret Streeter, Susan Haughwout, James Burke, and Diane Chapman

Others Present: Scott Murphy, Mary Towne, Donna & Chris Roemmelt, Steven Brown, Steven Brown, Jr.

Public Hearing Regarding Dog Bite:

Consolino opened the hearing at 5 pm.

Testimony:

1. Town Manager Scott Murphy read the police report of the bite. Lynda Brown was bitten in the left leg by the Roemmelt's dog Brutus, a Chihuahua, on April 18, 2012. Brown was walking in Brown Road by the Roemmelt house when the dog came up behind her and bit her. There was a previous bite by this dog in February 2012 on the Roemmelt's property. The dog Brutus is licensed and has a current rabies vaccination.
2. Donna Roemmelt said they acquired Brutus as a foster dog from the Humane Society. He was from a group of about 40 dogs that were rescued after being found to have had no human contact other than food. He has made socialization progress since they got him, but still has issues because of his upbringing. They were advised by the Humane Society that because of the way he was raised and his age, there was not much they could do except restrain him.

The previous incident occurred when a stranger drove into their yard and got out of a car.

Roemmelt said that they now tie him up in the back and they have purchased a muzzle. Brutus plays well with their other dog and is fine with Mr. and Mrs. Roemmelt. She said they are attached to the dog and want to keep him.

3. Steven Brown said his wife did not come today because she is home and still not feeling well. He said they just want to make sure this does not happen again. Many people walk on the road now and there will be more when warmer weather comes.

He said that the Health Center would not see Lynda on April 18, 2012, the day of the bite, so she went to her own doctor on Thursday, April 19, 2012. On Saturday, April 21, 2012 the bite seemed to be worse and she went to the emergency room. The wound was infected and she subsequently went to a surgeon who cleaned out the wound, removing an abscess and put her on antibiotics. She may have to have plastic surgery later as there was a lot of skin damage. She is now elevating and icing the leg.

There being no further testimony, Consolino closed the hearing.

Discussion and vote:

Murphy gave the board a memo from Police Chief Joseph Szarejko with his recommendations.

The Board discussed the testimony and the consensus was that the dog needs to be confined for the good of the public. There was some discussion of the wording of the order the board will issue. The board asked Murphy to look into whether the correct fine was assessed.

Haughwout moved and Streeter seconded that an order be sent by certified mail to Donna Roemmelt as follows:

- The Town Manager, or representative, or Wilmington Police Department will arrange periodic visits to the confinement site to assess whether confinement conditions are being kept.
- If Donna Roemmelt refuses to accept the conditions set forth in this decision and/or disregards the conditions as to the confinement of the dog and allowance of town access to assess confinement conditions, then the Selectboard shall take any appropriate step as authorized in State Statute, Regulation, Rule or town ordinance to protect the public.
- Donna Roemmelt will be requested to sign a copy of this letter acknowledging receipt and acceptance of these conditions.
- After review of the complaint and investigation, the Wilmington Selectboard also ORDERED that to provide for the protection of persons the dog named Brutus shall always be either confined, on a leash or within the premises of your home. When outside your house the dog shall be confined in an appropriate fenced area like a pen or a chain link fence. At all times when the dog is outside of the premises of your home and not within the fenced area the dog shall be on a leash. At no time may the dog be running at-large. Signs, such as "Beware of Dog", must be put up on the fence of the confined area. This order commences immediately. Furthermore, The Town Manager, or representative, or Wilmington Police Department will arrange periodic visits to the confinement site to assess whether confinement conditions are being kept. Any violation of this order, including not allowing the town access to assess confinement conditions, will result in the dog being impounded under the impoundment procedures in the Wilmington Animal Control Ordinance of 2010. The town reserves the right under statute and town ordinance that if this order is not followed exactly as prescribed to have the dog named Brutus humanely destroyed.
- The Selectboard further ORDERS that all outstanding fines be paid.

The meeting adjourned at 5:36 pm.

Respectfully submitted,

Mary Towne, Administrative Assistant

Approved by Wilmington Selectboard:

Thomas P. Consolino, Chair

Margaret L. Streeter, Vice Chair

Diane Chapman, Clerk

Susan Joy Haughwout

James R. Burke