

CITY OF RUTLAND, VERMONT
Board of Animal Control Minutes
Tuesday, July 11, 2023

Members present; Sean Sargeant, Peg Flory, Luther Brown, Carrie Savage and Joe Barbagallo. Also present, Animal Control Officer Jones, City Clerk Kapusta, and Attorney LaChance

Chair Sargeant called the meeting to order at 5:30 PM and noted that the Board was here for the continuation of the hearing from June 20, 2023, to hear a vicious dog complaint from Animal Control Officer (ACO) Jones, who investigated an incident on May 11, 2023, with a Retriever Lab mix named Ziggy, owned by Aaron Alden (respondent). City Clerk Kapusta confirmed that notices were sent by First Class mail on June 21, 2023. As a precaution, on July 7, 2023, ACO Jones and City Clerk Kapusta called and spoke with both Mr. Galiano and Mr. Alden to ensure that both parties were notified of the Vicious Dog Hearing scheduled for July 11, 2023. Chair Sargeant introduced all members and participants present. Chair Sargeant asked if there were any conflicts or ex-parte communications from the Board. Seeing none, Chair Sargeant asked City Clerk Kapusta to swear in anyone giving testimony or evidence. ACO Jones, Mr. Galiano and Mr. Alden were sworn in.

ACO Jones read the Vicious Dog Complaint form and brief history of the attack that occurred on May 11, 2023. ACO Jones presented evidence including sworn statements, medical patient summary, and police reports. ACO Jones presented his evidence and reviewed the documents prior to submitting them to the Chair. Chair Sargeant noted the documents and placed them into evidence. On the date of the attack Mr. Alden's dog was not registered with the City. Mr. Alden's dog did get registered on June 9, 2023.

Mr. Galiano was asked to comment on the incident and gave verbal testimony of the incident. Mr. Galiano and his grandson were working on a fence in their backyard. The grandson went on the outside of the fence to hold a board so Mr. Galiano could repair damage to the fence. While the grandson was on the side of the fence that faces Mr. Alden's house, Ziggy who was on a runner but was able to reach the grandson and bite him on his backside. Mr. Alden was outside at the time of the incident and even tried to hold back Ziggy by pulling on the runner. Ziggy was still able to pull away and that was when he bit the grandson. The grandson ran to the front of the house yelling to his grandfather, Mr. Galiano that he had been bit. Mr. Galiano stated that he asked Mr. Alden if Ziggy was up to date on his rabies before rushing his grandson to the emergency room. On Friday, May 12th Mr. Galiano called and let a message with ACO Jones about the incident.

Mr. Alden was asked to comment on the incident and gave verbal testimony of the incident. Mr. Alden stated that his dog Ziggy is a rescue dog and that he has always been skittish around children. He went on to state that he did try to hold back Ziggy when he started to run toward the grandson, but was unable to hold the runner, it slipped right through his hands. Mr. Alden stated that even when his daughter comes to visit him, Ziggy is skittish. Mr. Alden previously had tried some training with Ziggy and started back up with training after this incident. Mr. Alden stated that Ziggy had been through a lot and most recently survived a fire at a previous residence. Mr. Alden said that he tried to remove the stake that holds the runner and move it so when the dog is out he wouldn't reach the Galiano's property, but the stake wouldn't move.

There was a brief Q & A with Mr. Galiano and Mr. Alden and the Board.

At this point, Chair Sargeant offered all evidence presented, to City Clerk Kapusta.

With no further questions from the Board, testimony or evidence from either party, the Board concluded the open meeting session at 6:02 PM.

At 6:03 PM the Board moved into deliberative session. At 6:18 PM the Board adjourned.

Respectfully submitted,
Tracy L. Kapusta
City Clerk of the Board of Animal Control