

CITY OF RUTLAND, VERMONT
Board of Animal Control Minutes
Thursday, February 2, 2017

Members present; Vanessa Robertson, Sean Sergeant and Dr. Luther Brown. Also present, ACO Jones, Sergeant Sheldon, Chief Kilcullen, Clerk Heck, Bob Kelley, Lissa Stratton, Matt Hart, Attorney for Bob Kelley, Shannon Lamb, Attorney for Lucy Tenenbaum, Lucy Tenenbaum and Phil Tenenbaum.

At 5:00 PM Chair Sergeant called the meeting to order.

Chair Sergeant read the details of the complaint requested by ACO Jones. Chair Sergeant then explained the process to the hearing and asked anyone giving evidence to rise and be sworn in by the Clerk. Clerk Heck administered the oath.

ACO Jones entered into evidence a folder of documents including the vicious dog complaint form, sworn statements from himself, Mrs. Tenenbaum and Mr. Kelley, Police records, Medical Records from the Rutland Regional Medical Center and numerous photos of the wound. Copies were provided to all interested parties. Attorney Matt Hart asked who took the photos and when.

ACO Jones then provided a brief overview and review of the incident from December 24, 2016. ACO Jones noted he was contacted by Health Officer Mike Brookman on December 27, 2016 reporting a dog bite. Mr. Brookman noted that the victim was Lucy Tenenbaum and the owner of the dog was Bob Kelley. ACO Jones then provided a detailed timeline of the incident. Upon ACO Jones completion of his testimony there were several questions from the Board and Attorney Hart.

Chair Sergeant then asked Lucy Tenenbaum to give her testimony. Mrs. Tenenbaum gave a detailed review of the incident, including exiting her vehicle, the attack of the dog, verbal conversation with Mr. Kelley and her experience at the emergency room. There were no questions for Mrs. Tenenbaum.

Chair Sergeant then asked the defendant to present his evidence. Attorney Hart noted there would be no evidence/discussion. The Board and Attorney Hart had a discussion over the Chain/Lead used to secure the dog the night of the incident.

Chair Sergeant asked if there was any other debate or questions, Attorney Hart replied no. Mrs. Tenenbaum asked to speak and stated since the incident she is terrified of dogs and it is affecting her business as a piano tuner, because she must visit homes that have dogs and it is very difficult for her to cope with them.

Attorney Hart did have one follow up question for ACO Jones and asked if Mrs. Tenenbaum pants had any holes or deformities from the bite. ACO Jones stated he did not see any holes or tears.

Chair Sergeant then asked for a motion to move into deliberative session. Alderwomen Robertson seconded. **Motion passed.**

At 5:27 PM the Animal Control Board moved into deliberative session.

Respectfully submitted,

Henry A. Heck
Rutland City Clerk
Clerk of the Board of Animal Control