

**CITY OF RUTLAND, VERMONT**  
**Board of Animal Control Minutes**  
**Thursday, November 20, 2018**

Members present; Sean Sargeant, Chris Siliski, William Notte and Lisa Ryan. Also present, Attorney Charles Romeo, ACO Jones, Sargeant Sheldon, Chief Kilcullen, Bette Parker, Misty Klementowski, Deborah Roy and City Clerk Heck.

Chair Sargeant called the meeting to order at 6:05 PM and introduced all members and participants present. Chair Sargeant presented Clerk Heck with an appointment naming Chris Siliski to the Animal Control Board.

Chair Sargeant then started the hearing entering the warning into evidence. Chair Sargeant then introduced the members of the Board and then read the complaint filed by ACO Jones. Chair Sargeant placed the official complaint form into evidence.

Chair Sargeant asked Clerk Heck to swear in anyone giving testimony or evidence.

Chair Sargeant noted that the Board was asked to hear a vicious dog complaint from ACO Jones who investigated an incident with a dog named Lola, owned by Misty Klementowski and a dog named Nora, owned by Deb Roy and Dee Bort.

ACO Tim Jones was the first to testify. Prior to his statement, Chair Sargeant noted that Ms. Klementowski was employed by the City and did her employment have any bearing on his investigation. ACO Jones replied no to the Chairs' question. ACO Jones provided several documents including signed statements from Deborah Roy and Misty Klementowski along with several other documents. All documents were entered in evidence and marked ACB 1 – ACB 5, totaling 11 pages.

Chair Sargeant then asked Deborah Roy if she would like to speak. Ms. Roy noted she was walking her dog and was in front of her house entering her driveway when she heard Lola barking and saw her running towards them. At first Ms. Roy stated that she thought the dog would stop, being tethered, but then noticed she was not. Ms. Roy noted she tried to protect her dog and got in-between her dog and Lola. Ms. Roy spoke on how Lola tried to get to her dog and noted she called out for help while keeping Lola from Nora. Dee Bort spoke as co-owner of the dog but was not sworn in.

Chair Sargeant asked if there was any other evidence or statements from the complaintive. Seeing none, he asked the Board if they had any other questions, seeing none again, Chair Sargeant asked to hear from the respondent.

Misty Klementowski asked if everyone knew of the first incident involving her dog Lola, then stated that some folks in her neighborhood shared concerns about Lola. Not wanting her neighbors to be fearful of Lola and after some suggestions on reinforcing her lead, Ms. Klementowski placed some chain-link around her tether for better support. Upon investigating the tether, she found the chain-link had broke. What was supposed to help, had actually caused the problem. Ms. Klementowski stated that she has gone back to her old system, as for nine years it kept Lola confined. The Board asked several questions of Ms. Klementowski, specifically about keeping her dog restrained and the public safe.

Upon the completion of her testimony, Chair Sargeant asked if the complaintive had any further questions. Ms. Roy did ask about timelines on when action requested/ordered by the Board needed to be completed. (Fence). Chair Sargeant noted that ACO Jones was trained in those specifics and would be relied on for those answers/enforcement. Attorney Romeo noted issuance for the muzzle.

With no further debate, Chair Sargeant sought to move into deliberative session, (Sargeant, Ryan).  
**Motion passed.**

At 6:25 PM the Board moved into deliberative session.

Respectfully submitted,

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