

**TOWN OF CHARLOTTE
SELECTBOARD MEETINGS
JANUARY 22, 2008
HEARING
Dog Complaint—Claflin Farms Development**

APPROVED

MEMBERS PRESENT: Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone, Frank Thornton.

OTHERS: Carol Miklos, Denis Biron, Lori Bottom, David Tanzer, Ken Cartularo, Yvonne Heininger, Barbara Boyd, Tim Smith, Ashlee Sage, Larry Meir, Bonnie Christie, John Hammer (Charlotte News).

CALL TO ORDER

Charles Russell called the meeting to order at 7:00 p.m. and began the hearing by reading relevant portions of State Statute T.20 §3546 Investigation of vicious pets or wolf-hybrids; order.

DISCUSSION

(Written comments and documentation of a 12/23/07 dog bite incident were submitted to the Selectboard at its meeting on January 14, 2008.)

Carol Miklos spoke of her duty to report the dog incident and injury to herself and her dog.

Neighbors described experiences that have occurred over the past several years with dogs owned by Ken and Julie Cartularo, and expressed concern over the dog bite incident involving the two Cartularo dogs on December 23. Concerns included safety for children in the area, a history of aggressive behavior by the two dogs, inability of the Cartularos to control the dogs and keep them on their property, nuisance behaviors including barking, and ineffectiveness of the Town dog ordinance. Suggestions were made to improve the ordinance, such as rather than previous incidents not being considered after one year, cumulative violations be considered; and different penalties for different types of incidents.

Several neighbors felt there was an appropriate solution other than destroying the dogs or removing the dogs from the neighborhood, and suggested options—a fenced run with fence high enough to keep dogs in and surrounded by electronic/“invisible” fence, imposing a fine, determining what action the Town should take if there is another incident with the Cartularo dogs, and stronger containment measures than an invisible fence.

While some neighbors described the dogs as “vicious” Ken Cartularo argued that dogs are not vicious. He stated that the invisible fence is 98% effective—dogs stay contained when collars are on. The system has a back-up alarm and he keeps extra batteries. The dogs are currently being kept in a pen in the garage when not supervised.

Concern was expressed that 98% effectiveness was not enough. There was further discussion about whether the Cartularos would consider a fenced area or pen. It was suggested that a fence should be 5 ft. high and buried to about 1 ft. to keep the dogs from digging under or jumping over. Ken Cartularo stated he was opposed to a physical fence. He described to the Selectboard

how he would install a second dog run, and said that he and Julie are considering dog “daycare” and herbal medication to calm the dogs.

Yvonne Heininger stated that she felt better when the Ken and Julie Cartularo are home, and suggested not letting the dogs out when they are not there. Ken said that the Jack Russell terrier is the issue. Winslow Ladue asked about the use of a muzzle, but Ken felt this was not humane.

Several other methods of controlling the dogs were discussed. Bonnie Christie spoke of responsibility—that the dogs are the responsibility of the owner. It was suggested that adult supervision was important since more problems occur when the Cartularo sons are at home alone.

Concern was expressed over the response of the Dog Warden to the December 23 incident.

Someone spoke of the importance of having an electronic fence installed by a professional installer. Ken Cartularo stated that he installed this fence.

Larry Meir suggested that the dogs be kept on two high quality runs, the electronic collars be used while on the runs, the electronic fence be checked by an expert, and when there is no adult supervision the dogs be kept in the garage.

Ed Stone proposed that the dogs be controlled as they have been since the December 23 incident, and that the Town review the status of the situation with neighbors every 30 days.

Ken described what is being done now to controls the dogs. Dogs are kept in vehicle, in a pen or on a run (one at a time). When returning home the dog collars go on.

Concern was expressed over whether this approach would work in summer weather and if this arrangement allowed enough exercise for energetic dogs.

Some neighbors were reassured by actions the Cartularos have already taken, and offered further suggestions to improve communication.

David Tanzer said that some folks in the neighborhood are not satisfied with middle ground, and would only feel safe if the dogs were removed from the neighborhood.

Charles Russell stated that the Board would deliberate and provide a response in writing.

8:34 Frank made a motion to go into executive session to discuss the dog issue. Jenny seconded the motion. Motion carried.

9:14 A motion was passed to come out of executive session. The Board agreed to draft a stipulation and have it reviewed by Town attorney.

The meeting was adjourned.

Respectfully submitted, Jenny Cole