

**Town of Proctor**  
**Vicious Dog Hearings Minutes**  
**Draft**  
**February 13, 2017**  
**5:30 P.M. – 9:00 P.M.**

Board Members Present:

Bruce Baccei, Chair  
Bill Champine  
John Jozwiak  
Joe Manning  
John Corliss

Employees Present:

Stan Wilbur, Town Manager

Others Present:

Traces Pockett  
Craig Pockett  
Barry Denton  
Leah Denton  
Meranda Bessette  
Melissa Bessette  
Kate Kennedy

**I. Call to Order**

The hearing was called to order at 5:30 p.m.

**II. Approve Agenda**

No changes to the agenda

**III. Vicious Dog Hearings**

Bruce Baccei outlined the procedures the hearing would follow. 1) Statement of the Complainant, 2) Review of Investigation, 3) Statement from Defendant, 4) Statement from Public. 5) Deliberative Session and 6) Statement of Finding/Issuance of Orders.

**1. Denton (Cooper)**

The complainant was not present.

Deputy Sheriff Lema Carter's incident report was read for the record.

Dog owner Barry Denton, described the events that took place on January 22, 2017. Mr. Denton feed his three dogs and at 7:00 am took Cooper for a walk along the sidewalk over to the garage. Cooper was on a retractable leash. His neighbor, Eric Hanson, came through the school parking lot. Mr. Hanson was going skiing with his kids and wife. Mr. Denton had been

picking up acorns and had trouble getting up. Mr. Hanson came about 5 feet toward Mr. Denton's property. Mr. Denton couldn't recall if Mr. Hanson encouraged Cooper to jump up. Meals on Wheels deliver to the house. Mr. Denton leaves a note on the door to just come in. Cooper and the other dogs know them. They all come to the house and pet the dogs. Cooper is protective of Mr. Denton. Cooper didn't know Mr. Hanson well. Mr. Denton held Cooper tightly on the leash but Cooper jumped on Mr. Hanson and bit him. Mr. Hanson's commented that it was not that bad. They left to go skiing. Mr. Denton took Cooper over to the house and told his wife Copper had bit Mr. Hanson on the hand. Mr. Denton went for a nap. Officer Carter came to investigate the incident. Cooper is registered, his shots are up to date and he was on a leash when the incident occurred.

There was no other information from the public.

Bill Champine asked if Cooper had ever bitten anyone. Mr. Denton understood Cooper had bitten another person.

John Jozwiak asked where it happened. Mr. Denton answered at the garage. Cooper drew the leash out full length and was 4 feet on to the asphalt parking lot. John Jozwiak asked if Cooper gets excited when people are around. Mr. Denton said that he used to tie the dogs to trees and has shortened up the chain. The dogs are upstairs on the deck until the kids gone to school.

A deliberative session will be later tonight.

## 2. Pockett (Unnamed Dog)

Complainant Meranda Bessette referenced her letter which described the event. The dog Zim that was killed was her son's dog. All they are asking for is the cost of cremation (\$155) be paid for. She was not home when it happened. Neighbors gave description of the dog that went after her dog. Josh Zsido was at home when it happened, He could not attend tonight's hearing.

Sargent Cross's investigation report was accepted.

Mr. Pockett said they would take responsibility if it was proved. His dog is white with black around both eyes. There was no blood on his dog. His dog played with small dogs. There were no witnesses to the event. He doesn't believe his dog did it.

John Jozwiak asked if Mr. Pockett lived in the white house on the corner. Mr. Pockett replied, yes. John Jozwiak asked about the \$155 cost for cremation.

Kate Kennedy, a pitbull owner, testified about the characteristic of pitbulls. She had looked at the photos taken at the site. A pitbull will shake another dog first. She didn't think the dog died from this pitbull. Ms. Kennedy has dogs that match the description and is here to defend her dogs. There are other white pitbulls on Cain Street.

No questions from Selectboard members.

A deliberative session will be later tonight.

The hearings were recessed until after the regular Selectboard meeting.  
The hearing was reconvened at 8:40 p.m. and the Board went into deliberative session.

The Board came out of deliberative session at 9:00 and asked that written findings and order be prepared for a special meeting on Wednesday, February 15, 2017 at 7:00 p.m.

**IV. Adjourn**

Bill Champine made the motion at 9:00 p.m. to adjourn the February 13, 2017 special Selectboard meeting. The motion was seconded by Joe Manning and unanimously approved.