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City of Amesbury
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62 Friend St.
Amesbury, MA 01913

City Council Special Meeting Minutes
August 13, 2024
7:00 PM

President Scott Mandeville called the meeting to order at 7:03 PM

Roll call was taken, and present were Councilor Anthony Rinaldi, Councilor Nicholas Wheeler, Councilor Owen Corcoran, Councilor Claudel Frederique, Councilor Michael Hogg.

Also present: City Clerk Jennifer Smith, Assistant City Clerk Jess Manning, Attorney Matthew Skydel – KP Law

Councilors Pamela Gilday, Steve Stanganelli, and Jessica Redfern were absent

Public Hearing

2024-104 Dangerous Dog Hearing – dog located at 2 Hillside Ave.

President Scott Mandeville called for a brief recess at 7:05 PM, returning at 7:12 PM.

President Scott Mandeville opened the public hearing at 7:12 PM

- Timothy Ryan: 15 Wells Ave - Spoke in favor of the dog at 2 Hillside Ave. He has regular interactions with the dog, and never had an issue.
- Steve Bateman: 74 Forest Rd - Spoke in favor of the dog at 2 Hillside Ave. As someone who works with animals at Wash and Wags, he has worked with the dog since April 21, 2024, and never had an issue.
- Deb Rogers-Thornton: 71 Rogers St – Spoke in favor of the dog at 2 Hillside Ave. She has known the dog his whole life, and he has not shown any signs of aggression.
- Spence Shephard: 19 Emery Street – Spoke in favor of the dog at 2 Hillside Ave. He has been a dog trainer for 36 years and has never seen signs of aggression from the dog in question.

President Scott Mandeville closed public hearing at 7:22 PM

President Mandeville read Animal Control Officer's report from Steve Maher, as well as the reports from the two incidents on 7/7/2024 and 7/24/2024.

President Mandeville called up Matthew Sollazzo.

- Mr. Solazzo gave his testimony on the events of July 7 and July 23. After the first incident, he received 5 stitches and his dog, Duke, received 7 stitches. As a result of the attack, Mr. Solazzo was unable to work on July 8 and July 9. Mr. Solazzo spoke with Rose Rogers a few days later,

who reportedly covered Mr. Solazzo's expenses. Mr. Solazzo asked Ms. Rogers to muzzle the dog but she was seen later walking him with no muzzle.

- Rose Rogers gave her testimony on the incident. Started walking T-Bone early and late at night.
- Councilor Corcoran pointed out that the ACO/Police report only ordered to muzzle the dog for 10 days, and that it would have expired by the second incident on 7/24.
- Councilor Wheeler spoke of the difficult, personal nature of the case, and requested that the relevant materials be given to the City Council earlier. Councilor Wheeler reminded the audience that it is the City Council's duty to come to a decision based on the evidence provided tonight. Councilor Wheeler took issue with the recommendation proposed by ACO, questioning if the City Council has the power to mandate permanent muzzle ordinance.
- Attorney Matthew Skydel summarized what the City Council has the power to mandate, noting the differences between a nuisance dog and a dangerous dog.
- Councilor Corcoran sought clarification as to the agreement from both parties regarding leasing and muzzling.
- Councilor Wheeler asked Ms. Rogers if she is opposed to muzzling her dog. Ms. Rogers answered that she is opposed.

Motion: Councilor Nicholas Wheeler made a motion to adopt the Animal Control Officer's recommendation. The motion was seconded by Councilor Claudel Frederique

- Councilor Hogg asked Attorney Skydel if there are automatically imposed ramifications if there is another incident? Mr. Solazzo replied that nothing would be automatic and would require another Dangerous Dog Hearing.
- President Mandeville asked Attorney Skydel if it is within the City Council's purview to put a time limit on the muzzle clause? Mr. Solazzo replied that it would be reasonable to specify a length of time.
- Councilor Wheeler asked Attorney Skydel if it would be acceptable to strike the reference to the City Charter in item #2 of the ACO recommendation. Atty. Skydel confirmed that it would still be acceptable.
- Councilor Corcoran asked if there is any part of the property that is fenced in? Spence Shephard – speaking for Ms. Rogers – answered that there is an invisible fence.
- Attorney Skydel mentioned that invisible fences are not mentioned in state statutes.
- Councilor Wheeler asked Mr. Solazzo if his dog Duke was neutered. Mr. Solazzo replied that Duke is not neutered, and claimed that no physical fence is on the property at 2 Hillside Ave.

Councilor Nicholas Wheeler offered a motion to amend the main motion by striking “in accordance with Ch. 204-10” in item 2, and adding, “when outside any physically enclosed space,” after, “able to access public property.” The amendment was seconded by Councilor Michael Hogg and passed 5-0 with Councilor Owen Corcoran abstaining.

A vote was held on the main motion, as amended. The motion passed 5-0 with Councilor Corcoran abstaining.

Councilor Nicholas Wheeler made a motion to adjourn the meeting at 8:15 PM. The motion was seconded by Councilor Owen Corcoran and passed unanimously (6-0).

Addendum N

Public Comment / Public Hearing Speaker's Request Form

In order to be recognized to speak on any matter you must complete all sections of this form.

Name: Tim Ryan

Address: 15 Wells Ave

City: Amesbury State _____ Zip _____

Home Phone () _____

Matter(s) on which you would like to speak: Animal Control

Please disclose any relationship as well as any direct or indirect financial interest you or a family member, may have with this matter:

Animal control in the
city

I have read and understand the rules of decorum printed on the reverse of this form.

Signature: [Signature] Date: 8-13-24

Addendum N

Public Comment / Public Hearing Speaker's Request Form

In order to be recognized to speak on any matter you must complete all sections of this form.

Name: Steve Bateman

Address: 74 Forest Rd

City: SALISBURY State MA. Zip 01452

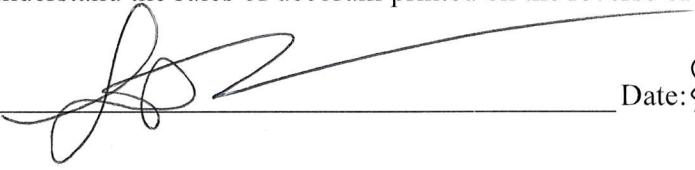
Home Phone (978) 463-4900

Matter(s) on which you would like to speak: T-bone Discussion

Please disclose any relationship as well as any direct or indirect financial interest you or a family member, may have with this matter:

Paul & Rose are customers of
my dog grooming business.

I have read and understand the rules of decorum printed on the reverse of this form.

Signature:  Date: 8-13-2024

Addendum N

Public Comment / Public Hearing Speaker's Request Form

In order to be recognized to speak on any matter you must complete all sections of this form.

Name: Deb Rogers-Thornton

Address: 71 Rogers St

City: West Newbury State MA Zip 01985

Home Phone () _____

Matter(s) on which you would like to speak: Dangerous Dog

Please disclose any relationship as well as any direct or indirect financial interest you or a family member, may have with this matter:

Not a family member. I work at
Rogers Funeral Home

I have read and understand the rules of decorum printed on the reverse of this form.

Signature: Deb Rogers-Thornton Date: 8/13/24

Addendum N

Public Comment / Public Hearing Speaker's Request Form

In order to be recognized to speak on any matter you must complete all sections of this form.

Name: Spence Shepard
Address: 19 Emery St.
City: Merrimac State Ma Zip 01960
Home Phone (978) 618-2524

Matter(s) on which you would like to speak: T-Bone (dog.)

Please disclose any relationship as well as any direct or indirect financial interest you or a family member, may have with this matter:

Dog trainer, friend

I have read and understand the rules of decorum printed on the reverse of this form.

Signature: [Signature] Date: 8/13/24