

BOARD OF HEALTH SPECIAL MEETING

MINUTES

**The Watertown Board of Health has scheduled a REMOTE ZOOM meeting on
Tuesday, September 29, 2020 at 7:00 pm**

PRESENT: Dr. John Straus, Chairperson and Dr. Barbara Beck, Secretary; Richard Arnold, Board Member.

GUEST PRESENT: Kimberly Baker, Michelle Spodek, Dianne Murphy, Anthony DiGiovanni

STAFF: Larry Ramdin, Director of Public Health, Karen O'Reilly ACO, Maureen Foley, Head Clerk

CALL TO ORDER: Dr. Straus called the meeting to order 7:00 pm

Dangerous Dog:

The Board was informed by Larry Ramdin Director of Public Health that the Dangerous Dog hearing was requested by Karen O'Reilly, Animal Control Officer pursuant to MGL Chap 140 s. 157 to deem Jake, dog owned by Kimberly Baker a dangerous dog.

Karen O'Reilly, Animal Control Officer stated the dog has had 3 incidents of biting in the last year. Ms. O'Reilly, ACO reviewed each incident and the injuries incurred related to Jake, a pit bull mix. Ms. O'Reilly reviewed the municipal ordinance and the Commonwealth's ordinance and the definition of a Dangerous Dog. Additionally, Ms. O'Reilly issued a muzzle order for Jake after the second bite incident.

The owner, Kimberly Baker admitted to not complying with the muzzle order. The owner of Jake has not taken control of Jake as described by the ordinances.

Karen O'Reilly stated a scratch or bite has the same ramifications in terms of risk and quarantine.

Board of Health heard from witnesses, Karen O'Reilly, Kimberly Baker, Michelle Spodek. Ms. Spodek indicated that she was the victim of an unprovoked attack by Jake. Additionally, Ms. Baker gave her a false name.

Richard Arnold made the motion to deem Jake a Dangerous Dog. Barbara Beck 2nd the motion. The Board discussed the matter and voted 3-0 to deem Jake a Dangerous dog.

Richard Arnold, motioned to accept Kimberly Baker will abide by Article 157 A4 Sec 2, 3, 4. Second Barbara Beck

(ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides

thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;

(iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;

(iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance;

The Board of Health further determined conditions to be met by the owner within 48 hours, except that the owner shall obtain insurance within one week. Insurance must be in force as long as Jake is a resident of Watertown. If there is a single non-compliance, the dog will be seized and euthanized.

The dog must not engage with people

If the owner does not comply with the order of the Board the dog may be seized and possible euthanized.

The Order is effective immediately.

Adjourn: Meeting adjourned at 8:14p.m.

Respectfully submitted: Larry Ramdin, Director of Public Health