

1 **TOWN OF WAITSFIELD, VERMONT**

2 **Selectboard Meeting Minutes**

3 **Thursday, November 2, 2023**

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5 **I. Call to Order:** The meeting was called to order at 6:30 pm by Christine Sullivan. The meeting  
6 was held in person at the Town Office building and remotely via Zoom.

7 Members Present: Chach Curtis, Brian Shupe, Christine Sullivan

8 Staff Present: Annie Decker-Dell'Isola, Town Administrator; Fred Messer, Animal Control Officer

9 Others Present: Dan Burchard (representing Federica and Sylvia Hoffman), Sam Carten, Luke  
10 Catlin, Brooke Cunningham, Anna Del Rosal, Emmon Foxx, Susie Goodman, Kathy Haskell,  
11 Federica Hoffman, Steve Maxwell, Kathy Mehuron, Ryan Reigler, Stephanie Reigler, Brigitte  
12 Ritchie, Erica Stroem, Karen Stroem, Lyndon Virkler, and Sally VonTrapp

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14 **II. Regular Business.**

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16 **1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).**

17 No changes were made to the agenda.

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19 **2. Public Forum.**

20 Nobody requested time to address the Board.

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22 **3. Hearing to Consider Potential Violations of the Dog Ordinance.**

23 Ms. Decker-Dell'Isola provided a summary of the matter before the Board, outlining that it  
24 needs to be determined whether two dogs owned by Sylvia and Federica Hoffman have  
25 violated the following sections of Waitsfield's Dog Ordinance:

- 26 • Section 6: Regarding dogs running at large
- 27 • Section 8: Regarding vicious and potentially vicious dogs
- 28 • Section 13: Regarding nuisances

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30 She explained that this hearing resulted from a complaint received after an event which  
31 occurred on Thursday, October 26. The complaint was filed by Brigitte Ritchie, who reported  
32 that she was approached by both dogs while riding her bicycle on East Road, and was  
33 subsequently bitten by one of the two dogs.

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35 The order of the procedure was outlined. It was noted that Mr. Messer was recusing himself  
36 from the hearing in his position as Selectboard member, but was participating as the Town's  
37 Animal Control Officer. Ms. Sullivan noted that an email related to the matter had recently  
38 been received by the Board, and so had not yet been reviewed. She explained that the Board  
39 would likely enter Executive Session to discuss what was presented during the hearing and in  
40 email correspondence.

41  
42 Ms. Ritchie then outlined the events of October 26, explaining that she was riding her bike on  
43 East Road when she noticed two dogs in the road, one of which approached her. She told that  
44 dog to 'go home,' after which the other dog approached and bit her twice. She stopped, and a  
45 person driving by also stopped, and advised her to get off her bike and walk down the hill,  
46 noting that this type of situation had occurred previously with these dogs. She called Mr.  
47 Messer, who came to East Road to discuss the issue with her.

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49 Ms. Hoffman spoke next, reiterating comments she had provided in a letter to the Board. She  
50 expressed apologies to Ms. Ritchie from both her and her mother, and acknowledged that the  
51 dogs should not have been out of their fenced area. She indicated that steps had been taken  
52 previously to contain the dogs, and that this had been successful for about a year and a half.  
53 Ms. Hoffman also explained that the day after this incident there was a contractor at her  
54 property working to reinforce the fence. The family is also opting to keep one of the dogs,  
55 Nana, muzzled. Currently the dogs are not being allowed to run in the fenced area, as the  
56 Hoffmans are consulting with animal containment services to determine if the current fence is  
57 sufficient to contain the dogs. Ms. Hoffman also noted that she is open to suggestions from the  
58 Town regarding other measures.

59

60 Board members had no questions at this point in the hearing, although Mr. Curtis did confirm  
61 that if speaking as neighbor he should do so in open session.

62

63 The following people provided comments:

- 64 • Stephanie and Ryan Riegler
  - 65 ○ Their small children are afraid to play in the yard
  - 66 ○ Understand the owners have worked to contain the dogs, but nothing seems to
  - 67 have worked
  - 68 ○ Have seen the dogs loose eight times recently, including after Brigitte was bitten
  - 69 ○ They are both very large dogs
- 70 • Anna Del Rosal and Steve Maxwell
  - 71 ○ The dogs take aggressive stances
  - 72 ○ The dogs have been loose and entered the Del Rosal/Maxwell property
  - 73 ○ The dogs have pursued them through the woods in a predatory pattern
  - 74 ○ They fear for the safety of their dog
- 75 • Kathy Mehuron
  - 76 ○ The dogs have scared her many times
  - 77 ○ Concerned about the children playing in the area
- 78 • Brooke Cunningham
  - 79 ○ Dogs are a breed bred for defense, need owners who understand how to work
  - 80 with their nature
  - 81 ○ Problems have been ongoing for five years
  - 82 ○ Worried about children and general neighborhood safety
- 83 • Emmon Foxx
  - 84 ○ Has seen the dogs attack cyclists
  - 85 ○ Described interaction with the dogs where he needed to protect his child
  - 86 ○ Feels the dogs are a serious safety risk
- 87 • Kathy Haskell
  - 88 ○ Would drive her kids past the area where the dogs were often loose rather than
  - 89 letting them walk
- 90 • Erica Stroem
  - 91 ○ The dogs visit her property to play with her dogs
  - 92 ○ No problems with them, but is aware that others have problems
  - 93 ○ Would like to know more about reports of biting
- 94 • Luke Catlin

- 95 ○ Has seen the dogs running at large several times
- 96 ○ Was charged by the dogs when walking his dog, his dog slipped leash and ran off
- 97 ○ Other experiences lead to his opinion that these are vicious dogs
- 98 ○ Concerns for area children
- 99 ● Sally VonTrapp
- 100 ○ Attacked by the dogs on October 21, 2020
- 101 ○ Suffered multiple puncture wounds and concussion
- 102 ● Susie Goodman
- 103 ○ Concerned about the situation
- 104 ○ Would like to know how Ms. Hoffman plans to move forward after hearing these
- 105 experiences
- 106 ● Federica Hoffman
- 107 ○ Distressed to hear that neighbors are fearful
- 108 ○ Reiterated that the dogs do have good interactions with other people and dogs
- 109 ○ Dogs have guardian instincts but are not attack dogs
- 110 ○ Safety is a concern
- 111 ○ Fencing will be strengthened
- 112 ○ The dog that bites will be muzzled
- 113 ○ Willing to introduce neighborhood people, children, and dogs to her dogs
- 114 ● Karen Stroem
- 115 ○ The dogs interact well with her dog
- 116 ○ They are bred to watch livestock, not attack
- 117 ● Chach Curtis
- 118 ○ Has had multiple interactions with the dogs and experienced no issues
- 119 ○ Believes that Ms. Hoffman and her mother have put in substantial effort to
- 120 alleviate concerns

121

122 Mr. Messer indicated that, due to large size of the two dogs (140 and 160 pounds), there are

123 limited ways in which he can address any future issues, and they are too large for him to handle

124 and transport.

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126 Ms. Ritchie offered that she believes management and containment of the two dogs is

127 important, and advised those present to not discount reports of bites, as there have been

128 several. She expressed that the dogs deserve a chance, but she is concerned for the safety

129 of area children.

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131 Ms. Sullivan closed the hearing.

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133 **4. Executive Session.**

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135 **MOTION:** *Mr. Shupe made a motion to enter Executive Session for the purpose of deliberations,*

136 *excluding Mr. Messer. The motion was seconded by Mr. Curtis. All voted in favor.*

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138 The meeting entered Executive Session at 8:00 pm and returned to open session at 8:32 pm.

139 **IV. Adjourn**

140 The meeting adjourned at xxx pm.

141 Respectfully submitted,

142 Carol Chamberlin, Recording Secretary