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**CITY OF ESSEX JUNCTION
CITY COUNCIL
SPECIAL MEETING
MINUTES OF MEETING
April 3, 2024**

COUNCILORS PRESENT: Raj Chawla, President; Amber Thibeault; Vice President; Marcus Certa, Clerk;

ADMINISTRATION: Regina Mahony, City Manager; Robert Kissinger, Essex Police Lieutenant; Elle Lenzini, Animal Control Officer; Joanne Nichols, Animal Control Officer.

OTHERS PRESENT: Jim Adkisson, Kevin Collins, Ethan Forskann, Tim Miller, Scott, 8435136014 (later identified as Jeremy Herrera).

1. **CALL TO ORDER**

Councilor Chawla called the meeting to order at 6:30 P.M.

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

None needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

None.

5. **VICIOUS DOG HEARING**

Councilor Chawla began by noting that this is related to a dog incident on March 28, with a dog and a person attacked and injuries sustained. He said that this occurred at roughly 9:29 PM and that officers at the Essex Police Department responded to an incident in Essex Junction related to an animal bite. He said that they determined that the dog involved in the incident was a pit bull, Dozer, owned by Jamie Blake. He said that Dozer attacked Mei Mei, a dog owned by Jeremy Herrera, and that Mr. Herrera also sustained minor hand lacerations and Mei Mei sustained puncture wounds to her left leg area. He said that both Mr. Herrera and his dog required medical attention. He noted that this is the second incident with Dozer, who was also the subject of a vicious dog hearing in January 2024.

Councilor Chawla noted that the owner of Dozer is not present tonight and that the Essex Police Department made several attempts via phone, text, and in-person to reach the owner of the dog, though they were unsuccessful.

Lieutenant Kissinger and Jeremy Herrera were sworn in by Councilor Chawla prior to giving testimony.

Mr. Herrera described the incident. He said that he was walking his dog around the yard and pool area of the Autumn Pond apartment complex at around 9:30 P.M. on the night in question, and that a dog suddenly ran toward him and his dog. He said that this dog then attacked Mei Mei unprovoked. He said that he jumped on the dog to try and pull it off his own dog, and that he was bitten on his left hand during this attempt. He said that he restrained the attacking dog until it let go of his own dog, at which time other individuals approached to try and assist. He said that the owner of the attacking dog was not present during the attack. He said that one of the bystanders held the attacking dog and called the police while he himself gathered his own dog and made arrangements to have Mei Mei taken back to his apartment while he dealt with Dozer. He said that while he sustained injuries, he did not need to go to

54 the hospital because the police confirmed that the attacking dog was up-to-date on its rabies
55 vaccinations. He said that his hand was bruised and swollen but did not require medical attention. He
56 said that his dog, Mei Mei, required medical attention because she sustained a significant bite wound to
57 her left rear leg, and that she was sedated, cleaned up, and given antibiotics.

58
59 City Manager Mahony asked whether the owner of Dozer arrived on the scene. Mr. Herrera replied that
60 the dog owner was not present and that the police took Dozer into custody. He said that he still has not
61 had contact with the owner.

62
63 Lieutenant Kissinger provided a summary of the police response to the incident. He noted that police
64 responded to a dog bite incident at 341 Autumn Pond at approximately 9:30 P.M. on March 28th. He
65 said that Mr. Herrera was walking his dog, who was attacked by Dozer, and that he physically separated
66 the dogs to prevent further attack. He said that officers recognized that Mr. Herrera had two small
67 lacerations on his right hand and Mei Mei sustained a puncture wound to her left hip area. He said that
68 Mr. Herrera was treated that night and Mei Mei received treatment the following day. He said that Dozer
69 also sustained injuries to his face. He said that Dozer was brought back to the Police Department, where
70 other officers recognized the dog from previous attacks and identified the owner as Jamie Blake. He
71 noted that Ms. Blake arrived at the Police Department at midnight to pick up Dozer and that she placed
72 Dozer in quarantine on March 29th, which will end on April 7th. He noted that the first incident involving
73 Dozer occurred on January 9th at 52 Old Colchester Road, where Dozer attacked Daisy, a dog who was
74 leashed and being walked by her owner. He said that as a result of the January 9th dog bite, the Council
75 held a dog bite hearing and found that Dozer engaged in an unprovoked attack on Daisy and that Daisy
76 and her owner both sustained injuries and that Dozer was found to be a potentially vicious dog. He said
77 that the Council ruled that Dozer's property was required to have fencing sufficient to secure the dog
78 (which it does), and that Dozer must be on a leash and muzzled when outside of the property, must
79 undergo a training to address aggressive behavior within 60 days, and that documentation of such was
80 required to be submitted. He said that because of this incident, the owner has violated the rulings of this
81 Council (the requirements that Dozer be leashed and that Dozer undergo certified training within 60
82 days of the January hearing's ruling). He said that this would be the second violation for Dozer and Ms.
83 Blake.

84
85 Councilor Certa asked whether there is any information about what transpired at Ms. Blake's property
86 that allowed Dozer to get out. Lieutenant Kissinger replied that they don't have a full narrative, but his
87 understanding from the officer that took statements was that Dozer was let out and got free from a
88 fenced-in area on the property. He said that is likely that the dog escaped through a door rather than
89 jumping over a fence. City Manager Mahony asked for a description of how the Police Department
90 attempted to reach out and make contact with Ms. Blake prior to this hearing. Lieutenant Kissinger
91 replied that they contacted the phone number on file for Ms. Blake but that she was unreachable on her
92 cell phone and a message could not be left. He also noted that an officer visited Ms. Blake's property
93 multiple times but was unable to reach her, and that they left the agenda for tonight's meeting at her
94 property and sent her the information regarding tonight's agenda and dog hearing via text message. He
95 said that they have not received a reply from Ms. Blake.

96
97 Councilor Thibeault asked about the disposition of Dozer when he was taken into custody after the
98 incident and brought back to the Police Department. Lieutenant Kissinger replied that Dozer is friendly
99 away from other domestic animals, but displays aggression when he is around other animals.

100
101 **Councilor Thibeault made a motion, seconded by Councilor Certa, to close the public hearing.**
102 **The motion passed 4-0.**

103

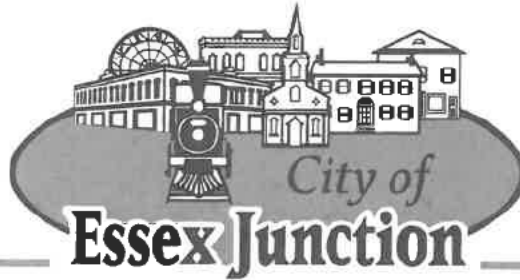
104 Councilor Certa asked why Dozer was released back into Ms. Blake’s custody for quarantining prior to
105 this hearing, knowing that the dog and its owner had violated previous Council rulings by getting free
106 and not being muzzled or leashed. Lieutenant Kissinger replied that the officer on duty followed
107 procedure for an initial dog bite violation, and that the officer likely did not realize that this was a second
108 offense. He noted that there had been some difficulties boarding Dozer when he had previously been
109 impounded, as the police facilities are not necessarily suited for this type of situation.

110
111 **Councilor Thibeault made a motion, seconded by Councilor Haney, to enter into a deliberative**
112 **session regarding this dog bite hearing. The motion passed 4-0.**

113
114
115 **6. ADJOURN**

116
117 **Councilor Chawla made a motion, seconded by Councilor Thibeault, to adjourn the meeting. The**
118 **motion passed 4-0 at 7:30 P.M.**

119
120 Respectfully Submitted,
121 Amy Coonradt



CITY COUNCIL ORDER

To: Jamie Blake
[REDACTED]
Essex Junction, VT 05452

This Order is issued after a hearing held in the City of Essex Junction on April 3, 2024, pursuant to Chapter 5 of the City of Essex Junction Municipal Code ("Code") and the provisions of Title 20 Section 3546, Vermont Statutes Annotated. Notice of the hearing was provided to Jamie Blake, an individual residing at [REDACTED], Essex Junction, Vermont, by voicemail, text messages on two numbers listed, and by hand at the property. Jamie Blake did not attend the hearing on April 3, 2024. The Council heard testimony from Jeremy Herrera, owner of MeiMei, and also from Lieutenant Kissinger of the Essex Police Department. Based upon evidence and testimony presented at the hearing, the City of Essex Junction City Council makes the following findings and rulings:

A. Findings.

1. Dozer is a dog owned, upon information and belief, by Jamie Blake (hereinafter also "Owner"), a resident of the City of Essex Junction.
2. Dozer was registered by Jamie Blake on January 19, 2024.
3. On January 9, 2024, Dozer engaged in an unprovoked dog attack of another dog owned by Amanda Sayles. at [REDACTED] in Essex Jct, VT.
4. During that attack, Dozer bit Daisy who sustained injuries.
5. Amanda Sayles sustained minor injuries for which she sought and received medical attention.
6. On January 24, 2024 the Essex Junction City Council issued an Order associated with the January 9, 2024 unprovoked dog bite incident, where Dozer was found to be a potentially vicious dog, as defined in Section 503(F) of the Code.
7. On March 28, 2024 at approximately 9:49pm, Dozer engaged in an unprovoked dog attack of another dog owned by Jeremy Herrera at [REDACTED] in Essex Jct., VT.
8. During the attack, Dozer bit MeiMei who sustained injuries.
9. Jeremy Herrera sustained minor injuries, but did not seek medical attention.
10. Jamie Blake is found to be in violation of the Order dated January 24, 2024, that related to Dozer as Dozer was outside of the fence, off leash and unmuzzled. The City also never received verification of training, and there is no evidence of Dozer being trained.
11. The Council finds Dozer to be a vicious dog, as defined in Section 503(G) of the Code because Amanda Sayles sustained minor injuries for which she sought and received medical attention and two unprovoked attacks on domestic pets, Daisy and MeiMei.

B. Rulings.

1. It is necessary for the protection of persons in the City of Essex Junction for the Council to impose the following conditions upon Dozer:
 - a. Dozer shall be surrendered to the Essex Police Department to be rehomed by the Humane Society.
 - b. Dozer shall be rehomed outside of the City of Essex Junction.
 - c. A fine of \$500 for violating Section 510 - Running at Large and Section 508 – Dog Bites on the date of this incident.
 - d. The above listed requirements shall be completed within forty-eight hours of the issuance of this order. If two attempts at personal service have been unsuccessful, service may be deemed effective if made by tack at [REDACTED] Essex Junction, Vermont, the last known address of Jamie Blake or first class mail.
 - e. If Dozer is not surrendered to the Essex Police Department within 48 hours of service, the Municipal Official as defined in Chapter 5 City of Essex Junction Municipal Code, Section 503C, may seek a warrant pursuant to 20 V.S.A. §3551.
 - f. Any boarding fees incurred by the City of Essex Junction during the appeal period of this Order shall be paid by the Owner in accordance with Chapter 5, Section 514(B), of the City of Essex Junction Municipal Code.

Should this Order be violated, Owner is subject to the penalties provided in Section 519 of the Code and Title 20 Section 3550, Vermont Statutes Annotated.

Owner is advised of the right to appeal this Order, pursuant to Chapter 5, Section 521, of the City of Essex Junction Municipal Code, to the Vermont Superior Court, Chittenden Civil Division, 175 Main Street, Burlington, Vermont within thirty (30) days from the issuance of this Order. A copy of any notice of appeal must also be sent to the City of Essex Junction. If no appeal is taken, this Order shall become final.

Raj Chawla
Raj Chawla (Apr 5, 2024 10:33 EDT)
Raj Chawla, City Council President

04/05/24
Date

A. Thibeault
Amber Thibeault (Apr 5, 2024 08:55 EDT)
Amber Thibeault, Vice President

04/05/24
Date

M. Certa
Marcus Certa (Apr 5, 2024 10:30 EDT)
Marcus Certa

04/05/24
Date

Elaine Haney
Elaine Haney

04/05/24
Date