

**Town of Edgartown
Selectboard
July 24, 2023
4:00 pm**

A meeting of the Board was held on the above date in the Fred B. Morgan, Jr. Meeting Room of Town Hall. Members present were: Arthur Smadbeck, Chairman; Michael J. Donaroma and Margaret E. Serpa. Also present was the Town Administrator James Hagerty.

At 4:00 pm Mr. Smadbeck opened the meeting and the first item on the agenda which was a Nuisance/Dangerous Dog Hearing on the complaints of David Brennan and James and Madeleine McKay against a dog owned by Patrice Carter. Present and sworn in for testimony were Animal Control Officer Kim Andrade, James Hagerty and for Mr. Robert Beltrey for Ms. Carter. Mr. Smadbeck read the notice aloud.

Mr. Beltre stated that the owner was homebound and iterated repeatedly that the dog was the “sweetest dog”. The door is fixed and the vet says she it is not vicious.

Ms. Andrade stated that they have had repeated complaints about the dog escaping and coming after people, dogs and car tires going up and down the street. Neighbors are afraid to walk their dogs in the area. She made the following recommendations:

1. To install a double gated entry at all entrances and exits that is at least 4’ high and of durable construction.
2. To provide a fenced enclosure of at least 4’ in height providing at least 300 square feet per dog. Made of durable construction in a manner which prevents the dog from escaping and installed in a way that prevents digging.
3. That the dog be humanely muzzled (basket muzzle) and restrained with a chain or leash having a minimum tensile strength of 100 lbs whenever they are removed from the premises
4. That the dog have all required vaccinations and be licensed by the Town.

Mr. Smdadbeck closed the hearing. Ms. Serpa moved to take the recommendations and require them to be filled with a deadline of one week. Mr. Donaroma seconded. Unanimous.

At 4:05 pm Mr. Smadbeck opened the second item on the agenda which was a Dangerous or Nuisance Dog Hearing on the complaint of Linda Dewitt against a dog owned by Samantha Cooperider. Present and sworn in were ACO Kim Andrade, Sam Cooperider, Linda DeWitt, Bob Green and neighbors Karen and Chris Downing. Mr. Smadbeck read the notice aloud.

Ms. Andrade gave her report and made the following recommendations:

1. To install a double gated entry at all entrances and exits that is at least 6’ high and of durable construction.
2. To provide a fenced enclosure of at least 6’ in height providing at least 300 square feet per dog. Made of durable construction in a manner which prevents the dog from escaping and installed in a way that prevents digging.
3. That the dog be humanely muzzled (basket muzzle) and restrained with a chain or leash having a minimum tensile strength of 200 lbs whenever they are removed from the premises
4. That the dog have all required vaccinations and be licensed by the Town.
5. 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.

6. If the dog is rehomed it is required to inform the Animal Control Officer of the new owners and their address.

Ms. Cooperider stated that she takes full responsibility for the events. She was trying to take action to make it better and can upgrade the fence. She apologized.

Ms. Dewitt stated that it was a terrifying incident. She thought the town handled it well.

Mr. Green stated that he was present for the incident and it was terrifying. The dog is not friendly. He would like to see a sturdy fence.

The Downings relayed incidents where the dog had scared them while going by the house.

Mr. Smadbeck then closed the hearing. Ms. Serpa moved to take the recommendations and require them to be filled with a deadline of one week. Mr. Donaroma seconded. Unanimous.

The Board then approved the following items:

A new Commercial Marine License for Mad Martha's to deliver ice cream to boats in the harbor.

A Block a Portion of a Public Way Permit for JR Construction on September 16th for 55 Cottage St.

Yard Sale Permits for 23 Oliver St. and 13 Dock St.

The minutes of June 26th and July 3rd.

The weekly Warrants.

At 4:40pm Ms. Serpa moved to adjourn. Mr. Smadbeck seconded. The Board did a rollcall vote and all voted Aye. Unanimous

Approved:

Arthur Smadbeck, Chairman

Michael J. Donaroma

Margaret E. Serpa
Selectboard

Respectfully submitted,

Kristy Rose
Administrative Assistant

Documents included in meeting: Agenda, Dog Incident reports, Applications, Permits, Minutes and Warrants