

TOWN OF CHESTER
SELECT BOARD
September 23, 2020
Special Select Board Meeting Minutes

PRESENT: Arne Jonynas; Lee Gustafson; Leigh Dakin; Julie Hance; Jeff Holden; Amie O'Brien

VISITORS: SapaTV; Shawn Cunningham; Adam Woodell; Rebecca White; Jasmine Currier; Greg Adamovich; Betsy Adamovich; Patty Nader; Gregg Nader; Cynthia Farnsworth; Amanda Silva; Tonia Fleming; Lori Quinn; Hugh Quinn; Georgianne Mora; Nicole Kollman; Kristen Olney

Meeting was held via Zoom and at the Town Hall.

1. VICIOUS DOG HEARING

Arne Jonynas read the Notice warning the Town of Chester about the Special Select Board meeting. This hearing is to address an incident that happened between Patty Nader and Gregg Nader's dog, Beau, and Betsy Adamovich and Greg Adamovich's dog, Edgar. On August 17, 2020, Edgar got loose from his collar at 377 Grafton Road and attacked Beau. Patty Nader and Gregg Nader filed an official complaint to the Select Board because they feel Edgar is a threat to them and others in the community. Both parties were previously given a copy of the rules in which the hearing will follow. Lee Gustafson and Heather Chase recused themselves from the hearing due to conflicts of interest. Everyone at the meeting that spoke about the incident was read the oath and sworn in.

Gregg Nader approached the Select Board and spoke about Edgar having a history of violent behavior. He would like the dog removed from the community and euthanized. Patty Nader spoke about the attack on August 17, 2020. She explained their dog was on a leash while walking the shared driveway, where the Adamovich's have a Right of Way, when Edgar broke free from his collar and attacked Beau. Edgar knocked into Gregg Nader then bit Beau and would not release his grip. Three people tried to pry Edgar from Beau. The Nader's said the attack was unprovoked. This was more than a dog bite; it was a vicious attack and Edgar was out to kill. Gregg Nader stated he never claimed Edgar bit him, but he was injured in the chaos of trying to get the dogs free. Patty Nader was hurt by both animals during the incident and needed medical attention.

Patty Nader explained this was not the first time Edgar got free from the Adamovich's yard and attacked Beau. In 2019, the electric fence was not working in Edgar's yard and he broke free. The attack was not as vicious, and Edgar did not leave marks on Beau. Edgar has a habit of lunging at the Nader's and Beau while walking past the Adamovich's. The Nader's would text Betsy Adamovich before going out for walks so that Edgar could be put inside. The Adamovich's

moved Edgar's chain outback for a short time until Edgar attacked a couple of their other animals, so they moved him back to the front yard.

A motion was made by Jeff Holden to accept the Vicious Dog Complaint submitted by Patty Nader and Gregg Nader as Exhibit A. Seconded by Leigh Dakin. The motion passed.

A motion was made by Jeff Holden to accept the written narrative submitted by Patty Nader and Gregg Nader with photographs as Exhibit B. Seconded by Leigh Dakin. The motion passed.

Betsy Adamovich explained the family was on vacation when the attack happened. Kristen Olney and Rebecca White were housesitting and taking care of their animals. Kristen Olney was familiar with Edgar. Edgar's collar was faulty allowing him to get free. She stated both dogs were taken to the emergency room where they were treated for wounds. Gregg Nader stabbed Edgar with a fork during the incident. Both Kristen Olney and Patty Nader were injured trying to free the animals. Betsy Adamovich reached out to Patty Nader after the attack and apologized. She also offered to pay the vet bills. The Adamovich's were instructed not to contact the Nader's because the Nader's hired an attorney to help handle the matter.

The insurance company allowed Edgar to return home if muzzled and harnessed behind an electric fence while outside. Gregg Nader then called the Police due to fear of the dog, while Patty Nader yelled calling the Adamovich's obscene names. A police report was filed by the Chester Police Department. Betsy Adamovich stated she feels terrible and sad about the attack. She plans to consult with a lawyer and sue the makers of the collar Edgar was wearing at the time. The Adamovich's are moving to West Haven, Vermont at the end of October 2020. The new property has 25 acres of open pasture. She does not want her dog to be put down. She submitted letters to the board stating Edgar is a good dog.

Edgar attacked a rooster in the Adamovich's back yard killing it. Betsy Adamovich stated the rooster was provoking Edgar at the time. A letter submitted to the board from Edgar's vet, Bradley Temple, states he is not a threat to others. Edgar was supposed to be housed in a different location until a decision was made. Betsy Adamovich confirmed he was in Springfield for a while, but she brought him back home due to the drive and the expense of keeping him there. In a statement taken by the house sitter, she stated she felt Edgar was a ticking time bomb. Betsy Adamovich explained this statement was taken out of context. The house sitter meant she felt the situation between the two dogs had been building over time.

A motion was made by Jeff Holden to accept the written narrative submitted by Betsy Adamovich as Exhibit C. Seconded by Leigh Dakin. The motion passed.

A motion was made by Jeff Holden to accept the letter submitted by Bradley Temple from Springfield Animal Hospital as Exhibit D. Seconded by Leigh Dakin. The motion passed.

A motion was made by Leigh Dakin to accept the Transcript of Recorded Statement as Exhibit E. Seconded by Jeff Holden. The motion passed.

A motion was made by Jeff Holden to accept the letter dated September 16, 2020 submitted by Jasmin Currier as Exhibit F. Seconded by Leigh Dakin. The motion passed.

Adam Woodell of the Chester Police Department said he observed Edgar's temperament while inside the Adamovich's house. Edgar was excited and jumping very high. He did not witness the dog outside. Lori Quinn spoke about the situation and feels the Adamovich's should not have brought Edgar home. She feels Beau is a good dog and the Nader's take good care of their animals. The Nader's are living in fear and she hopes the Select Board makes the right decision. Rebecca White said she was there to help after the attack because Kristen Olney called her. She stated Kristen Olney thought Beau bit her. Rebecca White brought Edgar to the vet in West Lebanon after the incident. She has children that have been around Edgar and has never been concerned for anyone's safety. Jasmine Currier spoke about Edgar. She said he has never been aggressive towards her or other dogs while at doggy daycare.

Kristen Olney stated she was outside the Adamovich's house when the attack occurred. She heard Edgar barking then saw the Nader's walking with their dog. She did not realize Edgar got loose until she heard Patty Nader yell. She recalls asking Patty Nader if Edgar bit her. Patty Nader said she was not sure but thought Beau bit her. She feels the Nader's are contradicting themselves.

Hugh Quinn stated he is not convinced Edgar is a good dog even though people have testified to it. He feels the dog is a threat to the community because he has shown the damage he can do. Jeff Holden stated he has owned pit bulls in the past. He wants everyone to feel safe in the community. Everyone has different opinions about the breed. Nicole Kollman stated she had taken Edgar to work with her in the past and she has never seen him be aggressive towards others. He was always respectful and well behaved. She feels Edgar was provoked in some manner causing him to attack Beau. Georgianne Mora is a friend of Patty Nader's and the chair of the Select Board and Health Officer in Londonderry. She wanted to make clear this was not just a dog bite. Beau was viciously attacked by Edgar. Beau's injuries and wounds can be seen in the pictures submitted to the board. She feels this type of attack could happen again.

Gregg Nader spoke about the incident on September 11, 2020 which happened after Edgar was brought back home from Springfield. He clarified he did not want to murder Edgar but did say he wanted the dog gone. He asked the officer to remove Edgar from the residence. Family pets can act one way towards the family and a different way towards others. Patty Nader would not walk past the Adamovich's house when Edgar was outside. They would take a different route down a neighbor's driveway. Others are scared to walk past the house fearing Edgar may act similar towards them.

Greg Adamovich spoke about why the complaint was filed. He stated the Nader's filed this complaint against Edgar because they were both bit during the attack. However, they both admit they were not bit by Edgar. He feels this situation has been blown out of proportion and too much time has been spent worrying about it. He feels terrible about what happened but does not see Edgar as an aggressive dog. The Adamovich's are moving in 8 weeks to a different

town. He will keep Edgar leashed properly before they move. Betsy Adamovich stated the police report from September 11, 2020 states Gregg Nader did threaten to kill Edgar. She feels her and Greg Adamovich are good to their pets and would never mistreat their animals. Edgar was let out frequently while they were on vacation by different people, the opposite of what the Nader's have stated.

A motion was made by Jeff Holden to recess the hearing until Friday September 25, 2020 at 6:00 p.m. so the new evidence presented to the Select Board can be reviewed. Seconded by Leigh Dakin. The meeting was recessed.

Only new evidence and testimony will be allowed when the hearing opens back up. The recused Select Board members will not be allowed to participate in the hearing at any time.

2. EXECUTIVE SESSION: ACT 250 UPDATE

A motion was made by Jeff Holden to enter Executive Session. Seconded by Lee Gustafson. The board entered Executive Session at 7:30 p.m.

A motion was made by Leigh Dakin to exit Executive Session. Seconded by Heather Chase. Executive Session ended at 8:01 p.m.

A motion was made by Lee Gustafson to allow Julie Hance to work with the attorney to proceed with the Act 250 decision appeal at a cost not to exceed \$5,000. Seconded by Jeff Holden. The motion passed.

3. ADJOURN

A motion was made by Lee Gustafson to adjourn. Seconded by Jeff Holden. The meeting adjourned at 8:02 p.m.

Amie O'Brien
Secretary of the Select Board

Lee Gustafson
Clerk of the Select Board