



**Animal Control Advisory Board**  
**TOWN OF BELCHERTOWN**

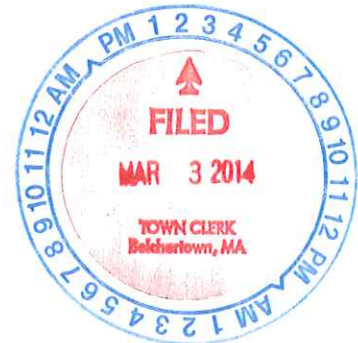
Lawrence Memorial Hall  
2 Jabish Street, P.O. Box 670  
Belchertown, Massachusetts 01007

Date: February 27, 2014

Time: Meeting Convened 6:05 pm  
Meeting Adjourned 7:45 pm  
Place: Town Hall, Auditorium

Present:

Brian Breveleri, Board Member  
Carol Kasabian, Board Member  
Nicole Miner, Chairperson & Secretary  
Audrey Safford, Board Member  
Carol Wagner, Board Member  
Janet Lipscomb, Asst Animal Control Officer  
Chief Fox, Belchertown Police Dept  
Peter Paradiso, 534 Bardwell Street  
Brian Walker & Joanne Winter, 45 South Main Apt. 1



First order of business to hear the complaint of Animal Control against Brian Walker of 45 South Main Street, Apt. 1. Mr. Walker's chihuahua, Coco, has been spotted running a large numerous times over the past couple of years and a formal request was made by Anna Fenton on February 11, 2014 for ACAB to hear the matter.

Mr. Richter does not deny that Coco gets out of her home often and leaves the property. Initially, Coco was exiting out of a doggy door, but Mr. Walker has since blocked the exit. He claims that the doors in his home are old and Coco is able to open them and escape. He has stated that he plans to install a fence when the ground thaws.

The Board ordered Mr. Walker install a permanent fence encompassing the main door that Coco exits no later than April 15, 2014, weather permitting. Animal control will verify that this order has been satisfied on or shortly after April 15, 2104. In the meantime if Coco is found RAL, Mr. Walker will be subject to a \$250 fine and a reconvening of ACAB for harsher penalty.

Second order of business to hear the complaint of Animal Control against Raine Carey of 526 Bardwell Street. Ms. Carey's German Shepard, Cali, has been reported running at large, attacking passers-by, and harassing animals residing in the vicinity. Complaints and fines began in November 2014. On February 12, 2014 Anna Fenton was accompanied by a Belchertown police officer to deliver final citations. A formal request was made by Anna Fenton on February 13, 2014 for ACAB to hear the matter.


Ms. Carey was not present at the hearing. Her neighbor, Peter Paradiso, was present to review several incidents over the past year with Cali harassing his horses, his family members, and passers-by.

Chief Fox was present in support of Animal Control's request to the Board to issue an Order of Restraint against Ms. Carey.

The Board agreed to issue an Order of Restraint, to be hand delivered by Animal Control and accompanied by a police officer. The Order will state that any subsequent violations of the by-laws will result in Cali's permanent removal from the Carey home. The Board will also urge Ms. Carey in their decision letter to surrender Cali, prior to any further incidents, to a safe home or the local German Shepard Rescue.

No subsequent meeting was scheduled. Meeting adjourned at 7:45pm.

Prepared by Nicole A. Miner, Secretary & Chair

 3/3/14



Animal Control Advisory Board  
TOWN OF BELCHERTOWN

Lawrence Memorial Hall  
2 Jabish Street, P.O. Box 670  
Belchertown, Massachusetts 01007

February 28, 2014

Mr. Brian Walker  
45 South Main Street, Apt. 1  
Belchertown, MA 01007

VIA: First Class Mail

Animal Owner/Appellant: Brian Walker  
Animal: Coco  
Hearing Date: February 27, 2014  
Subject: Written decision of hearing dated 27Feb14

Dear Mr. Walker:

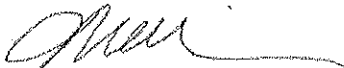
Pursuant to the above-identified matter, the Animal Control Advisory Board has formally decided the following:

**In the matter of the February 11, 2014 incident of running at large (and other previous occurrences):** You are ordered to install a permanent fence that encompasses the door that Coco normally exits no later than April 15, 2014, weather permitting. Completion of the installation will be checked by an animal control officer on that date. If at any time Coco is reported running at large, before or after the installation of the fence, a fine of \$250 will be assessed and the Board will reconvene on your matter, possibly resulting in a harsher penalty.

Pursuant to the by-laws of the Town of Belchertown, sections 15-12, paragraph D, all parties have the right to appeal this decision to the Board of Selectman within ten (10) days of the postmark of this decision.

Regards,

Nicole Miner, Chairperson  
Animal Control Advisory Board

Cc:   
Office of the Belchertown Clerk  
Office of the Belchertown Selectmen  
Anna Fenton, Animal Control Officer



**Animal Control Advisory Board  
TOWN OF BELCHERTOWN**

**Lawrence Memorial Hall  
2 Jabish Street, P.O. Box 670  
Belchertown, Massachusetts 01007**

February 28, 2014

Ms. Raine R. Stilphen-Carey  
526 Bardwell Street  
Belchertown, MA 01007

VIA: Hand Delivery

Animal Owner: Raine R. Stilphen-Carey  
Animal: Cali (German Shepard)  
Hearing Date: February 27, 2014  
Subject: Written decision of hearing dated 27Feb14

Dear Ms. Carey:

Pursuant to the above-identified matter, the Animal Control Advisory Board has formally decided the following:

**In the matter of multiple incidents between November 2013 – February 2014 for running at large, viscous disposition, and worrying of domestic animals:** You are served with the enclosed restraint order as a final warning. Any subsequent reported incidents that prove as a violation of the animal control by-laws of the Town of Belchertown, will result in the immediate and permanent removal of Cali from your care.

Your failure to appear on February 27<sup>th</sup> in combination with your past failures to control your dog, impressed upon the Board your negligence and lack of consideration for the safety of Cali, your neighbors, domestic animals that reside in the vicinity, as well as passers-by. The Board strongly recommends that you surrender Cali to the local German Shepard rescue facility (or to a safe home) as soon as possible to avoid violation of the restraint order.

Pursuant to the by-laws of the Town of Belchertown, sections 15-12, paragraph D, all parties have the right to appeal this decision to the Board of Selectman within ten (10) days of the postmark of this decision.

Regards,

  
Nicole Miner, Chairperson  
Animal Control Advisory Board

Cc:

Belchertown Clerk; Belchertown Board of Selectmen; Anna Fenton, Animal Control Officer; Chief Fox

Enclosure



Animal Control Advisory Board  
TOWN OF BELCHERTOWN

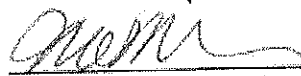
## ORDER TO RESTRAIN


**SERVICE TO:** Ms. Raine R. Stilphen-Carey, 526 Bardwell Street, Belchertown, MA

**RE:** Cali (German Shepard). Incidents between November 2013 – February 2014  
Running at large; viscous disposition; worrying of domestic animals.

VIA: Hand Delivery

As the result of the February 27, 2014 decision of the Belchertown Animal Control Advisory Board (ACAB), you are hereby ordered to restrain your canine, Cali, to the confines of your home by leash when outside of your home. Any subsequent reported incidents that prove as a violation of the animal control by-laws of the Town of Belchertown, will result in the immediate and permanent removal of Cali from your care.

  
\_\_\_\_\_  
Nicole A. Miner, Chair/Secretary ACAB

  
\_\_\_\_\_  
Date

### CONFIRMATION OF DELIVER/RECEIPT

I, Raine Carey, owner of Cali (German Shepard), residing at 526 Bardwell Street, Belchertown, MA 01007, am in receipt of this Order to Restrain.

\_\_\_\_\_  
Raine R. Stilphen-Carey

\_\_\_\_\_  
Date

Animal Control Officer (Witness)

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

Belchertown Police Officer (Witness)

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date